



**BAY COUNTY BOARD OF COUNTY COMMISSIONERS  
PUBLIC WORKS DEPARTMENT**

**RIGHT-OF-WAY CONSTRUCTION PERMIT**  
850-248-8301 [engineering@baycountyfl.gov](mailto:engineering@baycountyfl.gov)

Permit Fee: \$240

For construction within County road rights-of-ways requiring this permit in accordance with the provisions of the Bay County Land Development Code, and the Bay County Utility Accommodation Guide 2016.

- 1. Applicant's Name \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
Telephone \_\_\_\_\_ Contact Name (Printed) \_\_\_\_\_  
Emergency Contact Number: \_\_\_\_\_  
Contractor License Number: \_\_\_\_\_

- 2. Proposed construction (Check the appropriate box and provide the required information.)
  - A. **Utilities** Type \_\_\_\_\_  
Location \_\_\_\_\_
  - B. **Other** Describe \_\_\_\_\_  
Location \_\_\_\_\_

3. *I HEREBY CERTIFY THAT I HAVE MADE APPLICATION FOR THE PERMIT DESCRIBED ABOVE, THAT I HAVE PROPER AUTHORITY TO APPLY FOR SUCH PERMIT AND WILL ABIDE WITH ALL OF THE CONDITIONS ATTACHED TO THE PERMIT, INCLUDING THE STATED SPECIAL AND GENERAL CONDITIONS ATTACHED HERETO.*

CALL 850-248-8301 – 48 hours in advance of work within the County Right Of Way.



Date: \_\_\_\_\_ Signature of Applicant: (Required) \_\_\_\_\_

**FOR BAY COUNTY OFFICE USE ONLY**

Permission for the above-described construction is granted subject to these addition requirements:

EFFECTIVE DATE OF PERMIT: \_\_\_\_\_ EXPIRATION DATE OF PERMIT: \_\_\_\_\_

Final Inspection: \_\_\_\_\_ Permit Fee: \$ \_\_\_\_\_ Extension Fee: \$ \_\_\_\_\_

Check # \_\_\_\_\_  CC transaction date \_\_\_\_\_

**SPECIAL CONDITIONS**

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_
- 6. \_\_\_\_\_

- Land Development Code: <https://www.co.bay.fl.us/276/Planning-Zoning> (chapter 27)
- Bay County Utility Accommodation Guide: <https://www.co.bay.fl.us/189/Construction-in-Right-of-Way>

## General Conditions

1. All authorized work shall be completed in accordance with this approved application, the provisions of the Bay County Land Development Code, Bay County Utility Accommodation Guide, and requirements of all other federal, state and local agencies having jurisdiction over the project. In addition, all construction must meet standards as set forth in the Americans With Disabilities Act of 1990, Title II and Title III.
2. Public safety shall be maintained at all times during construction in accordance with the Provisions of Part VI, Work Zone Traffic Control, in the Manual on Uniform Traffic Control Devices. Maintenance of Traffic plans are required with the application submittal package prior to approval. In general, no lane closures will be permitted between the hours of 7:00 and 9:00 A.M. and 3:30 and 6:30 P.M.
3. **LOCATE REQUIREMENTS:** In order to reduce the disruption and cost of utility damages occurring in the County's rights of way and easements, the permit holder shall prevent damages to existing utilities caused by his work through field verification of the existing utilities. In the case of open excavation, verification may be performed during the permit holder's work. In the case of directional drilling, verification shall take place prior to mobilization of the drilling equipment. The permit holder shall verify the location of existing utilities as needed to avoid conflict. Existing utilities shall be exposed using detection equipment or other acceptable means. Such methods may include but shall not be limited to "soft dig" equipment and ground penetrating radar (GPR). The excavator shall be held liable for damages caused to the County's infrastructure and the existing facilities of other utility companies
4. The permittee is responsible for following minimum cover requirements: 36" under roadways and within the County right of way. Water main and sewer horizontal and vertical separation shall be per current Florida Department of Environmental Protection regulations.
5. Bay County requires all utilities be located within back 7 feet of right of way. It is the permittees sole responsibility to locate and flag the right of way line.
6. This application shall become a permit with signature of authorization, and number assigned. Applicant is responsible for supplying the approved permit to their contractor or subcontractor who must have it on site during construction at all times. **Failure to present the approved permit upon demand shall result in immediate shutdown of any and all construction activities as determined by the Bay County Inspector.**
7. It is expressly stipulated that this permit is a license for permissive use only and that the placing of facilities upon public property pursuant to this permit shall not operate to create or vest any property rights to said holder.
8. In consideration for the granting of this permit, the permittee agrees that if the County determines that it is necessary to relocate the permitted utility, the permittee will relocate said utility at its sole expense within sixty (60) days upon receipt of written notification from the County.
9. All materials, equipment and workmanship shall be subject to inspection by the Bay County Engineering Division, phone (850) 248-8301 for all inspections. The Contractor is required to notify Bay County at least 48 hours prior to beginning of construction within County Right of Way. No work shall be done at night or on weekends or on County holidays (New Year's Day, Martin Luther King Jr. Birthday, Good Friday, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day,

Christmas Eve, Christmas Day). No Directional Boring or Jack and Bore is allowed on Fridays or County observed holidays.

