



City of Peosta  
Right-of-Way  
Excavation Permit  
Application & Regulations

**EXCAVATION IN CITY RIGHT-OF-WAY**

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No person or other entity shall use the public right-of-way or other public property without first obtaining a permit from the City. Any person or entity shall obtain a permit and pay a fee every time their facility requires excavation in the right-of-way. The City shall not enter into or issue any franchise, license or lease that grants exclusive rights. An application for excavation in the right-of-way shall be filed with the Deputy Clerk.

**Permit Process:** Process for seeking an excavation permit on a city right-of-way is governed by City Code, Title VI, Chapter 6. Return completed application, detailed drawings and payment to Peosta City Hall, Attn: Deputy Clerk, PO Box 65, Peosta, Iowa 52068. A complete copy of Title VI, Chapter 6 is available on the City website at [www.cityofpeosta.org](http://www.cityofpeosta.org) or by request at City Hall.

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**APPLICANT INFORMATION**

(Office Use) Permit #: \_\_\_\_\_

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_ Email: \_\_\_\_\_

**Contractor on Site if different than Permit Holder:**

Contact Name: \_\_\_\_\_

Business Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_ Email: \_\_\_\_\_

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## EMERGENCY CONTACT INFORMATION

Contact **during** construction: \_\_\_\_\_ Phone: \_\_\_\_\_

Contact **after** construction (if different): \_\_\_\_\_ Phone: \_\_\_\_\_

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## RIGHT-OF-WAY INFORMATION *(Attach drawing or sketch with dimensions)*

Attach an Engineering Site Plan showing the current location of infrastructure. Include any manholes, size, type and depth of any conduit or other enclosures. Drawing should include a vicinity map. The City may require the applicant to provide additional information prior to the issuance of a permit.

Location of Right-of-Way being excavated: \_\_\_\_\_

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Describe type of material currently installed in the right-of-way: \_\_\_\_\_

Total # of square yards being excavated or linear feet of installed material: \_\_\_\_\_

Type Surface: \_\_\_\_\_ *(Surface must be restored to original quality or higher within 14 days of completion date.)*

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**TERM** (dates must be approved by Public Works Director) Director Initials: \_\_\_\_\_

Start Date: \_\_\_\_\_ Completion Date: \_\_\_\_\_

Hours crews will be on site: \_\_\_\_\_ Will crews be working on weekends: \_\_\_\_\_

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## FEES

Any person or other entity shall pay a fee every time their facility requires excavation in the right-of-way. This excavation fee will cover costs for street degradation and replacement, inspection and obstruction and routing of pedestrian and vehicle traffic. The fee shall be assessed at a rate of fifteen dollars (\$15.00) per square yard or per 100 linear feet. The City may waive all or part of this fee if such work is done in conjunction with City construction. Fee will be due prior to work starting.

Total Square Yards of Excavation Area or Total Linear Feet of Continuous Work in Right-of-Way:

\_\_\_\_\_ X \$15.00 = \$ \_\_\_\_\_

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## SIGNATURE

By signing this application, you agree to follow all regulations for Use of Public Right-of-Way as described in City Code Title VI, Chapter 6.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## PERMIT STIPULATIONS

**1. General:** The applicant shall take all reasonable precautions, during the work period, to protect and safeguard the lives and property of the general public and adjacent property owners, including City and/or Utilities property and systems above and below the ground, and shall save and hold harmless the City of Peosta for any damage or losses that may be sustained by the general public, adjacent property owners or Utilities during the work operations. Any expense to the City as a result of damage caused by applicant, or agents of the applicant, during the work operations, or for failure to perform in accordance with the stipulations of this permit shall be reimbursed by said applicant to the City.

