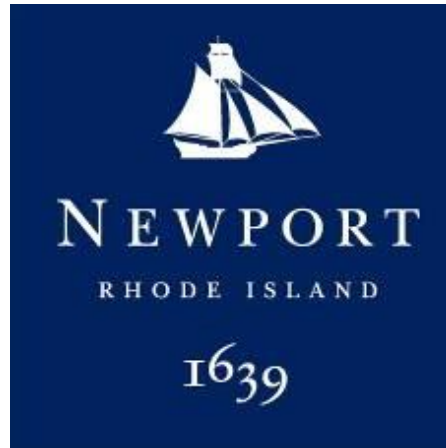


City of Newport

Public Services Department



Permit Policy

Annual Contractor Registration
Physical Alteration (Excavation) Permit
Obstruction Permit
Curb Cut (Driveway) Permit
House/Building Address Numbering Application Policy

(Notable changes from last version are highlighted in yellow.)

January 2020

Annual Contractor Registration (no fee)

Department of Public Services, City of Newport

Physical Alteration (Excavation) Permits and Obstruction Permits

<https://www.cityofnewport.com/city-hall/departments/public-services>

(last rev. Jan 2019)

(It is the Contractor's sole responsibility to ensure continuous accuracy of all information.)

Date: _____

Contractor Company: _____

Address: _____

Owner Name: _____ Phone: _____ Email: _____

Point of Contact: _____ Phone: _____ Email: _____

Signature acknowledging you have read and understand the Permit Policies: _____

EMERGENCY 24/7/365 CONTACT PHONE: _____

For Physical Alteration (Excavation) Permits: **Submit this form** and the following:

1. **Submit** a copy of your **State of Rhode Island Contractors' Registration and License Board registration card** clearly showing the information on the card. Registration must be maintained per RIGL 5-65.3 Contractors' Licensing Law. See www.crb.ri.gov/.
In accordance with RIGL 5-65 3, throughout the period of licensure, the contractor shall have in effect public liability and property damage insurance covering the work of that contractor that shall be subject to this chapter and shall be in compliance with workers' compensation insurance as required under chapter 29 of title 28. Failure to maintain insurance shall invalidate registration and may result in a fine to the licensee. Furthermore, the State will require the contractor to maintain a bond, satisfactory to the board, conditioned substantially that the applicant indemnifies and holds harmless the several cities and towns of this state and their officers from all suits and actions of every name and description brought against any of those cities, towns, and state or any of their officers for, or on account of, any injuries or damages received or sustained by any person in consequence of, or resulting from, any work performed by the applicant or its employees, servants, or agents; or of or from any improper materials used in the work; or of or from any negligence in guarding the work; or of or from any act or omission of the applicant, or its employees, servants, or agents.
2. **Submit** a **certificate of insurance**. Before commencing excavation work covered by this chapter, the person seeking the permit shall establish, by means of an insurance binder, that he or she has in full force and effect, a certificate of insurance for a comprehensive general liability policy with a minimum coverage of five hundred thousand dollars (\$500,000.00) combined single limit or three hundred thousand dollars (\$300,000.00) bodily injury limit/six hundred thousand dollars (\$600,000.00) bodily injury limit/one hundred thousand dollars (\$100,000.00) property damage limit to include broad form property damage and explosion/collapse/underground coverage and completed operations coverage. All policies must run to the benefit of the city to indemnify the city for any liability it may incur as a result of issuing a permit, thus the **Certificate of Liability Insurance must state "City of Newport is included as Additional Insured with respect to General Liability."** Reference Ordinance 12.08.040.

For Obstruction Permits: **Submit this form** and the following before commencing work covered by this chapter, the applicant must **submit a certificate of insurance** for a comprehensive general liability policy with a minimum coverage of three hundred thousand dollars (\$300,000.00). policies must run to the benefit of the city to indemnify the city for any liability it may incur as a result of issuing a permit, thus the **Certificate of Liability Insurance must state "City of Newport is included as Additional Insured with respect to General Liability."** Reference Ordinance 12.08.040.

