



3301 Carmen Avenue
Rancho Viejo, Texas 78575
Phone: (956) 350-4093 Fax: (956) 350-4156

RIGHT-OF-WAY WORKING PERMIT

UTILITY FRANCHISE COMPANY: _____ Project# _____

Contact Name: _____ Email: _____

Address: _____ Phone # _____ Fax # _____

CONTRACTOR DOING THE WORK: _____

Contact Name: _____ Email: _____

Address: _____ Phone # _____ Fax # _____

Make sure to include detailed plans and specifications and a location map with this application.

Date of work: _____ Location of work: _____

If street is to be cut: Size of cut: Length _____ Width _____ Depth of Excavation _____

Description of work to be done: _____

If street not cut, describe the work: _____

Length of time to accomplish work before excavation is backfilled:

- Length of time from commencement to completion:

- Number and types of warning devices and barricades to be used at the job site:

Signature: _____ Date: _____

For Office Use Only:

Detailed Plans/Specifications Submitted? _____ **Estimated Cost of Work for Restoration:** _____ **Permit Fee:** _____

Approved: _____ Date: _____

ARTICLE II. - EXCAVATING PUBLIC PROPERTY

Sec. 50-21. - No work done without complying with article.

No person or other legal entity shall cut, dig, excavate or in any manner disturb any street or portion of any right-of-way within the town without complying with this article. (Ord. No. 96A, § 1, 3-8-1994)

Sec. 50-22. - Filing of detailed plans and specifications.

Any person or entity that cuts or excavates any paved street or street right-of-way within the town shall, prior to such work, subject to section 50-28, file detailed plans and specifications with the town showing the exact nature and location of the proposed work, and said application shall also contain all other information and data as may be required by the town's building official, and said application shall contain at least the following information, to-wit:

(1)The exact location of the proposed work, and if a street is being cut, the exact size of the cut and depth of excavation;(2)The exact date the excavation shall take place, the length of time to accomplish the work before the excavation is backfilled and passable;(3)The length of time from commencement to completion of the job;(4)The number and types of warning devices and barricades that will be utilized at the job site;(5)Name and telephone number of the responsible party available 24 hours a day in case of emergency;(6)All other information that may be required by the town. (Ord. No. 96A, § 2, 3-8-1994)

Sec. 50-23. - Additional information and data.

Any applicant shall furnish such additional information and data that may be required by the town to administer the provisions of this article. (Ord. No. 96A, § 3, 3-8-1994)

Sec. 50-24. - Restoration after work or excavation.

All streets and right-of-ways that may be disturbed by any work shall be restored to as good or better condition than existed immediately prior to the work or excavation. (Ord. No. 96A, § 5, 3-8-1994)

Sec. 50-25. - Expense.

(a)The town or its building official shall estimate the reasonable expense that will be incurred by the town if it repaired any excavating work done by an applicant, and if the building official determines that the town can restore any excavation done pursuant to the permit, the applicant may then pay the town for the estimated cost of the work for restoration, and the applicant shall have no further liability for restoration.(b)The applicant shall post a cash bond payable to the town in an amount equal to double the estimated cost of restoration, and when the applicant has certified to the town that the street and/or right-of-way has been restored to as good or better condition than existed prior to the work, and the building official has inspected the site and certifies the street or right-of-way has been restored, then the bond shall be refunded. If the applicant does not restore the street or right-of-way within the time provided by the permit, then the town may correct the work (restore the street or right-of-way) and forfeit the cash bond to cover its costs and expense in connection therewith. (Ord. No. 96A, § 4, 3-8-1994)

Sec. 50-26. - Issuance of permit.

(a)The building official, upon receiving all the information required by this article, may issue a permit for the work to be performed within the town's right-of-ways or for the cutting of streets, and all work shall be in strict compliance with the permit and the written instructions of the building official. There shall be a fee in an amount as determined from time to time by ordinance for each permit issued, and no permit may be good for more than 30 days, except there shall be no fee charged to any of the entities described in section 50-25(c).(b)If the entity performing such work is one of the entities described in section 50-25(c), then there shall be no fee for the permit, and the building official must issue the permit unless he determines that the issuance of said permit will endanger the public health or safety. (Ord. No. 96A, § 6, 3-8-1994)

Sec. 50-27. - Applicant may appeal if denied a permit.

If a building official denies a permit because the work will endanger the public health or safety, the applicant may appeal any ruling or denial of the building official to the board. The decision of the board may be appealed to the district court of Cameron County, Texas, if said appeal is filed within 20 days of the denial of the permit by the board. (Ord. No. 96A, § 7, 3-8-1994)

Sec. 50-28. - Emergency work.

If any person or entity that maintains any type of public service utility within the town's right-of-way needs to cut or excavate any paved street or street right-of-way within the town due to an unforeseen emergency and the offices of the town are closed or because of the nature of the emergency the same must immediately be corrected, then said entity is hereby authorized to perform such emergency work if such person or entity complies with the following, to wit:

(1)Contacts the town's dispatch office and advises it of the work, the time it shall commence and the location;(2)Provides safety cones and any other necessary traffic control as a result of such activity; and(3)Within four hours after the emergency work has commenced or within four hours after the town office is open on the first day after the emergency work is done, such person or entity shall file an application and obtain a permit pursuant to this article. (Ord. No. 96A, § 8, 3-8-1994)

Sec. 50-29. - Penalty.

Any person who shall violate any of the provisions of this chapter, or shall fail to comply therewith or with any of the requirements thereof, shall be deemed guilty of a misdemeanor and shall be liable to a fine, and upon conviction of any such violation, shall be fined in any sum of not more than \$500.00 for each offense, and each day that such violation exists shall be considered a separate offense. (Ord. No. 96A, § 11, 3-8-1994)