



RIGHT-OF-WAY ACTIVITY INFORMATION SHEET

Department of Public Works

10 N. Bemiston Ave. • Clayton, MO 63105 • Phone (314) 290-8540

What To Know When Performing Activities In The Public Right-of-Way

The **Public Right-of-Way** (aka ROW) is typically the area between the back of the sidewalks on each side of the roadway. However, because ROW locations differ on a roadway-by-roadway basis, it is the responsibility of the permit holder to verify the ROW's location before performing any activity in or adjacent to it. Any activity (construction, work, run/walk events, celebrations, etc.) to occur in the ROW that is not a typical use (i.e. driving a vehicle on the road, walking on the sidewalk, parking in a permitted on-street parking zone, etc.) requires a Right-Of-Way Activity Permit (aka ROWAP). Activities within the City of Clayton ROW are subject to standards and requirements intended to protect the safety of all ROW Users and shall be adhered to. This is a step-by-step guide to performing activities in the City of Clayton ROW.

1) Submitting the Application

- a) Incomplete or improperly completed applications will not be accepted.
- b) Applications will not be accepted from applicants with prior permits in poor standing.
- c) The **“Applicant”** is the person or company applying for and receiving the ROWAP. The Applicant is ultimately responsible for all work or activity associated with the ROWAP.
- d) It is the applicant’s responsibility to contact the Missouri One Call System at 1-800-DIG-RITE (800-344-7483) or 811 or www.mo1call.com for all permits that include excavation. **The Department of Public Works will not accept applications that do not have a Missouri One Call ticket number listed.**
- e) The **“Contact”** is the person whom the City may contact 24 hours a day, 7 days a week in cases of an emergency. Typically, this is the superintendent on the job site.
- f) If the Applicant is installing **“New Facilities”** such as fiber optics, cable, conduit, pipe or other facilities, the owner of the “New Facilities” shall be listed on the application as the **“Provider”**. If the “Provider” is not a registered Facilities-Based Service Provider, a ROWAP cannot be issued. All companies seeking registration with the City of Clayton are to notify the City Clerk in writing at the above address.
- g) The Applicant is to list all subcontractors that will work under the Applicant’s ROW Activity Permit. All work performed by subcontractors will be covered under the Applicant’s bond. **The Applicant and each subcontractor are required to submit a separate Certificate of Insurance.** (see “Issuance of Permit” section below)
- h) The Applicant shall measure the total length of all saw cutting of any asphalt pavement (the perimeter of the patch) and list it on the application under **“Total Length of Saw Cut”**.
- i) The Applicant shall submit with the application five (5) copies of a site plan showing the nature of the proposed work. A site plan shall include the location of the proposed work with dimensions of its proximity to the curb, sidewalk, streetlights, street trees and other facilities that may be impacted. Please submit plans folded to a maximum size of 8 ½” x 14”.
- j) If the proposed activity would impact any driving lanes, the Applicant shall submit with the application five (5) copies of a **Traffic Control Plan**. All traffic lanes, including parking lanes, shall be shown on the plan as well as all proposed traffic control devices. **All traffic plans shall be in conformance with the latest version of Part VI of the Manual of Uniform Traffic Control Devices (MUTCD).** Please submit plans folded to a maximum size of 8 ½” x 14”.
- k) If the proposed activity in the ROW requires **blocking access to meter parking spaces, an Application for Parking Meter Rental is required.** Each meter rents at \$30 per day.

- l) Permit Fees:
 - i) Application Fee (non-refundable).....\$100.00
 - ii) Inspection Fee.....\$100 per unit
 - iii) Amendment Fee (time extensions, change to plans, etc.).....\$50.00 + \$10.00 per page

2) Unit Costs based on Type of ROW Work Permit:

a) One Unit (\$100.00 Fee)

- i) All scopes of work that require the use of the public right-of-way, roadway/lane(s) closures, and/or sidewalk closures for some time less than one-month continuous duration.

b) Two Units (\$200.00 Fee)

- i) Utility excavations shall be considered two (2) units for excavations three hundred (300) continuous feet or less, whereas each increment of three hundred (300) continuous linear feet is an additional unit.
- ii) Single location [less than five (5) slabs] spot excavations of driveway approaches, alley slabs, curb & gutter, residential sidewalk, street restoration, and bores (max. 2 bore pits).
- iii) Geotechnical Investigations.
- iv) Less than five (5) telephone poles.

c) Three Units (\$300.00 Fee)

- i) Multiple locations [less than ten (10) slabs] spot excavations of driveway approaches, alley slabs, curb & gutter, residential sidewalk, street restoration, bore [greater than two (2) bore pits] OR five (5) or more slabs at a single location.
- ii) Single location streetscape sidewalk, ADA ramp, crosswalk.
- iii) All scopes of work that require the use of public right-of-way, roadway and/or lane(s) closures, and sidewalk closures for some time greater than one-month continuous duration.
- iv) Less than ten (10) telephone poles.

d) Four Units (\$400.00 Fee)

- i) Greater than 10 slabs of driveway approaches, alley slabs, or streetscape sidewalk until the linear feet of excavation exceeds nine hundred (900) feet. For linear excavations greater than nine hundred (900) feet apply the one-unit charge for every three hundred (300) continuous linear feet charge.
- ii) Multiple ADA ramps or crosswalks.

