



# City of Orange Beach, Alabama

**DEPARTMENT OF PUBLIC WORKS**  
**RIGHTS-OF-WAY USE APPLICATION**

FOR CITY OF ORANGE BEACH USE ONLY					
Permit No.	Fee Paid \$	Date Paid	Cash <input type="checkbox"/>	Check <input type="checkbox"/>	Check No.
TYPE OF PERMIT:					
<input type="checkbox"/> Major (\$150)		<input type="checkbox"/> Minor (\$100)		<input type="checkbox"/> Small (\$50)	
<input type="checkbox"/> Annual (Varies)					
ORANGE BEACH BUSINESS LICENSE NO.:			ALABAMA ONE CALL (811) CERTIFICATION NO.:		
<b>PERMIT IS VOID IF WORK DOES NOT PROCEED WITHIN 60 DAYS</b>					
Applicant Name: _____					
Company Name: _____					
Physical Address: _____					
Mailing Address: _____					
Telephone: _____					
Email: _____					
Utility Name (If applicable): _____					
Local Representative: _____					
Physical Address: _____					
Mailing Address: _____					
Telephone: _____					
Email: _____					
Contractor Performing Work: _____					
Contact Person: _____					
Physical Address: _____					
Mailing Address: _____					
Telephone: _____					
Email: _____					
Type of Work: (Check appropriate box)			Detailed Description of Proposed Work:		
<input type="checkbox"/> Construction					
<input type="checkbox"/> Driveway					
<input type="checkbox"/> Temporary Road Closure					
<input type="checkbox"/> Utilities					
<input type="checkbox"/> Sidewalk					
<input type="checkbox"/> Directional Bore					
Start Date:	End Date:	Hours restricted from 7:00 AM to 3:00 PM unless Public Works Director exception acquired		PW Comments:	
Location is from: _____ to: _____					
24-hour Emergency Contact:			24-hour Phone No:		
<b>Excavation Information</b>			Will a street or lane closure be required?		
			Will a sidewalk closure be required?		
Width	Length	Depth	Will work be done in non-paved area?		
36					
Construction Plan Attached?			MOT Plan attached?		
I hereby state all information is true and accurate and agree to the terms provided in this application. I also agree to be bound by the provisions of the City of Orange Beach ordinances, specifications and regulations, in addition to any restrictions and regulations as may be imposed by the Public Works Director or his/her designee. The undersigned does hereby certify that he/she is the duly authorized Agent of the Applicant for the purpose of binding the Applicant to the terms and conditions of this application and this information.					
<b>Permittee Signature:</b> _____				<b>Date:</b> _____	

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The applicant is hereby authorized to make an opening in or under the above named street at the specified location; provided all work is performed in accordance with the applicant's plans, City of Orange Beach ordinances, specifications and any special conditions as may be imposed during the performance of the authorized work. The applicant is hereby authorized to close said portion of public street right-of-way in accordance with the approved maintenance of traffic plan.		
<b>Approved</b> <input type="checkbox"/> <b>Disapproved</b> <input type="checkbox"/>	<b>Public Works Department Signature</b>	<b>Date:</b>
<b>Approved</b> <input type="checkbox"/> <b>Disapproved</b> <input type="checkbox"/>	<b>Utilities Department Signature</b>	<b>Date:</b>
PERFORMANCE BOND INFORMATION (if applicable)		
AMOUNT OF BOND	<input type="checkbox"/> LETTER OF CREDIT <input type="checkbox"/> CERTIFIED CHECK <input type="checkbox"/> BOND	EXPIRATION DATE
<b>PERMIT CLOSE-OUT SECTION</b> – To be signed upon completion of work. Permittee certifies work has been completed in accordance with the permit.		
I, the undersigned, do hereby attest that the construction approved by the subject Permit was installed in accordance with the permit requirements and in accordance with the City of Orange Beach ordinances, standards and regulations and that all changes have been noted on the submitted Record Drawings (As-builts), if applicable.		
<b>Permittee Signature:</b>		<b>Date:</b>
FOR CITY OF ORANGE BEACH OFFICE USE ONLY		
Final Acceptance: PUBLIC WORKS DEPARTMENT		
<b>Accepted By:</b>		<b>Date:</b>

**All work performed under this permit shall be done in accordance with the City of Orange Beach right-of-way ordinance. Approval is subject to the following:**