Questions: Please contact Engineers@CityofNewport.com or see www.cityofnewport.com/departments/public-services

General Permit Submission Information:

(rev. Jan 2019)

1. **Obtain Applications** by
 - a. Visiting the Engineering Office from 8:00AM to 4:00PM located on the 3rd floor of the Newport City Hall, 43 Broadway, Newport, Rhode Island 02840. **Please call or email to ensure someone will be there to assist.**
 - b. Download applications at <https://www.cityofnewport.com/city-hall/departments/public-services/engineering-division/applications-permits>
 - c. If you have questions, please email Engineers@CityofNewport.com.
2. **Fees** for review of permit application must be paid **BEFORE** application is accepted.
 - a. Applicant must estimate the review fee using the application form estimation worksheet. Please email Engineers@CityofNewport.com with questions.
 - b. Make payments of fees and fines to the City of Newport by
 - i. Visiting the Collections Office from 8:30AM to 4:00PM located on the 1st floor of the Newport City Hall.
 - ii. Mail a check to Collections Office at City Hall with copy of NOV and a SASE for return mailing of receipt.
 - iii. Note that if fees or fines paid are found to be inaccurate, the contractor may be required to make payment of corrected fee before application is accepted.
 - iv. If metered parking is blocked, a separate fee will be established.
 - c. All fees are non-refundable regardless of whether application was ever executed, denied, etc.
3. **Submit completed application package**
 - a. Complete applications include all of the following:
 - i. Permit application form completely filled out
 - ii. Work plan or drawing
 - iii. Fee payment receipt and fine payment receipt, if applicable
 - iv. Utilities Department approval letter, if applicable, or other approvals required for work: National Grid, Verizon, Electrical Inspector, etc.
 - v. Curb Cut Application Approval document, if applicable
 - vi. Full Road Closure Traffic Detour Plan, if applicable, utilizing Federal Highway Administration's Manual of Uniform Traffic Control Devices (MUTCD) manual.
 - vii. Tree Warden approval letter is required for any alteration to City trees or work within the drip line.
 - viii. Proof of payment of previous fines.
 - b. Only complete applications shall be submitted and shall be accepted including proof of payment. DPS has 15 business days to review.
 - i. Submit to the Engineering Office from 8:00AM to 4:00PM located on the 3rd floor of the Newport City Hall, 43 Broadway, Newport, Rhode Island 02840, or
 - ii. Submit electronically (i.e., PDF) to the Engineering Office at Engineers@CityofNewport.com.
4. **Permit Approval:**
 - a. Approved permits may be obtained by visiting the Engineering Office or supplying an email address for electronic transmission of approved permit to the applicant.
 - b. Contractor must **notify Engineering in writing at least one (1) business day in advance** of all work for inspection by emailing Engineers@CityofNewport.com.
 - c. Owner and contractor agree to comply with the conditions of the permit and all standard specifications, standard details, ordinances and laws.
 - d. Approved Permit must be kept on site during construction activities.
 - e. Physical Alteration (Excavation) Permits expire one (1) year after approval. All work, including permanent restoration, must be complete.
 - f. Permits may be held for lack of compliance with permit, payment, incomplete application, or other issue at the discretion of the City Engineer.
 - g. As determined by the City Engineer, Obstruction Permit fees may be required for excavations impacting vehicular and/or pedestrian traffic, parking, or the normal use of the City right-of-way (ref. 12.08.050) for more than two days or as required. Work must be completed in an efficient and timely manner and be constructed to minimize impact to the public in the opinion of the City Engineer.
 - h. A project schedule created by a RI Professional Engineer or licensed Architect detailing all aspects of the planned work may be required by the City Engineer at any time.

