



100 S Myrtle Ave, Clearwater FL 33756

# Right-of-Way Permit SMALL CELL UTILITY POLE

R.O.W. Permit No.: 20\_\_\_\_ - \_\_\_\_\_

## THIS PERMIT MUST BE AT SITE DURING CONSTRUCTION

### Type of Facility:

- ☐ Small cell only utility pole (also, select one below):
  - ☐ New pole
  - ☐ Replacement of existing pole
- ☐ New utility pole intended to support the collocation of a small wireless facility
- ☐ Repurposed utility pole (reconfiguring an existing utility pole to accommodate the attachment of communications facilities)
- ☐ Other: \_\_\_\_\_

### Associated Permit Number(s): \_\_\_\_\_

(Provide permit numbers for any permits obtained in connection with this utility pole, such as the permit number for communications facilities, if permitted prior to this application.)

|            |  |                                         |  |
|------------|--|-----------------------------------------|--|
| Applicant: |  | Contractor:                             |  |
|            |  | License #:                              |  |
| Address:   |  | Address:                                |  |
|            |  |                                         |  |
| Phone #: ☎ |  | Phone #: ☎                              |  |
|            |  | <b>Emergency/After-Hours Phone #: ☎</b> |  |

|                               |  |
|-------------------------------|--|
| Location and address of work: |  |
| Description of work:          |  |

**SUNSHINE STATE ONE CALL OF FLORIDA #:** \_\_\_\_\_

**Phone #: ☎ (800) 432-4770**

(Sunshine State One Call of Florida Reference # required for permit approval)

**Start Date:** \_\_\_\_\_

**Completion Date:** \_\_\_\_\_

### Notes:

1. A permit issued pursuant to an approved application shall remain effective for 1 year unless extended by the City. To request an extension, please notify the City of Clearwater Engineering Department ☎ (727) 562-4750 prior to expiration of this permit.
2. Within 14 days after the date of filing the application, the City may request that the proposed location of a small wireless facility be moved to another location in the right-of-way and placed on an alternative utility pole, support structure or placed on a new utility pole. This request shall be negotiated between applicant and City in accordance with section 337.401(d)(4), *Florida Statutes*.

***I understand the conditions of this Permit. I will contact the City of Clearwater Engineering Department – phone #: ☎ (727) 562-4750 a minimum of 48 business hours prior to the start of construction to coordinate the required inspections. This Permit is valid only when I have contacted all concerned utilities and the Engineering Department***

|                            |                         |      |
|----------------------------|-------------------------|------|
|                            |                         |      |
| Printed name of Applicant  | Signature of Applicant  | Date |
|                            |                         |      |
| Printed name of Contractor | Signature of Contractor | Date |

**Parking System Approval by:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Traffic/MOT Approval by:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Engineering Approval by:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## Checklist for required documents:

- ☐ Engineering plans, including:
  - ☐ Dimensions, height, footprint, stealth design, and concealment features.
- ☐ Location of the proposed facilities:
  - ☐ Clearly marked on the submitted plan will be distances between the proposed facility and nearby pavement, sidewalks, underground and overhead utilities, and other structures/facilities located within the rights-of-way.
  - ☐ An attestation that the proposed utility pole will be located within the right-of-way.
  - ☐ Identification of all trees and landscaping to be removed or impacted.
- ☐ Description of installation or construction and timetable for construction.
- ☐ Temporary Maintenance of Traffic (MOT) Plan.
- ☐ Temporary sidewalk closure plan (if applicable).
- ☐ Estimated costs to restore the ROW and the restoration plan.
- ☐ Proof of insurance, if not already on file with the City:
  - ☐ Attached
  - ☐ On file with the City
- ☐ For new utility poles or repurposed utility poles intended to support the collocation of small wireless facilities, the following additional documents are required:
  - ☐ An attestation by an officer of Applicant that a small wireless communications facility will be collocated on the new or repurposed utility pole and will be used by a wireless services provider to provide service within nine (9) months after the date the application is approved.
  - ☐ The heights of other utility poles located in the same City rights-of-way measured from grade in place within 500 feet of the proposed location of the new or repurposed utility pole. If no utility poles exist within 500 feet of the proposed location, Applicant shall certify such and said pole shall be limited to a height of 50 feet.

**ANY PERMIT APPLICATION REQUIREMENTS AND SMALL WIRELESS FACILITY PLACEMENT REQUIREMENTS, INCLUDING UTILITY POLE HEIGHT LIMITS, THAT CONFLICT WITH THE ADVANCED WIRELESS INFRASTRUCTURE DEPLOYMENT ACT AS PROVIDED FOR IN SUBSECTION 337.401, FLORIDA STATUTES, AS MAY BE AMENDED FROM TIME TO TIME, ARE HEREBY WAIVED.**

**SPECIAL CONDITIONS:**

1. The contractor shall notify the City of Clearwater Engineering Department ☎ (727) 562-4750 within 24 hours of completion of the work in the Right-of-Way.
2. All required inspections shall be completed prior to expiration of this Permit.
3. The applicant will abide by all special conditions above and general conditions below.

