

**RIGHT-OF-WAY USE PERMIT APPLICATION
FRANKLIN TOWNSHIP, PORTAGE COUNTY, OHIO**

Permit Issue Date: _____ Permit Expiration Date: _____ Fee Paid: _____ **Permit No.:** _____

Application, plans, and \$25 permit fee (cash or check payable to Franklin Township) must be submitted to: Franklin Township Trustees, 218 Gougler Avenue, Kent, Ohio 44240; ATTN: Road superintendent, **at least** fifteen (15) working days prior to construction for major projects (new utility lines, extensions, etc.) and seven (7) working days for utility service tie-ins. A Maintenance of Traffic Plan that conforms to ODOT's Manual of Uniform Traffic Control Devices (MUTCD) must also be submitted if Applicant's work will impact traffic. The execution of this document is subject to and without waiver of any rights conferred by tariff, the common law and general laws of Ohio, and any interest in both real and personal property, including all utility facilities, to any Public Utilities Commission of Ohio (P.U.C.O.) regulated utility.

Applicant: _____ Contractor: _____

Address: _____ Address: _____

24 Hour Phone: _____ 24 Hour Phone: _____

E-Mail: _____ E-Mail: _____

Location: House No.: _____ Road Name & Number: _____

Type of R/W Use: _____

Work will commence on or about: _____ and be completed on or about: _____

Comments: _____

ACCEPTANCE OF THIS PERMIT CONSTITUTES AN AGREEMENT TO COMPLY WITH THE FOLLOWING EIGHTEEN (18) PROVISIONS WHICH ARE BINDING ON ALL SUCCESSORS, ASSIGNS BENEFICIARIES:

1. Attach drawings of the proposed work. Show plan, profile, cross section, pavement, pipes, bridges, etc. State fully and completely the exact location of the work with Township route and distance from some geographical point such as intersecting highways, city or village corporate limits, section lines, or utility pole markers. Show proposed location of installation with reference to pavement, right-of-way line, and owner's property lines. If applicable, provide information as to type of service (water, oil, gas, sanitary or storm, etc.) If carrying liquid or gas under pressure, state pounds per square inch, internal diameter and type of pipe, length of line and proposed location with respect to pavement and right-of-way line
2. Underground lines, etc. shall be no less than 30" deep, located behind the back side of the ditch line and have permanent markers at the R/W line , angle points and every 200 feet within the R/W. Road crossing shall be no less than 3' below the back side of the ditch. Telephone pedestals require an 8' post with a 9X15 object marker showing their location on the R/W. Utility poles shall be no less than 10' from the edge of the roadway pavement.
3. The Franklin Township shall be notified two working days before any work is started within the R/W, contact our Road Superintendent at 330-673-6222, frktwproadsuper@gmail.com .
4. Any expense incurred by Franklin Township due to the applicant's use of the R/W will be paid by the applicant.
5. All disturbed areas shall be promptly restored to the original condition.
6. **THE CUTTING OF PAVEMENT IS NOT PERMITTED EXCEPT WHEN SPECIFICALLY AUTHORIZED BY GRANTING AUTHORITY.**
7. The use of the pavement lane or berm for deposit of excavated materials will not be permitted.
8. This permit is valid for this installation only and only within the right-of-way of this public road.
9. The permit holder and permit holder's contractors shall abide by the MUTCD safety regulations and all OSHA standards.
10. The permit holder will be required to make any necessary repairs or relocate facilities within or over the existing Right-of-way promptly at permit holder's expense to accommodate any improvement or repairs undertaken by Portage County, including new or relocated Portage County water and sewer lines.
11. A permit will be required for installations constructed on private property which must cross over or under the road right-of-way. If installation crosses the roadway, describe the method of crossing including proposed depth under pavement.
12. The permit holder and permit holder's contractor shall be responsible for calling the **Ohio Utilities Protection Service (OUPS) 48 hours** prior to construction.
13. Permit holder shall be responsible for and save Franklin Township harmless from all damages and claims to persons or property due to or resulting from any work performed under this permit and shall defend any action brought due to this work.
14. The permit holder shall save Franklin Township harmless from all damages to permit holders property that is not installed according to the conditions of this permit.
15. Permit holder shall be responsible for any pavement and berm failure or trench settlement occurring within twelve months of completion of the project, if determined to have resulted from operations within the right-of-way.
16. During construction and / or maintenance of overhead lines and poles the permit holder shall trim any and all tree limbs as requested by Franklin Township.
17. The right reserved, during the time any or all the work is being performed, to appoint an inspector over the work who shall represent the interests of Franklin Township on the work, and any compensation arranged for shall be paid wholly by the permit holder. This permit may at any time, be revoked and annulled by Franklin Township at any time for non-performance of or non-compliance with any of the said conditions, restrictions and regulations hereof.

18. For **NPDES** permits, You, Landowner/Applicant, own the proposed work and project. Franklin Township assumes no responsibility for permit holder's septic failure or backup.

I hereby agree to abide by the conditions stated herein during the construction and maintenance of this permit.

Applicant Signature: _____ Date: _____

Accepted by: _____ Date: _____
For Franklin Township

Version 04/2021