

## **CONSTRUCTION IN PUBLIC RIGHT-OF-WAY**

In order to promote public safety and convenience, and to assure that excavation and construction by private owners, public utilities and contractors within City owned right-of-way or public ground is done in a uniform and workmanlike manner, the following provisions shall apply:

**Permits Are Required for all excavation and construction within City owned right-of-way or public grounds. This permit is issued by the Engineering Division upon application by the property owner, licensed contractor or public utility performing the work.**

**Excavation and Construction** includes installation, repair and replacement of driveways and sidewalks, the installation, repair and replacement of all public and private utilities, grading, and other activities completed within City owned right-of-way.

**Minor Repairs** means work personally performed by property owners to existing sidewalks or driveways located on City owned right-of-way and public grounds abutting their property. This may include crack repair, removal and replacement of existing driveways to the same line and grade, or resurfacing. This excludes any work required to the street curb cut. A permit is required for these minor repairs when done by the property owner, there is no fee for this permit.

**Street Curb Cut Work** includes work done to the actual street surface or curb and gutter section. This work must be completed by a contractor licensed by the City. The contractor shall apply for the permit and pay the associated permit fee.

**All work requiring excavation in the right-of-way must be completed by a licensed contractor, this includes installation of new driveways, widening of existing driveways and sidewalks, any utility installation or repairs, or any curb cut work.**

**License Required** of contractors, non-exempt utilities, persons (other than the property owner completing minor repairs) performing excavation or construction in City owned right-of-way.

**Fees** -- all applicants, other than property owners personally performing minor repairs to sidewalks or driveways as defined above, shall pay a permit fee as established by the City Council.

**Backfilling and Restoration** -- any person excavating in the streets or City owned right of way or public grounds shall be responsible for the backfilling of the excavation and the restoration of the pavement or surfacing according to City Standard Specifications.

Permits are issued within one working day upon review of the completed application unless there is a discrepancy or the application violates City Code.

Any questions pertaining to Construction in the Public Right-of-Way should be directed to Engineering Division, Newton Public Works Office at 792-6622.