**2. Bond:** The applicant or applicant's contractor shall post with the City a penal bond in the minimum sum of five thousand dollars (\$5,000.00) issued by a surety company authorized to issue such bonds in the State. The bond shall guarantee the permittee's payment for any damage done to the City or to public property, and payment of all costs incurred by the City in the course of administration of this section. In lieu of a surety bond, a cash deposit of five thousand dollars (\$5,000.00) may be filed with the City. The bond requirement for applicants performing their own work maybe waived at the discretion of the Public Works Director. Each contractor shall also provide a certificate of insurance indicating that the contractor is carrying public liability insurance in effect for the duration of the permit covering the contractor and all agents and employees.

**3. Notice of Work:** Except in emergencies, applicant agrees to give the City forty-eight (48) hours notice before beginning any work, and to obtain the required LOCATES, in accordance with law. (ONE CALL 1-800-292-8989)

**4. Traffic Control and Sidewalk Closure:** Must be in substantial conformance with the MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD), [www.mutcd.fhwa.dot.gov](http://www.mutcd.fhwa.dot.gov) at all times during the work operations. Operations shall be carried out in such a fashion as to cause the least disruption to traffic as possible. For closure of sidewalk traffic cones and tape, saw horses and like methods will not suffice for adequate secure closure. A plan for closure must be approved before work begins. Road/lane closures shall be made ONLY when absolutely necessary to safeguard the public and/or workforce, and shall include advanced warning signs at both ends of the closed roadway, IE: 'Road Closed Ahead'. Failure to adhere to the guidelines of the MUTCD will result in the shutdown of construction and work activities at the site, and/or legal action taken against the applicant or responsible party on site. Repeated violations by an applicant will be grounds for denial of future permits.

**5. Curb Ramps:** Federal Regulations require the construction of curb ramps where public sidewalks intersect with the edge of the roadway to comply with the Americans with Disabilities Act (ADA). They further require that the ramp be constructed with truncated dome panels. Installation not meeting ADA requirements will require removal and reconstruction at contractors/property owners' cost. If requested, the City will check formwork 24 hours prior to placement of concrete. Please contact SUDAS for detailed specifications.

**6. Trash Dumpsters and Stationary Equipment:** No dumpster or any other non-registered, non-self-propelled equipment shall be placed and allowed to remain standing upon any public property, without the owner of said dumpsters and other equipment first obtaining from the Deputy Clerk a permit which indicates the dates for which the permit is valid. Said permit shall be affixed to the dumpster or any other non-registered, non-self-propelled equipment in a conspicuous location. All equipment shall display a red light or reflective device which allows the equipment to be plainly visible from a distance of two hundred (200) feet in all directions and shall not be parked within twenty-five (25) feet of any street intersection.

**7. Completion of Work:** Roadway and ROW shall be repaired and replaced to original condition after work is completed. Abnormal or poor conditions MUST BE BROUGHT TO THE ATTENTION OF CITY OFFICIALS BEFORE WORK IS STARTED. Guidelines and specifications for the restoration of City ROW, Sidewalks, Driveways, and backfilling of excavations in or adjacent to the traveled portion of the ROW, a full set of SUDAS standards/specifications is available at [www.iowasudas.org](http://www.iowasudas.org), or for review during normal business hours at City Hall located at 7896 Burds Road, in Peosta. Damage to private property, whether accidental or necessary MUST BE REPAIRED AND THE PROPERTY RESTORED TO ORIGINAL CONDITION. Applicants are strongly advised to photograph, for future reference, any conditions present before work operations begin which might be disputed when work has been completed.

**8. City's Rights:** The City of Peosta, reserves the right to add to, or delete from, these stipulations any item or stipulation which may be considered to be in the best interest of the City. Failure to repair and replace the ROW to original condition after work is completed will result in the City exercising its duty to hire a local private contractor to perform the necessary repairs to bring the ROW up to good operating condition. Costs of the repair will be recovered from the property owner or contractor, in accordance with Title VI, Chapter 6 of the City Code of Peosta, Iowa. Failure to obtain the required ROW permit shall, upon conviction, be subject to a fine of not more than five hundred dollars (\$500.00); in accordance with Title I, Chapter 3, Section 2(a) of the City Code of Peosta.