

**RIGHTS OF WAY ADMINISTRATION**  
**CONSTRUCTION PERMIT APPLICATION**

**CITY OF KETTERING PUBLIC SERVICE DEPARTMENT**

3600 Shroyer Road, Kettering, Ohio 45429 - (937) 296-2436

**INTERNAL USE ONLY**

Application Permit # \_\_\_\_\_

Applicant Name \_\_\_\_\_

Work Location \_\_\_\_\_

**DIRECTIONS**

**Read Chapter 901 of the City of Kettering Codified Ordinances. The Applicant shall supply and attach to this application all information required by Chapter 901 and specifically by Sections 901.117 and 901.118. If requested to provide a document, please attach such document to this application with a cover sheet indicating the question or ordinance section to which it responds.**

**An officer of the Applicant or other lawfully authorized individual representing the Applicant must sign the application; and the signature must be notarized. This Application and two (2) copies, including attachments must be filed with the Director of Public Service. The City reserves the right to request additional information.**

**Construction Permits should be conspicuously displayed at the work site and be available for inspection by Inspectors and authorized City Personnel.**

**1. Applicant's Information**

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

Street Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Facsimile Number: \_\_\_\_\_

Contact Person: \_\_\_\_\_

**2. Certificate of Registration**

Applicant has a valid Certificate of Registration. Yes  No . If "Yes" proceed to number three (3). If "No", is Applicant applying for a Construction Permit on behalf of another party that has a valid Certificate of Registration? Yes  No . If "Yes", the full legal name of the other party is \_\_\_\_\_.

Also, please attach proof that Applicant has authority to apply for a Construction Permit on behalf of the other party.

**3. Location**

Please describe the location of the proposed construction (attach an additional sheet if necessary).

\_\_\_\_\_  
\_\_\_\_\_

**4. Drawings**

Please attach scaled, dated drawings showing the following:

- (a) the location and area of the proposed project;
- (b) the number and location(s) of any street cuts;
- (c) the location(s) of all existing and proposed facilities.

These drawings must be accompanied by the certification of a registered professional engineer, or other trained technical personnel acceptable to the City of Kettering Director of Public Service, indicating that the drawings, plans and specifications submitted with the Application comply with applicable technical codes, rules and regulations.

**5. Traffic Plan**

Please attach a traffic control plan demonstrating what protective measures and devices will be employed, consistent with the Ohio Manual of Uniform Traffic Control Devices, to prevent injury or damage to persons or property and to minimize disruptions to efficient pedestrian and vehicular traffic.

**6. Above Ground Installation on Existing Poles**

Will the proposed installation be above ground on existing poles within the rights of way? Yes  No . If "No" proceed to number seven (7). If "Yes" please provide all of the following information (attach an additional sheet if necessary):

- (a) the size and height of the existing poles \_\_\_\_\_  
\_\_\_\_\_;
- (b) based on the facilities currently on the existing poles, the excess capacity currently available on such poles before installation of your facilities \_\_\_\_\_  
\_\_\_\_\_;
- (c) based on the facilities currently on the existing poles, the excess capacity that will exist on such poles after installation of your facilities \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**7. Installation of New Poles**

Will the proposed installation be on new poles within the rights of way? Yes  No . If "No" proceed to number eight (8). If "Yes" please provide all of the following information (attach an additional sheet if necessary):

- (a) the excess capacity on existing poles or in existing underground systems \_\_\_\_\_  
\_\_\_\_\_;
- (b) whether or not it is financially and/or technically practicable for applicant to make an underground installation or locate facilities on existing poles \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_;
- (c) identify the location, size, height, color, and material of the proposed poles \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_;
- (d) Applicant is aware of and will adhere to all the applicable laws concerning the installation of new poles. Yes  No .

**8. Underground Installation in Existing Ducts or Conduits**

Will the proposed installation be in existing ducts or conduits within the rights of way? Yes  No . If “No” proceed to number nine (9). If “Yes” please provide all of the following information (attach an additional sheet if necessary):

- (a) based on the existing facilities, the excess capacity currently available in such ducts or conduits before installation of your facilities \_\_\_\_\_  
\_\_\_\_\_;
- (b) based on existing facilities, the excess capacity that will exist in such ducts or conduits after installation of your facilities \_\_\_\_\_  
\_\_\_\_\_.