**GENERAL PERMIT CONDITIONS:**

1. Utility Construction in the right of way shall be conducted in conformance with the Construction Specifications contained in Sec. 28.95 of the Clearwater Code of Ordinances.
2. The proposed work/utility in the Right-of-Way shall not interfere with the property and rights of any prior occupants.
3. The construction, operation and maintenance of proposed work/utility in the Right-of-Way shall not create an obstruction or conditions, which are or may become dangerous to the traveling public.
4. The contractor shall perform all work and restoration of the Right-of-Way in conformance with the current standards of the City of Clearwater.
5. The property owner/applicant and contractor shall and does hereby agree to indemnify, pay the cost of defense, and save harmless the City of Clearwater from and against payment of all claims, suits, actions, costs, attorney's fees, expenses, damages, judgments, or decrees by reason of any person or persons or property being damaged or injured by the property owner/applicant or his contractor, subcontractors, employees, agents or in any way attributable to the performance, prosecution, construction, operation, or maintenance of the work/utility herein permitted by the City of Clearwater, and resulting from negligent acts or omissions of said property owner/applicant or contractor in connection with the work/utility herein permitted.
6. The permittee declares that prior to filling out this application he has ascertained the location of all existing utilities, both aerial and underground, and notified utility owners of proposed construction. The property owner/applicant/contractor shall repair any damage or injury to the road or highway or other City property by reason of the exercise of any of the privileges granted in this permit, and shall repair the same promptly, within seven (7) days of opening, restoring it to a condition at least equal to that which existed immediately prior to the infliction of such damage or injury.
7. All overhead installations shall conform to clearance standards of the State of Florida Department of Transportation (FDOT), and all underground crossing installations shall be laid at a minimum depth of cover of 30" below grade, or at such greater depth as required by the permit. All areas of grass disturbed by construction activities shall be sodded to match existing grass. All cuts of pavement, sidewalks, driveways, curbs, etc., shall be in a straight line.
8. Contractor shall abide by erosion and siltation control policy of the City of Clearwater. Protect all storm inlets and drainage ways from siltation during and following the completion of work.
9. This permit creates a permissive use only and the placing of facilities upon City of Clearwater Right-of-Way pursuant hereto shall not operate to create or to vest any property rights in said property owner/applicant. In the event of widening, repair or reconstruction of said road or Right-of-Way, the property owner/applicant shall move or remove said work/utility at no cost to the City of Clearwater.
10. The property owner/applicant shall furnish the City with a construction plan showing the exact location of all proposed facilities to be installed pursuant to this permit, said construction plan to be sufficiently detailed to allow location of said installation by reference thereto. The attached construction plan, covering details of this installation, shall be a part of this permit.
11. Property corner and survey monuments subject to displacement by the construction activities shall first be referenced and later reset by a Florida Registered Land Surveyor.
12. The contractor shall contact the City of Clearwater Engineering Department ☎ (727) 562-4750 a minimum of 48 hours prior to the start of construction to coordinate the inspection of construction.
13. Compaction within the right of way shall meet City of Clearwater Minimum Standards. Compaction tests from a certified laboratory are required for all pavement excavation and may be required in the parkway.
14. The use of fire hydrants without a hydrant meter is a crime and is not authorized.
15. The construction, operation and maintenance of such work/utility shall conform to FDOT safety regulations where the permittee must take measures, including placing and display of safety devices that may be necessary in order to safely conduct the public through or around the project area in accordance with the Florida Department of Transportation Manual on Traffic Controls and Safe Practices for Street and Highway Construction, Maintenance and Utility Operation.
16. Construction in the vicinity of trees shall conform to the tree protection ordinance found in City of Clearwater Community Development Code Section 3-1205.
17. If any portion of City sidewalk is impacted by the proposed right-of-way construction activity, the applicant shall remove and replace the entire affected concrete panel.
18. All concrete sidewalk construction or replacement shall comply with City of Clearwater Index No. 109. For information on Index No. 109 please follow this link: <https://www.myclearwater.com/government/city-departments/engineering/documents-publications/construction-standards>
19. The contractor is required to call into the Engineering Department for both a Sidewalk Rough Inspection and a Sidewalk Final Inspection for any sidewalk construction or replacement.
20. Permittee shall at all times comply with all federal, state, and local laws, ordinances, regulations, and orders that are applicable to the operation of its business and to this Agreement and its performance hereunder.