10. All Bay County rights-of-ways shall be restored to its original or better condition, within five days, in keeping with Bay County specifications, and in a manner satisfactory to the Public Works Department. All disturbed ditches shall be sodded and pinned according to Bay County Utility Accommodation Guide requirements
11. All installations shall conform to the Bay County Utility Accommodation Guide and where applicable, to the FDOT Utility Accommodation Guide.
12. Attached drawings covering details of this installation shall be made a part of this permit. Final sketches or drawings showing installation "as built" shall be filed with Engineering Division within Thirty (30) days of completion. All changes made during construction shall be recorded on the "as built" drawings. Drawings shall give accurate dimensions of concealed and underground construction with vertical and horizontal locations of work from easily identified fixed reference points. **A set of stamped drawings signed and sealed by a Florida Registered Engineer may be required with the submittal drawings as determined by the Engineering Division Manager**
13. **In case of noncompliance with any Bay County requirements, this permit is void and the facility will have to be brought into compliance or removed from the right-of-way immediately at no cost to Bay County. Bay County reserves the right to withhold issuance of current or future permits to the applicant for failing to comply with Bay County Engineering Division requests, General Conditions, Ordinances, permit request, Resolutions, or ANY part of the Bay County Land Development Code.**
14. Applicant/Licensee agrees to indemnify, hold harmless, defend from, and release the County, its Board of County Commissioners, and members thereof, from any loss, damage, suit, judgment, action, cost, or expense incurred, or brought against Bay County, its Board of County Commissioners, and members thereof, including personal injury, damage to vehicles, and damage to property, resulting from or arising out of the exercise of the rights and privileges granted by this permit.
15. **IMPORTANT WARRANTY INFORMATION:** All work performed within Bay County rights-of-ways under an approved Engineering Division right-of-way permit will be warranted for a period not less than (12) twelve months from the expiration date as shown on the permit. However, in the event the project includes roadway cuts, roadway patches, directional drilling or any type of activities conducted under roadways as issued with the approved right-of-way permit, the warranty period shall be indefinite unless compaction test reports, asphalt test reports, reports showing depth of bores and as-builts are provided to the Bay County Engineering Division prior to final inspection.
16. Jetting of utilities under roadways is **PROHIBITED** within any and all rights-of-ways of Bay County.
17. It is the sole responsibility of the applicant to video and / or provide detailed digital photographs of the proposed construction site prior to commencing any and all work in order to protect the applicant's interest in the event of disputes between residents, subcontractors, County inspectors, etc. In the event of a dispute the applicant will provide Bay County a copy of the original video / digital photographs for review. All rights-of-ways must be restored to existing or better condition.

18. Applicant must assure that any and all work as permitted is performed within the county owned rights-of-ways only and NOT encroaching in whole or in part onto private property by means of conducting a survey, survey staking, as-builts, etc. It is not the responsibility of the Bay County Engineering Division to ensure the exact location of any proposed work. In the event of a conflict, it will be the responsibility of the permittee to resolve the issue.
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 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 for the work being performed in the County's rights-of-way.
21. In the event it becomes necessary, for any reason, to continue work operations beyond Bay County's normal hours of operation, the Contractor whose name appears on the face of this Permit acknowledges their commitment to pay the associated County Inspector overtime expenses, prior to requesting a final inspection on the project. Bay County reserves the right to withhold issuance of future permits to the applicant for failing to pay County overtime expenses.
22. Projects of significant length and land size may require a complete right-of-way survey.
23. If above ground utilities are being replaced, the old utilities and utility appurtenances must be removed from County right-of-way within 30 days after new utilities are installed.
24. Open cuts of roads will not be allowed unless specifically authorized by Bay County.
25. A performance bond shall be required of the applicant for all directional drilling within the County right of way or in the event the work covered by the right-of-way utilization permit has the potential to significantly damage the right-of-way. The amount of the performance bond shall be 110% of the estimated cost to repair such damage, as determined by Bay County.

### **EXEMPTIONS**

Utilities performing emergency maintenance or emergency repair work do not require a right of way permit. However, the Utility must set up a safe work zone in accordance with the latest edition of the Manual on Uniform Traffic Control Devices, (MUTCD) and call (850) 248-8301 to inform the Bay County Engineering Division inspector of the unscheduled work and its location. **Scheduled work IS NOT considered an emergency.** In addition should any damage occur to the roadway system, drainage system, etc. due to the maintenance or emergency repair work a Right- of-Way permit will be required and a fee will be accessed.

**SIGN HERE** 

Permittee's Signature: \_\_\_\_\_ Date: \_\_\_\_\_