3) Application Review

- a) Review of applications requires a minimum of 2 days.
- b) Applicant may be contacted for additional information or revised plans if needed for the Public Works Department to have a clear understanding of the activity/work to take place in ROW.
- c) Upon final review of the application, a copy of the **Right-of-Way Activity Review Form**, which may have additional requirements to the proposed activity/work, will be attached to and considered part of the ROWAP.

4) Issuance of Permit

- a) The Public Works Department shall notify the applicant when the application has been approved and identify all fees, bonds and certificates of insurance required to issue the ROWAP.
- b) **Degradation Fee:** The fee charged by the City to recover the costs associated with a decrease in the useful life of any paved ROW caused by excavation or other disturbance. The Degradation Fee shall not apply to concrete slabs or curbs, which shall be replaced rather than restored. This fee is computed using the "Total Length of Saw Cut" submitted on the application as follows:

$$(\text{"Total Length of Saw Cut"}) \times (\text{Number of Years To Next Overlay}) \times (\$1.25)$$

If the actual total length of the saw cut after completion of the work exceeds the "Total Length of Saw Cut" by five (5) feet or more, the Degradation Fee shall be increased accordingly. The applicant shall be responsible for all additional costs associated with the Degradation Fee.

- c) **Performance and Maintenance Bond:** a bond in the City's favor to ensure the restoration of the ROW shall be submitted before the issuance of the ROWAP. *The bond shall continue in full*

force and effect for twenty-four (24) months following completion of the work. It is the responsibility of the applicant to request the release of the bond in writing. The bond shall be issued by a surety with an "A" or better rating of insurance in Best's Key Rating Guide, Property/Casualty Edition, shall be subject to the approval of the City Attorney, and shall contain the following endorsement:

"This bond may not be canceled, or allowed to lapse, until sixty (60) days after receipt by the City, by certified mail, return receipt requested, of a written notice from the issuer of the bond of intent to cancel or not to renew."

- d) **Certificate of Insurance:** All ROW Users shall maintain, for the duration of any ROWAP the following minimum liability insurance coverage: worker's compensation and employer liability insurance to meet all requirements of Missouri law and commercial general liability insurance with respect to the construction, operation, and maintenance of the Facilities, and the conduct of the ROW User's business in the City, in the minimum amounts of:
- (1) \$3,400,000* for property damage resulting from any one accident;
 - (2) \$3,400,000* for personal bodily injury or death resulting from any one accident;
 - (3) \$3,400,000* for all other types of liability.
- *Limits increase annually to meet the Missouri Sovereign Immunity Limits. Current limits can be found at <https://insurance.mo.gov/industry/sovimmunity.php>
- All insurance policies shall be with sureties qualified to do business in the State of Missouri, with an "A" or better rating of insurance by Best's Key Rating Guide, Property/Casualty Edition. All general liability insurance policies shall name ***"The City, its officers, boards, board members, commissions, commissioners, agents, and employees as additional insureds"*** and shall further provide that any cancellation or reduction in coverage shall not be effective unless thirty (30) days prior written notice thereof has been given to the City Clerk.
- e) The issued permit shall be on the job site at all times.
- f) Upon issuance of a ROWAP, the Department of Public Works shall be notified at (314) 290-8540 at least 48 hours before commencing work for streetlight cable and traffic signal cable locates. The city owns these cables. Locates of City facilities are valid for two weeks from the date of locate.

5) Inspections & Standards for Work

- a) Working hours are from 7 a.m. to 6 p.m. Monday through Friday. Lane drops shall not be set up before 9 a.m. and shall be removed no later than 4 p.m. without specific approval by the Public Works Department. Work outside these hours (including weekend work) requires an Afterhours Work Permit, signed off by the City Manager. Must apply for an Afterhours Permit 7days in advance.
- b) Streets, alleys, and sidewalks shall not be blocked to traffic without specific approval by the Public Works Department.
- c) The applicant shall be responsible for the setup, maintenance, and removal of all traffic control devices per the approved traffic control plan.
- d) Street cuts may not be permitted during December, January, February, and March except on an emergency basis.
- e) The City does not allow stockpiling of any material or equipment storage in the ROW. It is the applicant's responsibility to keep the job site clean and free of debris at all times.
- f) School zones, arterial, and collector streets such as Brentwood Blvd. and Maryland Rd. have specific time restrictions when activity/work is permitted to occur. Check the Right-of-Way Activity Review Form.
- g) The Planning and Development Department performs all plumbing inspections and should be contacted at (314) 290-0452.
- h) If an excavation is being made in the vicinity of a tree located in the public ROW, the Public Works Department shall be contacted before starting excavation to discuss and execute options that minimize the impact of the excavation on the health of the tree.

