

**CITY OF GUSTAVUS, ALASKA
RESOLUTION CY19-05**

**A RESOLUTION BY THE CITY OF GUSTAVUS ADOPTING A CIVIL WORK PERMIT
FOR CITY ROAD RIGHTS OF WAY AND EASEMENTS POLICY AND PROCEDURE**

WHEREAS, the City of Gustavus has experienced damage to its road rights of way and easements from unauthorized work; and

WHEREAS, the City of Gustavus recognizes the need for clear procedures for work in the road rights of way; and

WHEREAS, the City will establish a permit application as part of the its policy and procedure for work in its road rights of way and easements to eliminate or reduce costs incurred due to damage; and

WHEREAS, formal action is needed to adopt policy and procedure for City of Gustavus establishing permitted work in its rights of way in the future.

NOW THEREFORE, BE IT RESOLVED that the City of Gustavus adopts the Civil Work Permit for City Road Rights of Way and Easements Policy and Procedure as attached.

PASSED and **APPROVED** by the Gustavus City Council this 11th day of March, 2019, and effective upon adoption.



Calvin Casipit, Mayor



Attest: Karen Platt, City Clerk

CITY OF GUSTAVUS

POLICIES AND PROCEDURES

Civil Work Permit for City Road Rights of Way and Easements

SCOPE AND APPLICATION

This policy and procedure apply to dedicated public roads and to travel ways serving city properties such as City Hall, the Library, DRC and Fire Hall, within the boundaries of the City of Gustavus. It does not apply to private roads or driveways except where they intersect city roads within the public road easement. Procedures herein do not apply to road maintenance activities directed or conducted and overseen by the city.

POLICY

- A. In accordance with City of Gustavus Title 10.07.040, the City of Gustavus will make reasonable efforts for ground disturbing activities (civil work), and installations of equipment or structures, in public road rights-of-way to be conducted by such means and in such manner, as reasonable for public safety and the protection of city resources, including road embankment and travel surface quality. The city will make reasonable efforts such that construction in the road easement does not hinder city road maintenance or cause unreasonable future maintenance costs to the city.
- B. Covered civil work includes any work that disturbs the ground or road embankment in a city-maintained public right-of-way or road easement, and that may require future city maintenance, impact public traffic or safety, hinder city road maintenance, or increase city road maintenance costs, such as:
 - 1) driveway construction;
 - 2) culvert installation;
 - 3) ditching;
 - 4) drainage improvements;
 - 5) utility, satellite dish, Internet, pole, or other communication equipment installation, repair or maintenance;
 - 6) wells or water lines;
 - 7) permanent fencing;
 - 8) advertising sign posts;
 - 9) tree or stump removal;
 - 10) any attachment of equipment to, or disturbance of, city bridges, culverts, or fire department drafting sites.

PROCEDURE

- A. Any private entity, other than a contractor performing public road maintenance work directed by the city, who is planning to conduct ground-

disturbing civil work in a city-maintained road right-of way or easement shall apply to the city administrator for a civil work permit using the form included in this procedure. The entity shall not begin civil work at the site until they have received a signed, approved permit for the intended work.

- B. For routine, non-emergency work, the applicant shall submit the application at least 14 days before the work is scheduled to begin. The city does not guarantee that applications in non-emergency situations will be approved in less than 14 days.
- C. For emergency work the applicant shall indicate on the form the emergency nature of the work, and the city administrator shall expedite the permit review, allowing work to be completed in a timely manner consistent with the nature of the emergency.
- D. A utility conducting civil work at multiple sites within the city or occasionally throughout the year may apply using the same form for a blanket permit for described work for up to one calendar year.
- E. The city administrator will review the permit application, with assistance of city staff or other advisors as needed, to determine:
 - 1) applicability (is a permit required for this work?);
 - 2) utility location has been addressed if applicable;
 - 3) civil work is conducted safely and without undo impact to safe traffic flow;
 - 4) the work or installation will not negatively affect future maintenance, functioning, or appearance of city roads or neighborhoods;
 - 5) any constructed features such as culverts will meet the City's Road Maintenance Specification 603, Steel Culvert Installation and Repair (copy attached) for size and installation, and will function adequately through their service life; and
 - 6) city road embankments and driving surfaces are returned to serviceable condition;
 - 7) any requirements needed to assure the work or work product does not conflict with the intent of the ordinance or this policy and procedure;
 - 8) the permit has been signed indicating the applicant's agreement to abide with permit terms and not to begin work until an approved permit has been issued.
- F. The city administrator will respond as promptly as possible with any questions, or any stipulations, provisions or changes to the work plan that will be required for permit approval.
- G. The city administrator will sign the permit as "Approved" within 14 days of application if the city's requirements are expected to be met by the applicant's work plan. Additional stipulations may be provided in an

- attachment to the approved application/permit. The signed and approved permit application form becomes the effective permit for the work.
- H. The city administrator will *not* approve the permit if the city's requirements for the planned work are not met by the permit or the applicant does not agree to permit terms stipulated by the city. The city administrator will sign the permit as "Not Approved" in such case.
 - I. The applicant will notify the city administrator or designee in writing when the project begins and finishes.
 - J. The city administrator will inspect the site during the work and after completion as (if) necessary to assure that the terms of the permit are met.
 - K. Fees required: No permit fee is required at this time.
 - L. Penalties: If an entity proceeds with covered work without requesting and receiving an approved permit, or in violation of the permit terms, it is subject to an administrative fine of \$200, and may be required to remove any constructed facilities or equipment and restore the road embankment to acceptable, serviceable condition.



**City of Gustavus
Civil Work Permit Application and Permit Form**

Submit to Gustavus City Hall, in person or to PO Box 1, Gustavus, AK 99826,
or email to administrator@gustavus-ak.gov

Requesting entity:

Contact person:

Address:

Phone(s):

Email:

Permit Type: 1) Routine_____ 2) Emergency _____ 3) Blanket_____

Work location(s):

Period work will occur (dates and times):

Work description (*attach additional pages if needed*. Include any design documents, equipment specifications, or other details needed to meet the intent of the permit. If emergency, describe):

Equipment to be used on site:

Utilities location provisions:

Traffic safety and flow provisions:

Any residents affected by the permitted work must be notified 24 hours prior to commencement of activities. Coordination with any resident that may have egress/ingress blocked or impaired is mandatory to ensure availability for emergency vehicles or use by the occupant(s) is provided, if necessary.

Site restoration provisions:

Other provisions for compliance with permit requirements:

Applicant Attests: In signing this permit application I understand that I may not begin site civil work until the City of Gustavus has issued me an approved civil work permit for the covered work. I agree to comply with the terms of the permit including amendments required by the city administrator. I will notify the city administrator in writing at the start and completion of the permitted work. I will notify the administrator in writing in advance if there are any significant changes to the work plan that may affect the terms of the permit.

Applicant Signed _____ Date of application: _____

For Official Use Only:

Permit is Approved___ Not Approved___ City Administrator: _____ Date _____

Final inspection required Yes___ No___

Project is complete and accepted. City Administrator: _____ Date _____