**9. Underground Installation In New Ducts Or Conduits**

Will the proposed installation be an underground installation in new ducts or conduits within the rights of ways? Yes  No . If “No” proceed to number ten (10). If “Yes” please provide the following information (attach an additional sheet if necessary):

- (a) the location(s), depth, size, and quality of the proposed new ducts or conduits \_\_\_\_\_  
\_\_\_\_\_.
- (b) the excess capacity that will exist in such ducts or conduits after installation of your facilities \_\_\_\_\_  
\_\_\_\_\_.

**10. Other Construction**

If you answered “No” to numbers six, seven, eight, and nine, please describe in detail your proposed construction project (attach an additional sheet if necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**11. Preliminary Construction Schedule**

What is the preliminary construction schedule and completion date?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**12. Payments**

In addition to the application fee, you must also pay all other money owed to the City for the following:

- a. any other permit fees owed by you or the party whose facilities are being constructed;
- b. any loss, damage, or expense suffered by the City of Kettering as a result of your or the party whose facilities are being constructed’s prior construction in the rights of way or any emergency actions taken by the City of Kettering;

- c. fees related to any certificate of registration issued to you or the party whose facilities are being constructed;
- d. any other money due to the City of Kettering from you or the party whose facilities are being constructed;

**13. Construction Bond**

You must deposit with the City a Construction Bond or irrevocable, unconditional letter of credit in an amount set by the Director of Public Services. Also, if not already posted, you must post a Removal bond or irrevocable, unconditional letter of credit with the City in an amount equal to or greater than Fifty Thousand Dollars (\$50,000.00). See § 901.121 for further information.

**14. Construction, Relocation and Restoration**

If you answered “Yes” to number 7 or 9, before construction may begin, you must first provide the City with the information required by § 901.118.1 of the City of Kettering Codified Ordinances. Is the required information attached to this application? Yes  No . **(Please note that there are other requirements in § 901.118.1 which must be complied with related to construction.)**

**The Applicant, for itself and on behalf of its heirs, successors, administrators and assigns, hereby agrees that the Construction Permit, if granted, may be revoked in accordance with Chapter 901 of the City of Kettering Codified Ordinances or other applicable law. Applicant also hereby agrees to comply with all ordinances of the City of Kettering, whether now in force or hereafter enacted or amended; and that Applicant and its agents or contractors will employ protective measures and devices that, consistent with the Ohio Manual of Uniform Traffic Control Devices, will prevent injury or damage to Persons or property and to minimize disruptions to the efficient movement of pedestrian and vehicular traffic. Applicant, for itself and on behalf of its heirs, successors, administrators, and assigns agrees to protect, defend, indemnify, and hold the City, its elected officials, officers, employees, volunteers, and agents free and harmless from and against any and all losses, penalties, damages, costs, or liabilities of every kind and character arising out of or in connection with any negligent acts or omissions of Applicant and its employees, officers, agents, successors, or independent contractors. Applicant agrees to pay all damages, costs, and expenses of the City, its elected officials, officers, employees, and agents in defending any action arising out of the aforementioned acts or omissions.**

**REMAINDER OF PAGE LEFT INTENTIONALLY BLANK.**

The undersigned hereby accepts the requirements provided in the preceding paragraph on behalf of the applicant and furthermore swears, affirms, and acknowledges that the all information provided in this application, including attachments, is true and accurate as of this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signature: \_\_\_\_\_

Printed or Typed Name: \_\_\_\_\_

Title of Person Signing Above: \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
 ) SS:  
COUNTY OF \_\_\_\_\_ )

Before me, a Notary Public in and for said State and County, personally appeared (insert name) \_\_\_\_\_, on behalf of (insert name of applicant) \_\_\_\_\_, representing that he/she is the (insert title) \_\_\_\_\_ of the Applicant, and further representing that he/she has full authority and power to sign this Application on behalf of the Applicant and bind the Applicant and acknowledged signing of the foregoing Application.

IN WITNESS WHEREOF, I hereunto signed my name and affixed my official seal on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

<p><b>INTERNAL USE ONLY</b></p> <p>Date Received: _____, 20____</p> <p>\$20.00 Permit Fee attached: _____ Yes _____ No</p> <p>All Attachments Included with Application: _____ Yes _____ No</p> <p>Recommended for approval: _____</p> <p>Date Issued: _____, 20____</p> <p>Expiration Date: _____, 20____</p>
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