- i) All new facilities (i.e. conduit, pipes, manholes, etc.) shall be installed in the utility corridor located between the curb and the parking lane (8 ft from the face of curb). ROW Users shall avoid placing infrastructure under sidewalks, curb ramps, and street trees.
- j) All access structures permitted in streets, alleys, and approaches shall meet or exceed St. Louis County standards for manholes. The manhole shall have the name of the owner or type of facility permanently stamped on the cover.
- k) All access structures permitted on the sidewalk shall use a Qauzite Composite “PG” style service box or equivalent to be approved by the Public Works Department. No access points shall be permitted in the pedestrian access route (aka PAR). The service box shall have the name of the owner or type of facility permanently stamped on the cover.
- l) **All work in Downtown Clayton between the curb and edge of ROW shall meet City of Clayton Streetscape Standards. Copies are available on the City’s Website at <http://www.claytonmo.gov/rowinfo>.**
- m) Utility locates are required for all excavation work. The number to call for locating utilities is 1-800-DIG-RITE or 811 or www.mo1call.com. A ROWAP must be issued before the Public Works Department will mark City-owned utilities including street lighting, irrigation, and traffic signals. The following industry standard colors codes shall be used for identifying underground utilities:

Red	Street Lighting (Electric)
Yellow	Gas-Oil-Steam
Orange	Communication - CATV
Blue	Water
Green	Sewer
Fluorescent Pink	Temporary Survey Markings
White	Proposed Excavation
Purple	Irrigation Lines (Reclaimed Water)

- n) The applicant shall not begin or continue to excavate if the markings are no longer visible or have been dug up. The contractor shall call in to have the utilities re-located.
- o) **For Street Excavations: (see detail attached to the back of this document)**
 - i) **All excavations shall be saw cut full depth.**
 - ii) Fill/Subgrade material shall be flowable fill only. **Aggregate backfill is not acceptable.** Clean aggregate maybe used around utilities to maximum of 1 foot of cover with permission from the City Engineer. Subgrade elevation shall be ten (10) inches below existing pavement grade. **INSPECTION REQUIRED.**
 - iii) Base Pavement shall be a minimum eight (8) inches of 8-½ sack PCC. Base elevation shall be two (2) inches below existing pavement grade. If there is an existing concrete base, the patched area shall be doweled into existing concrete base. See attached detail. **INSPECTION REQUIRED.**
 - iv) Pavement Wearing Surface material shall be two (2) inches of County “C” ACC. All saw cuts shall be squared up with vertical edges prior to paving. **INSPECTION REQUIRED.**
 - v) Edges of the patch shall be sealed with SS1 or equal product.
- p) **For Tree Lawn Area (between sidewalk and curb) Excavations:**
 - i) Fill material shall be topsoil, mechanically compacted in one (1) foot lifts.
 - ii) The area should be slightly heaped to compensate for settling. **INSPECTION REQUIRED.**
 - iii) The seed/sod, to be determined by the Public Works Department, shall match surrounding lawn.
 - iv) Excess dirt shall be hauled away by the applicant.
- q) **For Sidewalk Excavations:**
 - i) Fill/Subgrade material shall be topsoil, mechanically compacted in one (1) foot lifts.
 - ii) Base material shall be 1” minus crushed limestone, mechanically compacted and installed as needed to bring the elevation within 5 (five) inches of pavement grade.

- iii) Rigid, non-warped concrete forms are to be used to set up the sidewalk area for pouring.
INSPECTION REQUIRED.
- iv) Wearing Surface material shall be five (5) inches of 6 sack Meramec sand & gravel concrete to match the adjacent pavement as closely as possible. Fiber expansion joints are to be installed every fifteen (15) feet with control joints being grooved every five (5) feet.
INSPECTION REQUIRED.
- v) Sealer shall be non-yellowing acrylic curing and sealing compound.
- r) **For Driveway Approach Excavations:**
 - i) See City of Clayton ROW Design Standards or approved site plan for details and specifications.
 - ii) **INSPECTION REQUIRED** for subgrade, formwork, and concrete pour.
- s) For Curb Excavations:
 - i) See City of Clayton ROW Design Standards or approved site plan for details and specifications.
 - ii) **INSPECTION REQUIRED** for subgrade, formwork, and concrete pour.
- t) **Final Inspection for All Work:**
 - i) After all the disturbed ROW has been restored and cleaned up; a final inspection is required to close the permit.