1. The applicant certifies that prior to filing this application that said applicant has ascertained the location of all existing utilities both aerial and underground and the accurate locations are shown on the plans.
2. The construction and maintenance of such utility shall not interfere with the property and rights of a prior applicant.
3. All work shall be done pursuant to the approval of the Public Works Director. All materials and equipment shall be subject to inspection by said Public Works Director or his/her designee.
4. Hours of construction shall be restricted to 7:00 a.m. to 3:00 p.m., Monday through Friday. The Public Works Director may authorize during other times and, if allowed, such approval must be indicated on the approved Rights-of-Way Permit.
5. All construction shall be performed in a manner meeting the approval of the Public Works Director to safety standards as prescribed by the Manual of Uniform Traffic Control Devices and ALDOT Design Standards.
6. It is understood and agreed that the rights and privileges herein set out are granted to the extent of the City's right, title and interest in the land to be entered upon and used by the Permittee. The Permittee will, at all times, assume all risk of and indemnify, defend and save harmless the City from and against all loss, damage cost or expense arising in any manner out of the exercise or attempted exercise of the aforesaid rights and privileges.
7. All City of Orange Beach property and/or rights-of-way shall be restored to current standard as approved by the Public Works Director or his/her designee.
8. The attached sets of plans covering details of this installation shall be made a part of the permit.
9. It is expressly stipulated that this permit is a license for permissive use only and that placing facilities upon public property pursuant to this permit shall not operate to create or to vest any property rights in said holder.
10. Whenever necessary for the construction, repair, improvement, alteration or relocation of all, or any portion of a City facility as determined by the Public Works Director or designee, any or all poles, wires, pipes, cables or other facilities appurtenances authorized hereunder, shall be removed from said rights-of-way, or reset or relocated thereon as required by the Public Works Director or designee, and shall be done at the expense of the holder.
11. Utilities being constructed in City rights-of-way must be properly marked with the name of the company, the type of utility and a telephone number where the company can be reached. If a pad or pole is used for identification, the distance to the buried line must be designated.
12. The City shall be notified 48 hours prior to starting work and again immediately upon completion of work at (251) 923-5858.
13. The City shall be notified prior to any lane and road closures at (251) 923-5858.
14. Notify Alabama One Call for a utility locate prior to starting construction by calling 811 or access the portal at their website, [al811.com](http://al811.com).
15. Permitted work must commence within 60 calendar days of permit approval. Extensions may be granted through written request only.
16. If applicable, execute and return the original permit with the Permit Close-Out Section completed and record drawings (as-builts) to the City stating that the job is completed in accordance with the permit. The record drawings must indicate all the changes to the construction plans.
17. This permit may be terminated by the City of Orange Beach in the event that the Permittee violates any provision contained herein and/or fails to promptly correct such violation within 48 hours of notice from the City.
18. The Permittee is responsible for ensuring that all work is done in compliance with the Americans with Disabilities Act.



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19. Permittee is responsible for providing an emergency contact person and phone number for 24 hours a day / 7 days a week. Inability to make contact in the event of an emergency may result in a penalty, or fines such as suspension, revocation of permit, and/or back charge as a result of damages.
20. Contractor must have a valid State Certified License and City Business License to perform work in the City's rights-of-way.
21. In addition to the permit application, 2 copies of construction plans and, if applicable, 2 copies of maintenance of traffic (MOT) plans, signed and sealed by a professional engineer registered in the State of Alabama, must be submitted as required by the Public Works Director or designee.
22. Permittee must have a copy of the approved construction plans and application on the job site at all times while work is being performed.
23. The Beason-Hammon Alabama and Citizen Protection Act, Act No. 2011-535, Alabama Code (1975) Section-13-1, et. Seq., states that before entering into a contract with the City, a contractor must provide a notarized affidavit agreeing not to knowingly employ any unauthorized aliens in the State of Alabama and the contractor must enroll in the E-Verify Program in order to verify the immigration status of every employee required to be reverified through the system. Documentation of the E-Verify Program enrollment may be required. In addition, contractors are required to provide a notarized affidavit ensuring that their subcontractors have complied with the aforementioned requirements.

**It is the responsibility of the contractor to ensure that all proposed improvements are constructed in the right-of-way, not on private property. Streets are not centered in the right-of-way and the street centerlines should not be used to determine the right-of-way limits. Utilization of a professional land surveyor or property corner verification may be necessary to determine the right-of-way limits.**

Date and sign this agreement on the front page and below:

Permittee's Signature X \_\_\_\_\_ DATE: \_\_\_\_\_