Physical Alteration (Excavation) Permit Policy

(last rev. Jan 2020)

1. Permit Required:
 - a. No person shall alter or modify any portion of the city right-of-way without first making application to the Director of Public Services (ref. 12.08.020).
 - b. Download the application from <https://www.cityofnewport.com/city-hall/departments/public-services/engineering-division/applications-permits>
 - c. If you have questions, please email Engineers@CityofNewport.com.
2. Permit Application:
 - a. The Department of Public Services has up to 15 business days to review a completed permit application package submission. (ref. 12.08.020)
 - b. No incomplete applications will be accepted. Complete applications generally include a completed permit application form, neat plan/drawing, receipt of fee payment, receipt of fine payment (if applicable), Utilities Department approval letter (if applicable), other permits and approvals (if required), and Road Closure Detour Plan (if applicable). (ref. 12.08)
 - c. Permit application review fees must be paid prior to submission of the permit application and are non-refundable. A worksheet is provided on the permit application to assist in the calculation. Note that other fees may be applicable (e.g., metered parking space utilization). (ref. 12.08.050)
 - d. Contractors must register with the Engineering Office prior to submitting a permit application providing proof of current State license, bond and insurance, active emergency 24 hour/365 day phone contact, and other information as required. (ref. 12.08.040)
 - e. Bonds and insurance is required for all work within the City right-of-way. (ref. RIGL 5-65 3 and Ordinance 12.08.040)
 - f. For emergency work, the contractor must immediately inform Newport Police and submit a permit the next business day. (ref. 12.08.050)
 - g. All fines must be paid prior to acceptance of permit application (ref. 12.08.080).
3. Safe Conditions At All Times:
 - a. It is the sole responsibility of the contractor to maintain the work site in a safe condition at all times during and after construction. Contractors are solely responsible for regular inspection of work to ensure safety. Non-compliance may be subject to fines and other conditions (ref. 12.08.040).
 - b. Safety Issue: In the sole opinion of the Director of Public Services or Chief of Police, if the condition presents a safety concern (e.g., pothole), measures may be taken immediately without notification and the contractor will be responsible for all costs, fines, and fees. (ref. 12.08.040)
 - c. All excavations shall be protected with public safeguards and adequate traffic control and warning devices, such as traffic cones, traffic signs, barricades, lights, watchmen, etc., to be provided and maintained by the permit holder. No open excavation shall be left unattended at any time. (ref. 12.08.070)
 - d. Steel plates in roadway shall be allowed for temporary excavation protection. However, plates must be safely placed and protected with traffic control devices. All plates shall be removed from the right-of-way before December 1st or before the first snow whichever is earlier. Plates left in an unsafe condition or after removal date shall be deemed a safety issue and contractor may be fined until site made safe as solely determined by the Director of Public Services.
4. Construction:
 - a. All work shall be done only under the supervision of the Department of Public Services Engineering Division and in the manner prescribed by the Department, and the applicant shall pay all costs of such work. (ref. 12.08.020)
 - i. **Notification the Department of Public Services in writing at least 24 working hours in advance** of any work (ref. 12.08.070) is required. Contractor must email Engineers@CityofNewport.com.
 - ii. Please note City of Newport observes the following non-business holidays: New Year's Day, Martin Luther King Day, President's Day, RI Independence Day, Memorial Day, Fourth of July, Victory Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day, and Christmas Day. Also note that the observed day may be shifted if it falls on a weekend.
 - iii. The cost of City inspection during non-working hours may be back charged to the contractor and must be paid in full immediately. No additional work may be approved until all fees paid.
 - b. Construction standards, specifications, methods and materials shall conform with the City of Newport standards and specifications, Rhode Island Department of Transportation Standard Specifications for Road and Bridge Construction amended August 2013 Edition with all revisions (RIDOT Standards & Specifications) (see www.dot.ri.gov), and federal

standards. Should a conflict occur, the City of Newport's standards and specifications shall take precedence. All improvements shall comply with the Americans with Disabilities Act (ADA). All utility heads and defects within the area of work, whether or not caused by contractor, will be corrected by the contractor. The contractor will contact associated utilities for coordination of standards, materials and methods. This work is at no cost to the City of Newport. The contractor shall leave a level riding/walking surface free of tripping or safety hazards when complete as determined by the City Engineer. The City Engineer may require the contractor to complete an engineering study at no cost to the City.

