



## CITY OF DES MOINES WA

### RIGHT- of - WAY USE PERMIT

#### INSTRUCTIONS - FEES

#### Street Restoration / Trenching Details on Back

QUESTIONS (206) 870-6566

FAX (206) 870-6596

Chapter 12.04 of the Des Moines Municipal Code, the City of Des Moines Right-of-Way Use Code, requires a right-of-way use permit for any private use of a public right-of-way. A type C permit authorizes activities that will alter the appearance of or disturb the surface, supersurface, or subsurface of the right-of-way on a temporary or permanent basis, and includes boring, culverts, street trenching, and utility installation/repair/replacement. A type D permit authorizes long term and permanent activities for extended periods of time which will not physically disturb the right-of-way, but involves the use of a right-of-way for structures, facilities, haul routes and uses that involve capital expenditures and long-term commitments, and includes underground rights and utility facilities. An estimate of the construction cost must accompany the permit application. Work within the public right-of-way will be charged a variable permit fee based on a fee schedule approved by the City.

### RIGHT-OF-WAY FEE SCHEDULE

**Type A, B, and D Permits:** Allow the use of the City right-of-way for activities that will not cause any physical disturbance to the right-of-way and will be subject to:

A non-refundable application fee of \$270, a cash bond minimum of \$1,000, and a daily use fee (**see hourly rate**) that will compensate the City for monitoring and inspection of the permitted use. Applicant must supply a security device or insurance in a form acceptable to the Public Works Director (Des Moines Municipal Code Sec 12.04.150).

**Type C-1 Permit:** Includes disturbance of hard paved surfaces (asphalt, concrete) within the right-of-way.

\$540 base fee plus 3% of construction costs of projects exceeding \$5,000. (Typical examples include trenching within paved travel and parking lanes, cuts across sidewalks, etc.)

**Type-C-2 Permit:** Includes disturbance of non-hard paved surfaces (graveled, native, or landscaped areas).

\$405 base fee plus 2% of the construction cost of projects exceeding \$2,000. (Typical examples include trenching within a gravel shoulder or landscaped area.)

**Type-C-3 Permit:** Includes miscellaneous or incidental work of a minor nature outside of the hard paved surface.

\$270 flat fee will be assessed. (Typical examples include setting a power pole and raising a valve in a gravel shoulder or natural area in the right-of-way.)

**WORK MUST BEGIN WITHIN 90 DAYS OF APPROVAL DATE OR PERMIT WILL BE VOIDED.**

**ALL STREET OPENINGS REQUIRE AN APPROVED BACKFILL MATERIAL WITH CAPABILITIES OF 95% COMPACTION.**

**Hourly Rate:** There will be a charge of \$135 per hour for additional use of staff time. This hourly rate will be assessed to projects in half-hour intervals. Fees will be associated with, but not limited to, **additional** inspections, **repeated** site visits and reviews, **multiple** bond releases, construction meetings, code enforcement issues, and other circumstances that require excess use of staff time. The hourly rate can be associated with all right-of-way use permits.

**Bonding Requirements:** All projects that are not covered under a franchise agreement will be required to post a bond to cover 150% of the cost of the project. A minimum cash bond of \$1,000 will be required for all projects to cover construction and any excess inspection time required to satisfactorily complete the improvements. (Des Moines Municipal Code Sec12.04.150)

Upon completion and acceptance of the bonded item by the City of Des Moines, ninety percent (90%) of the bond will be released to the applicant. The remaining ten-percent (10%) will be held for a period of one year for maintenance purposes.

**Note:** The estimated cost of the project within the right-of-way should include an itemized cost for trenching, disposal of the any material or debris, installation of any street improvements or approved structures, and any personnel, equipment, or materials required to completely restore the public right-of-way.

When construction has been completed, it will be the responsibility of the applicant/contractor involved to restore the right-of-way to its original condition or better. If restoration fails within a period of one year from the time of the completion date, it will be the responsibility of the applicant/contractor to repair the area in question.

**The 24 hour Inspection Schedule Request Line: (206) 870-6531**

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Revised: January 01, 2009*