



Public Works Department

"Our mission is to provide outstanding service, safety and support for transportation infrastructure and maintenance."

Right-Of-Way (ROW) General Conditions

Effective Date: January 1st, 2021

1. Applicant shall not apply for a permit if work will not commence within 45 days.
2. If a ROW permit is approved and additional work needs to be done in the same area by the same contractor an additional permit will need to be applied for. The scope of work on the approved permit cannot be altered or added to once approved.
3. Town Inspector can halt work on any project at any time if any condition is deemed unsafe or does not meet any of the ROW General conditions listed below. A formal Stop Work Order will be issued, as necessary, to address the terms to continue work on the project.
4. All work will be stopped if valid locates are not onsite at start of work.
5. Any and all work being done in the ROW or in or across a Town owned utility easement requires a permit and approval by the Town before commencement of work.
6. All utilities- placed in roadway sections must be at a minimum depth of 36" and a minimum of 24" under sidewalks.
7. Private utility companies shall install all facilities within a Schedule 40 PVC sleeve across all public right-of-ways to accommodate future repairs without street cuts.
8. Utility conduits sleeves shall terminate into a pull box at each end. A pull string and tracer wire shall be installed directly above the pipe.
9. All private utilities must maintain a minimum of 18" vertical clearance of Town owned utilities.
10. Project Description/Overview cannot be changed or altered once submitted. If changes need to be made a new permit must be applied for.
11. Emergency permits will be subject to an emergency permit fee for expediting the ROW permit process. See fees listed below.
12. The Town reserves the right to request a plan and profile for any bore project, and/or project as-builts for complete bore projects.
13. The Permittee shall apply for a ROW permit at least seven (7) working days prior to commencement of any work. (A seven-day minimum is required for all traffic control reviews. 21-day minimum for all road closure reviews).
14. Permittee is required to provide the following:

Project Description/Overview
Acknowledge ROW General Conditions
Job Value
Plan and Profile (SUE Level A or B)

Traffic Control Plan
Street / Lane Closure Form
Recorded easement documents
Approval Letter from Outside Agencies

15. SUE Quality Level A involves physically locating the existing utility and confirming the utility material, the utility depth and recording the measurements vertically and horizontally from top of pipe to a set or know point. This level of investigation must be done on all Public Utilities or as directed by the Town inspector.
16. SUE Quality Level B involves designating the underground utilities by marking provided by 811 or by using known records of the owner of the existing utility. (This is for private utilities only).
17. Prior to the start of work, a signed and approved ROW permit must be obtained. This permit and a complete set of plans must be maintained on the job site and available at all times. (Starting work before approved permit is in hand and pre-con is held with assigned Inspector will result in stoppage of work and a ROW Permit Violation (1st Offense). See fees listed below.
18. No one is permitted to perform construction, excavation or work in an area/location other than that specified on the ROW permit. The Public Works Inspector must be notified immediately if such circumstances arise.
19. A representative of the Permittee/Applicant and the contractor performing the work for the Permittee/Applicant must be in attendance at the pre-construction meeting, No exceptions.
20. The Permittee/Applicant remains responsible for the performance of the work identified in the ROW permit.
21. All work performed within the ROW will require inspection by a Public Works Inspector.
22. All work shall be described on an 8.5" x 11" sheet of paper and shall be drawn at a legible scale, which may also include traffic control plan drawn by traffic control company.
23. Surveying may be requested by the Public Works Inspector if the public right-of-way and/or easement boundaries are unclear.