- c. All excavations shall be protected with public safeguards and adequate traffic control (ref. 12.08.070). Traffic control devices shall be utilized to ensure public safety including the use of Newport Police Detail to assist, if necessary. All traffic control devices and installation shall be in accordance to the FHWA Manual of Uniform Traffic Control Device manual.
 - d. Many **decorative electric streetlights** are owned and maintained by the City of Newport. The City of Newport's streetlights is not part of the Dig Safe program thus extra care must be used when excavating near decorative electric streetlights. For questions, call or email Engineers@CityofNewport.com.
 - i. City owned decorative electric street lights are located on America's Cup Ave, Bellevue Ave, Broadway, Charles St, Colonial St, Courthouse St, Duke St, Farewell St, Frank St, John Chaffee Blvd, Lakeview Ave, Long Wharf Mall, Meeting St, Park Pl, Ruggles Ave, Thames St, Touro St, and Washington Square.
 - e. All **pavement striping** must be replaced in kind.
 - f. Pavement shall conform to Part 400 of the RIDOT Standard Specifications.
 - g. Concrete shall conform to Part 600 of the RIDOT Standard Specifications.
 - h. All backfill shall be gravel meeting specifications and compacted to not less than 95 percent (95%) of maximum density, measured to a depth of 12 inches below the surface. (ref. Section 202, RIDOT Standard Specifications)
 - i. Backfill material to be clean bank run or processed gravel per City Standard Detail 7.01.
 - ii. DPS may require gravel sieve analysis tests and verification of field density of soil in place utilizing AASHTO T191 or a nuclear moisture density gauge conforming to AASHTO T238 and T239. Cost for all work is the responsibility of the contractor.
 - i. All construction must comply with ordinance Chapter 15.26, Soil Erosion and Sediment Control, and utilize best management practices to protect the environment and properties. All Rhode Island Department of Environmental Management (RIDEM), Coastal Resources Management Council (CRMC), Environmental Protection Agency (EPA), and other local, state, and federal environmental requirements will be met. Construction shall also comply with local, state and federal historic and heritage requirements.
 - j. All work not completed in a timely manner shall be deemed as noncompliant and subject to fines.
 - k. Driveways, stairs, and other private improvements are private betterments granted within the public right-of-way for the benefit of the private property owner. The City may require the owner to remove these improvements and restore the right-of-way at any time at the owner's expense. Abandoned driveways and improvements must be removed and right-of-way restored to the satisfaction of the City Engineer.
 - l. Obstruction Permit fees may be assessed for Excavation Permits in accordance with Ordinance 12.08.050 at the discretion of the Director of Public Services at any time.
 - m. Do not install gas valves in roadway.
5. **Post Construction:**
- a. **Potholes and Unsafe Conditions:** Upon the City's attempt to notify the Contractor, the contractor has no more than 24 hours to make corrections to the issue (ref. City Specifications Temporary Patching Material Potholes and Trenches). After 24 hours and/or without notice, the City may call in services to complete the work. The City may recover the costs incurred in making the restoration **plus a penalty** of five hundred dollars (\$500.00) **or cost plus** one hundred (100) percent of the associated cost, whichever is **greater**, regardless of whether the responsible contractor has responded after 24 hour notice or not. (ref. 12.08.040)
 - b. **Unacceptable Work:** If, in the opinion of the Director of Public Services, the work or restoration is not in strict accordance with the specifications, then the applicant shall correct the work to the satisfaction of the director within fourteen (14) days. If the applicant does not act within fourteen (14) days, the city may restore the same and charge to the person the associated costs incurred by the director in making the restoration plus a penalty of five hundred dollars (\$500.00) or one hundred (100) percent of the associated cost whichever is greater. (ref. 12.08.040)
 - c. **Emergency Contact:** Contractors are solely responsible for ensuring emergency contact information is correct and the contact person is checking for messages 24/7/365.

