



## **WORKING IN THE RIGHT-OF-WAY**

### **What is the Right-of-Way?**

Right-of-way is dedicated to the City for the purposes of constructing, operating, and maintaining public facilities such as streets, trails, sidewalks, utilities, and other public infrastructure. Although it is public property, maintenance of yards within the right-of-way (e.g., mowing, weed control, private driveway culverts, etc.) is the responsibility of the abutting property owner. The City has the right to use and regulate what happens in this area.

Right-of-way extends to the property lines that are typically 10 feet or greater behind the curb or edge of pavement. Each street is different and must be checked before work begins.

### **Right-of-Way Permit Application Process**

Permits are required for all work within the right-of-way. Work includes, but is not limited to: traffic control, lane reductions or closures, street and curb cuts, directional boring within the right-of-way, excavation within the right-of-way, sidewalk and driveway replacement, sprinkler installation, and installation and connection to existing utilities (storm sewer, sanitary sewer, water mains, gas lines, fiber, etc.).

The Right-of-Way permit is administered by the Public Works department. The normal time for permit review is approximately three (3) working days. No work shall begin until the permit application has been approved, utility locates have been obtained, and notification has been provided to Public Works at least 48 hours before construction begins.

In order to obtain a right-of-way permit, the permit application must be completed along with a sketch of the work location or engineering plans, a traffic control plan if the work includes lane reductions or closures, a \$5,000 surety bond which includes a 2-year maintenance period, a \$75 application fee, and commercial general liability insurance of \$1,000,000 per occurrence and \$2,000,000 per aggregate.

### **Unscheduled Emergency Maintenance Repairs**

For unscheduled emergency maintenance repairs, the utility company shall contact Public Works on the first working day subsequent to such repairs. At that time, the utility shall submit the permit application for the right-of-way permit following normal procedures

Immediate coordination with Public Works is required if the emergency repair work will cause temporary lane reductions or closures.

### **Right-of-Way Inspection**

Pre-placement inspections are required for pavement, pavement restoration, curb and gutter, drive approaches, and sidewalks. A pre-placement inspection must be scheduled at least 48 hours in advance of work.

Following site restoration, the contractor must schedule a final inspection. Please contact Public Works at 913-676-8375 to schedule inspections.

### **Site Preservation, Restoration, Cleanup, and Maintenance**

Areas of public right-of-way disturbed by the installation, maintenance, removal, and relocation of utilities and other work shall be kept to a minimum. The contractor shall take all necessary measures to ensure that mud, dirt, rock, gravel, and other construction debris are not allowed to erode or be tracked onto public streets. The contractor will be required to immediately remove any such debris and return the street to its normal condition. Additionally, the contractor shall not be allowed to park equipment or vehicles on the public sidewalk. All excavations shall be backfilled within five (5) working days from the date of original excavation or as directed by the Public Works Director or designee.

All established areas that are disturbed shall be restored to its original condition free of ruts and debris with seeding and mulching. If the area is routinely mowed and maintained, sod shall be required. Surface restoration shall be completed within three (3) weeks of final excavation activity or as directed by the Public Works Director or designee.

All work within the right-of-way, including watering of disturbed areas, shall be completed in accordance with the City of Overland Park's technical specifications. The City of Mission is currently updating and adopting technical specifications specifically for Mission; however, all work shall be in accordance with Overland Park's requirements until Mission's specifications are adopted.

If you have any questions regarding the right-of-way process, please contact Public Works at 913-676-8375.