24. All utility borings must be placed in utility easements if there is sufficient space available.
25. All utility borings crossing existing Public Infrastructure including water distribution, gravity and forced sanitary sewer and storm sewer mains must have a SUE Quality Level A investigation done before work can begin. An approved and professional Engineer stamped Plan and Profile can be requested in high density utility areas or as instructed by the Town Inspector.
26. All private utilities within work area must have a minimum of SUE Quality Level B performed before work can begin unless otherwise instructed by the Town Inspector.
27. All work within the right-of-way will be limited by the Town to be performed on Monday through Friday, between the hours of 7:00 a.m. to 6:00 p.m. (unless otherwise approved by the Public Works Director).
28. No work shall be performed in the Town's right-of-way on weekends or holidays. No Exceptions. Any work done on these days will be subject to a ROW Permit Violation (1st Offense) fee.
29. Normal work day inspection hours are 7:00 a.m. to 4:30 p.m. All excavations or potholes must be backfilled or safely barricaded by 4:30pm.
30. Inspections shall be scheduled through the assigned right-of-way inspector.
31. Permittee/Applicant is required to notify the Public Works Inspector immediately if an emergency situation occurs on the project.
32. The Permittee/Applicant agrees to indemnify and hold harmless the Town of Castle Rock, its employees and agents from any acts arising from the construction and/or maintenance, or Permittee's/Applicant's facilities or work covered by this permit.
33. The Public Works Inspector shall have access to all work and materials at all times.
34. Sidewalks are intended for pedestrian access only and should not be used for vehicle travel nor parking.
35. The Public Works Inspector has the right to reject any and all materials being used that do not meet Town specifications.
36. Permittee shall be responsible to procure all applicable municipal, state or federal permits, licenses, etc. necessary for the execution of work; and shall be responsible to abide by any State or Federal regulations or laws which are not otherwise specifically designated on the plans or mentioned in the Town's Transportation Criteria Manual.
37. Permittee shall furnish all site surveys, easements, permits, etc. necessary to support construction of any improvement related to the project. The Public Works Inspector can also require this during construction to ensure placement is correct.
38. A Street Lane/ Closure Form is required and shall be completed in full when applying for permit.
39. A Seven (7) day minimum is required for all traffic control reviews. 21-day minimum for all road closure reviews.
40. Projects greater than 1000' need to be phased into 1000' increments and submitted separately.
41. Open trenching in excess of 1000' requires a Temporary Erosion/Sediment Control permit. (TESC)
42. All work/repairs within public roadways shall conform to the Town's Transportation Criteria Manual.
43. ROW permits expire 45 days after the date of issuance if work does not commence.
44. Permittee shall be responsible for compliance with O.S.H.A. and to protect the public from any and all harm during the construction process.
45. Permittee is responsible for maintaining all temporary construction repairs until permanent construction is completed.
46. All pavement cuts will be repaved within 48 hours of completion of repairs (unless weather prevents, must schedule patch with inspector if weather delay occurs).
47. All pavement cuts that are not repaired after 48 hours will be assessed a fee per day until the repairs are made. See "ROW Damage Per Day" Fee listed on fee schedule below.
48. All site restoration must be completed within 2 weeks from project completion. Any work not completed will be assessed a fee per day until the restoration is completed. See "ROW Damage Per Day" Fee listed on fee schedule below.
49. All street cuts performed within the Towns' right-of-way must be flow filled or flash filled per CLSM Standards (50 PSI Minimum) as directed by the Public Works Inspector.
50. All street cuts must be saw-cut. Debris and slurry from saw cutting must be vacuumed
51. Asphalt pavement repair shall be a minimum of 6" full depth or match existing section if over 6". Materials and Installation shall be in accordance with CDOT Specifications.
52. All asphalt patches require a minimum of 18" t-patch. Mill must be 2" uniform depth around entire perimeter of trench.
 - 1) The Public Works Inspector must approve all concrete and asphalt mix designs.
53. Permittee is responsible for preserving or replacing all survey monuments or benchmarks at each work site. If destroyed, Permittee has the responsibility to hire a Registered Land Surveyor to replace markings.
54. All locate flags, tracking pads, survey stakes and any other items or debris related to the project must be removed from

the site upon completion of permit.

- 55. TESC Plan will be required when disturbing large area of right-of-way affecting drainage and landscaping in accordance with Town of Castle Rock Stormwater Criteria Manual.
- 56. All damaged sod, seed and blanketed areas must match existing sod or seed type and if work is being done in winter months a construction schedule for the repairs is required to be submitted to the Public Works Inspector.

Right-of-Way Fees

Administration Fee	\$200.00
Trench/Pavement Cut (Cost per Sq. Ft.)	\$8.00
Boring In Public Right of Way	\$1.00
Inspection Fee (\$65 for each additional after 3)	\$195.00
Not Ready for Inspection	\$195.00
ROW Permit Violation 1 st Offense	\$600.00
ROW Permit Violation 2 nd Offense	\$1,200.00
Sidewalk Damage	\$55.00 Base+\$1.00 per sq. ft.
Curb and Gutter Damage	\$55.00 Base+\$1.00 per sq. ft.
Traffic Control Review	\$200.00
Obstructions to Public ROW	\$75.00/ Day \$150.00 per day after Expiration
Striping Damage	\$35.00/ sq. ft.
Pothole Core Charge/ Pothole	\$150.00/ pothole
Emergency ROW Permit	\$300.00
Working Without Locates	\$500.00
Right-of-Way Damage (Per Day)	\$75.00
Easement Crossing Permit Fee	\$195.00
Sidewalk Closure ONLY Permit	\$195.00
Landscaping/HOA Right of Way Permit	\$195.00

**ROW Permit Fee, Administration/ Traffic Control Plan, Traffic Control Review fees will be administered once permit is approved. These fees must be paid before permit will be issued. All other fees may be administered in accordance with work by the Public Works Inspector. All fees will be recorded on permit on site. The Public Works Inspector will also enter the fees into Etrak-It. All additional fees will be calculated and an invoice will be sent by the Town of Castle Rock to the Permittee/Applicant on file once final punch list is complete.

**All Right-Of-Way potholes and street cuts must be repaired in accordance with the “Right-Of-Way Street Cut/ Pothole Repair Detail” unless otherwise instructed by the Town Inspector. **

Examples of ROW Permit Violation 1st Offense (examples but not limited to)

- Starting work without having a pre-construction meeting with a Town inspector.
- Working without the approved ROW Permit onsite.
- Working outside of the approved overview or plan and profile submitted with the permit.
- Working outside the direction given by the Town inspector.
- Not performing SUE Quality Level A investigation on existing Public utilities.
- Not notifying Town Inspector when crews will be working on site.
- Causing damage/disturbance in areas outside of approved working area or bore path.
- Boring outside of approved both path as approved and communicated by the Town inspector.
- Working on site with an expired permit.
- Working under non approved traffic control.
- Working under another companies locates.
- Disregarding any direction given by the Town Inspector.

Examples of ROW Permit Violation 2nd Offense (examples but not limited to)

- Second Occurrence of any of the above violations.
- Working without Locates, repeatedly.
- Working under another companies, repeatedly.
- Second occurrence of any of the above on future permits held by the same permittee/applicant in which they had a violation on any other right of way permit within the Town.

I, (Contractor/Permitee) _____, hereby acknowledge on this date _____ that I agree to these Right-of-Way General conditions and understand that I am responsible for upholding all requirements and standards presented in this document. I acknowledge that I am responsible for any and all work/damage done while working under a valid Right of Way permit and that standard fees may apply while doing so.