- d. **Contractor Liability:** Failure to maintain the roadway as required will result in the Contractor being held liable for any and all damage claims.
6. **Permanent Pavement Restoration:**
- a. Permanent pavement restoration must be completed as stated on the approved permit.
 - i. In general and if not otherwise stated, all permanent pavement restorations must be completed within 10 business days no more than six (6) months but no sooner than three (3) months after excavation. Should this date fall within the winter shutdown period, all work must be completed no later than May 15th or as the permit specifies. Permanent pavement restorations may occur before the minimum time period with a professional engineer's conformance certification and accompanying compaction testing results. (ref. 12.08.070)
 - ii. **Bellevue Avenue:** All permanent restoration to the concrete panels on Bellevue Avenue must be completed immediately, thus the contractor must ensure full compaction of subsoils. Full panels must be replaced. Refer to City standard specifications. (ref. 12.08.070). **Note that there may be buried electrical conduit associated with decorative streetlights owned by the City. Please notify the Engineering Office and obtain further information prior to excavating.**
 - iii. **Thames Street and Belgian Block pavements:** Permanent restoration must be completed immediately in accordance to City Standard Detail 7.02, Utility Trench Restoration Detail for Belgium Block Pavement. Blocks must not be saw cut.
 - iv. **Sidewalks:** All sidewalks must comply with the City Specifications and Details. Brick must comply with the City Standard Specifications and Details for construction. Sidewalks must be repaired with full panels and restored immediately (there is no grace period). Contractor is responsible to ensure concrete is cured and panel is not vandalized or contractor will be responsible for removing and replacing sidewalk.
 - v. **Utility main projects:** Affected areas will, at a minimum, be milled and overlain to a depth of two inches from the edge of pavement to the centerline or limits of excavation plus one (1) foot whichever is more. **Should the area of the road requiring permanent restoration exceed 65%, the entire road length and width must be repaved.**
 - vi. **Moratorium Roads:** For roadways paved within the last five years, the permanent pavement restoration shall consist of completely removing the existing pavement ten feet (10 ft) on either side of the trench centerline and replacing the full depth of pavement from curb to curb (ref. 12.08.50).
7. **Non-Compliance Fines:**
- a. Failure to comply permit procedures/policies may be subject to a fine of one hundred fifty dollars (\$150.00) per incident. (ref. 12.08.080)
 - b. If, in the opinion of the Director, the work or restoration is not in strict accordance with the specifications, then the applicant shall correct the work to the satisfaction of the director within fourteen (14) days. **If the applicant does not act within fourteen (14) days**, the City may restore the same and charge to the person the associated costs incurred by the director in making the restoration **plus a penalty** of five hundred dollars (\$500.00) or one hundred (100) percent of the associated cost whichever is greater. (ref. 12.08.040) **The fourteen (14) day period does not apply to safety issues and other issues needing immediate attention.**
 - c. Noncompliance may be subject to the penalty for each day of noncompliance. (ref. 1.12.010)
8. **Owner & Contractor Liability & Responsibility:**
- a. The property owner agrees that the approved alteration (i.e., entrance, curb cut, driveway, sidewalk improvement etc.) shall at all times be a) kept clean, b) safe for all passing, c) make such repairs to maintain cleanliness and safety, and d) indemnify the city for any and all damage that may arise by reason of the use of the entrance, curb cut, driveway, or sidewalk improvement, etc. (ref. 12.08.030).
 - b. The property owner & contractor shall be familiar with all standards, specifications, City ordinances, regulations, State law, and Federal law governing their construction activities.
9. **Permits expire one (1) year after approval.** All work, including permanent restoration, must be completed in a timely manner. Permits will not be extended beyond one (1) year unless otherwise stated within the permit or approved by the City Engineer. Reapplication is required after the permit expires including payment of all fees if all work, including permanent restoration, is not completed within a year of the approval.

Obstruction Permit Policy

(last rev. Jan 2020)

1. **Permit Required:**

- a. **Obstruction Permit REQUIRED:** No person shall alter or modify any portion of the city right-of-way without first making application to the Director of Public Services (ref. 12.08.020). Examples include dumpsters, PODs, ladders and staging, lifts, vendors, and others.
- b. **Obstruction Permit NOT required** if, in general, just street parking needs to be restricted for registered vehicles like moving vans, loading & unloading commercial trucks, etc. Metered parking spaces must be paid for separately.
- c. Download the application from <https://www.cityofnewport.com/city-hall/departments/public-services/engineering-division/applications-permits>
- d. If you have questions, please email Engineers@CityofNewport.com.

