

Public Right-of-Way Utility Occupancy Guidance Document

The following document is for guidance purposes only. The applicant shall read and understand the information listed below.

Below is a description of the permit review process, followed by applicant and City actions needed to move the process forward. This document also includes relevant references.

For the purpose of this guidance document, the Applicant and the Permittee are the same party.

Description

A Public Right-of-Way Utility Occupancy Permit is required for all situations where a contractor will be performing public utility work in the public right-of-way. For information regarding this permit please visit the City's review webpage <https://www.bozeman.net/services/development-center>. Make sure to have all relevant permit information available before you proceed to fill out permit.

General Information

Street Cut Permit: If the proposed installation will require trenching, potholing, or otherwise cutting into the traveled roadway (street or alley), roadway shoulders, or pedestrian or bikeway facilities, a Street Cut Permit must be obtained prior to commencing work.

Traffic Impacts: If the proposed installation will require the closing of one or more lanes of traffic, a detailed Traffic Control Plan must be attached and incorporated with this permit. All construction zones shall be signed in accordance with the Manual of Uniform Traffic Control Devices (MUTCD).

Permit Conditions

1. This installation is subject to compliance with the City of Bozeman's Utility Occupancy Guidelines.
2. The Applicant/Utility will notify the City Engineer at least 48 hours in advance of initiation of any work detailed in the permit with the exception of emergency situations.
3. The City of Bozeman shall not be liable to the general public for any injury to or death of any person whomsoever belonging when such injury, death, loss, or damage arises out of or result from the construction, maintenance, or repair of existing or future utility facilities located within public right-of-way, or the installation or operation of such utility facilities within the public right-of-way, regardless of whether or not the City of Bozeman has expressed or implied approval of the construction, maintenance, repair, installation, or operation of such facilities within the public right-of-way. In accepting this permit, the Permittee, its/his/her successors or assignees, agrees to indemnify the City and hold it harmless from all claims, actions, liability, and damage of every kind and description which may accrue to be or suffered by any person, persons, corporations, or property, by reason of the performance of any such work, character of materials used, or manner of installations, maintenance and operation, or by the improper occupancy of said roadway right-of-way, and in case any suit or action is brought against the City

and successors or assignees, will upon notice to it/him/her of the commencement of such action, defend the same at its/his/her sole cost and expense and satisfy any judgement which may be rendered against the City in any such suit or action. City includes its officers, employees, agents, and assignees.

4. This approval is granted with the understanding that the installation will be made according to the plans as submitted. Field revisions may only be made with the approval of the City Engineer or designee. If the installation is not made with the plans or approved amendment, the City of Bozeman, at its discretion may require the removal of the installation.
5. Construction, maintenance, removal of installation or structures: Permittee, at Permittee's sole cost and expense, shall construct, maintain, replace, relocate and/or remove the installation, facility, or structure in accordance with the applicable City and industry standards. Furthermore, after completion of any of the aforementioned construction, Permittee shall fill in any excavations and restore the right-of-way to its original condition. The City shall have the right at any time to require Permittee to maintain, reconstruct, replace, relocate, and/or remove its facility from the right-of-way, all at the Permittee's expense.

Applicant Actions

- Provide applicant contact information, including name, address, email address, and phone.
- Provide project information, including, but not limited to facility type, location, and proposed dates of work.
- Provide three (3) copies of a detailed construction drawing that includes distances from right-of-way lines, centerlines, and existing utilities related to the proposed installation. All above-ground structures must be clearly identified on the drawings.
- Sign the permit application.

City Actions

- The City will pre-screen the permit application submittal to ensure the applicant has provided a complete package and uploaded files.
- After a successful completion of the pre-screen, the Engineering Department staff will review the submittal for conformance with the permit submittal checklist. If corrections are required or missing documents, the submittal will be returned to the applicant.
- Engineering staff will review the permit application and will post a decision letter in the "Decision" folder in ProjectDox. The Applicant will receive an email stating the letter is available in the decisions folder in ProjectDox.

Relevant References

The applicant shall consult the *City of Bozeman Design and Construction Standards* that apply to the type of work proposed to be performed.

Filing and Naming Criteria

The software has underlying features that do not work if these requirements are not fulfilled. Projects not complying with this section will not proceed beyond prescreen and will be returned to the applicant to correct.

Documents Folder

- Upload all documents and other supporting documents in the Documents Folder
- Documents may be any size
- Documents may be scans if they are legible.
- File names shall meet the following criteria:
 - The software won't accept file names exceeding 30 characters.
 - The file name shall start with a 3-digit number beginning with "001"
 - The name shall also include a brief description of the content of the file.

Example of file naming standards:

Sheet Description	ProjectDox File Name
Signed Notification Letter	001 Notification Letter
Sketch of Encroachment	002 Sketch
MUTCD Compliant Traffic Control Plan	003 Traffic Control Plan
Liability Insurance	004 Liability Insurance

Revisions / Resubmittals

New versions of previously submitted files must use the exact same name as the original file. The software will indicate that there is a new version.

Contact Information

For questions or changes to your permit, please call 406-582-2280.