2. **Application:**

- a. The Department of Public Services has up to 15 business days to review a completed permit application package submission. (ref. 12.08.020)
- b. No incomplete applications will be accepted. Complete applications generally include a completed permit application form, neat plan/drawing, receipt of fee payment, receipt of fine payment (if applicable), Utilities Department approval letter (if applicable), and Road Closure Detour Plan (if applicable). (ref. 12.08)
- c. Permit application review fees must be paid prior to submission of the permit application and are non-refundable. A worksheet is provided on the permit application to assist in the calculation. Note that other fees may be applicable (e.g., metered parking space utilization). (ref. 12.08.050)
- d. Contractors must register with the Engineering Office prior to submitting a permit application providing proof of current bond and insurance, active emergency 24/7/365 phone contact, and other information as required. (ref. 12.08.040)
- e. Bonds and insurance is required for all work within the City right-of-way. (ref. 12.08.040)
- f. For emergency work, the contractor must immediately inform Newport Police and submit a permit the next business day. (ref. 12.08.050)
- g. All fines must be paid prior to acceptance of permit application. (ref. 12.08.080).
- h. **"NO PARKING" signs** may be picked up with an approved Obstruction Permit at the Newport Police Department, Records Division, 120 Broadway, Newport, RI, 8:00 am to 6:00 pm.

3. **Safe Conditions At All Times:**

- a. It is the sole responsibility of the contractor to maintain the work site in a safe condition at all times during and after construction. Contractors are solely responsible for regular inspection of work to ensure safety. Non-compliance may be subject to fines and other conditions (ref. 12.08.040).
- b. **Safety Issue:** In the sole opinion of the Director of Public Services or Chief of Police, if the condition presents a safety concern, measures may be taken immediately without notification and the contractor will be responsible for all costs, fines, and fees. (ref. 12.08.040)
- c. All work shall be protected with public safeguards and adequate traffic control and warning devices, such as traffic cones, traffic signs, barricades, lights, watchmen, etc., to be provided and maintained by the permit holder. No open excavation shall be left unattended at any time. (ref. 12.08.070)

4. **Obstruction Activities:**

- a. All work within the City's right-of-way shall be completed with the approval of the Department of Public Services Engineering Division and in the manner prescribed by the Department. The applicant shall pay all costs of such work. (ref. 12.08.020)
 - i. **Notification the Department of Public Services in writing one (1) business day in advance** of any work (ref. 12.08.070) is required. Contractor must email Engineers@CityofNewport.com.
 - ii. Please note City of Newport observes the following non-business holidays: New Year's Day, Martin Luther King Day, President's Day, RI Independence Day, Memorial Day, Fourth of July, Victory Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day, and Christmas Day. Also note that the observed day may be shifted if it falls on a weekend.
 - iii. The cost of City inspection during non-working hours may be back charged to the contractor and must be paid in full immediately. No additional work may be approved until all fees paid.
- b. Construction standards, specifications, methods and materials shall conform with the City of Newport standards and specifications, the RIDOT Standard Specifications – Rhode Island Department of Transportation Standard

Specifications for Road and Bridge Construction as currently amended with all revisions (see www.dot.ri.gov). Should a conflict occur, the City of Newport's standards and specifications shall take precedence.

- c. All work shall be protected with public safeguards and adequate traffic control (ref. 12.08.070). Traffic control devices shall be utilized to ensure public safety including the use of Newport Police Detail to assist, if necessary. All traffic control devices and installation shall be in accordance to the FHWA Manual of Uniform Traffic Control Devices.
 - d. All construction must comply with ordinance Chapter 15.26, Soil Erosion and Sediment Control, and utilize best management practices.
 - e. All work must be completed in a timely manner and not be left in complete else the contractor will be in a state of noncompliance and subject to fines. Contractor must restore all areas to pre-existing condition or better as acceptable to the City Engineer.
5. Post Obstruction:
- a. Unacceptable Work: If the work is not acceptable, then the applicant shall correct the work within fourteen (14) days. If not completed to the director's satisfaction, fees and fines may be incurred. (ref. 12.08.040)
 - b. Emergency Contact: Contractors are solely responsible for ensuring emergency contact information is correct and the contact person is checking for messages 24/7/365.
 - c. Contractor Liability: Failure to maintain the roadway as required will result in the Contractor being held liable for any and all damage claims. (ref. RIDOT Standard Specification 410)
6. Non-Compliance Fines:
- a. Failure to comply with application for permit procedures will be subject to a fine of one hundred fifty dollars (\$150.00) per incident. (ref. 12.08.080)
 - b. Unacceptable Work: If, in the opinion of the Director of Public Services, the work or restoration is not in strict accordance with the specifications, then the applicant shall correct the work to the satisfaction of the director within fourteen (14) days. If the applicant does not act within fourteen (14) days, the city may restore the same and charge to the person the associated costs incurred by the director in making the restoration plus a penalty of five hundred dollars (\$500.00) or one hundred (100) percent of the associated cost whichever is greater. (ref. 12.08.040) **For safety issues, the fourteen (14) day grace period does not apply; Work must be completed immediately.**
 - c. Noncompliance may be subject to the penalty provided in Section 1.12.010 for each day of noncompliance. (ref. 1.12.010)
7. Owner & Contractor Liability & Responsibility:
- a. The property owner agrees that the approved area shall at all times be a) kept clean, b) safe for all passing, c) make such repairs to maintain cleanliness and safety, and d) indemnify the city for any and all damage that may arise by reason of the use. (ref. 12.08.030).
8. Permit expires at end of stated permit period. Reapplication is required to extend beyond stated permit period. Contiguous dates shall be taken as one length of time and fees calculated on this basis.

Curb Cut (Driveway) Application Policy

(last rev. Jan 2020)

1. Curb Cut Application Required:

- a. No person shall alter or modify any portion of the city right-of-way without first making application to the Director of Public Services. The applicant shall submit a Curb Cut Application showing the proposed location and dimensions of such alteration (i.e., entrance, curb cut, driveway, sidewalk improvement, etc.) being petitioned for approval. (ref. 12.08.020). Upon approval, the applicant must submit a Physical Alteration (Excavation) Permit. Upon completion of improvements and approval by the City Engineer, the curb cut opening shall be deemed a legal and proper driveway opening by the City Engineer.
- b. Download the application from <https://www.cityofnewport.com/city-hall/departments/public-services/engineering-division/applications-permits>
- c. If you have questions, please email Engineers@CityofNewport.com.

2. Application:

- a. The Director of Public Services [and Zoning Officer] shall, within fifteen (15) business days of the receipt of the complete application, examine into the necessity of such alteration and in so doing shall take into consideration the public welfare, traffic hazards, danger to pedestrians and the public generally and any and all matters pertaining thereto, and shall act upon and approve or disapprove the application. All applications that include any type of curb and sidewalk reconstruction or modification shall include provisions for transition curbing and wheelchair accessibility to the extent practicable. (ref. 12.08.020)
 - i. The Engineering Division will accept the application and forward it to the Zoning Officer for the review compliance with zoning laws and standards. (ref. Title 17, 17.04.050.G, 17.104.040.D)
 - ii. Upon approval of the Zoning Officer, the Engineering Division will review the application for engineering standards such as vehicular and pedestrian impacts, utility impacts, parking impacts, and compliance with engineering standards.
 - iii. The Engineering Division will notify the applicant of status of the application.
- b. Incomplete applications will not be accepted. Complete applications generally include a completed Curb Cut Application form, neat plan/drawing, approval letter from utility located in area of the proposed curb cut (e.g., utility pole, fire hydrant, etc.), if applicable, and an approval letter from the Tree Warden, if applicable. (ref. 12.08)
- c. The Director of Public Services may charge for a Curb Cut Application. (ref. 2.120.010.16b)

3. Conditions of Approval:

- a. In accordance with Ordinance 12.08.030, a condition precedent to any work done under Section 12.08.020 shall be an agreement, in the form of the Curb Cut Application, wherein the applicant agrees, for himself or herself and his or her heirs, assigns and successors, that the alteration (i.e., entrance, curb cut, driveway, sidewalk improvement etc.) shall at all times be **kept clean**, free of grease and oil and **safe for pedestrians** and others passing on or over such entrance, curb cut or driveway, that he or she will make such **repairs** as may be, from time to time, ordered by the director of public services, and that he or she will indemnify the city for any and all damage that may arise by reason of the use of the entrance, curb cut, driveway, or sidewalk improvement, etc. For any breach of the agreement, the director may revoke the permit granted under Section 12.08.020 and may pursue any and all other legal and equitable remedies available to him or her. The agreement shall be recorded in the land evidence records of the city by the applicant and shall bind all subsequent owners of the land improved by work done hereunder.
- b. The owner acknowledges that **on-street parking** will not be affected beyond that required for the physical driveway opening and shall not request removal or ordinance change for parking opposite the driveway opening or in the vicinity. No further parking restrictions will be approved to get into or out of the driveway.
- c. The approval of a Curb Cut Application **does not constitute a legal driveway opening**.
- d. Should the curb cut (driveway) be **abandoned** in whole or part, the property owner shall be required to return the area/sidewalk to a condition acceptable to the Director of Public Services including, but not limited to, removing the abandoned driveway and improving the area to standard (e.g., curb, sidewalk, grass shoulder).

4. Approval of Curb Cut Application Does Not Constitute a Legal Driveway Opening:

- a. The approval of a Curb Cut Application does not constitute a legal driveway opening and allow the use of the opening until improvements are made to the satisfaction of the City Engineer. At a minimum, the City right-of-way must be paved with a durable surface which is compliant with the Americans with Disability Act (e.g., asphalt, concrete, brick, pavers, not gravel) or, if improvements are only necessary to private property, a paved surface must be installed five

(5) feet into private property to minimize erosion and sedimentation of drive surface and to minimize potential violation of the Phase 2 Stormwater regulations. Improvements must meet City, State and Federal standards to the satisfaction of the City Engineer. The driveway will be constructed rising from the edge of pavement a minimum of six (6) inches so that roadway stormwater drainage does not enter the driveway.

- b. The applicant must submit a Physical Alteration (Excavation) Permit Application upon approval of the Curb Cut Application and employ a licensed and insured contractor in accordance with required standards.
- c. All improvements must be completed in accordance with the Department of Public Services standards, ordinance, State law, and Federal law including the Americans with Disabilities Act (ADA).

House/Building Address Numbering Application Policy

(last rev. Jan 2019)

Applicability: If the real estate abutting upon any street, court or way has a frontage which makes the fixing of two or more numbers necessary, only one number shall be used so long as the real estate continues to conform to the line as now established upon the plats of the tax assessor of the city. When division or partition of such premises is made, new numbers shall be given to the portion partitioned from the original premises. (ref. 15.24.020) Individual lots with shared driveways shall have individual address numbers.

House numbering should follow E-911 standards. Emergency response time is critical deciding between life and death in some circumstances. Confusing, misleading or ambiguous addressing system may slow response times. If numbering is applicable in accordance with the City Ordinance, maximizing safety is the goal of these policies.

House numbering must follow the US Postal Service (USPS) standards including Publication 28 – Postal Addressing Standards. For example, fractional addresses below 1 and above 99 (e.g., $\frac{1}{2}$, $\frac{3}{4}$, 99.5, 199.5) are invalid and outside of USPS standards. See <http://about.usps.com/publications/welcome.htm>.

1. Download the application from <https://www.cityofnewport.com/city-hall/departments/public-services/engineering-division/applications-permits>
2. Property owner submits a signed written letter requesting house number. Letter will include a description of the property, reason for request, Plat/Lot, and house plan/drawing.
3. Submit house number plan and review numbering scheme
 - a. Provide a plan/drawing showing addresses of adjacent properties, driveway, main entrance, etc.
 - b. If no plan available, make a drawing. Notate the numbers of existing properties and structures in the general vicinity.
 - c. Consider what lots may be subdivided or developed in the future when choosing numbers. Check zoning and lot size. Consider if a lot CAN be subdivided in future because it very well may be subdivided sometime in the future.
 - d. Generally, even numbers are on the left and odd to the right as traveling south to north or east to west.
 - e. For existing numbered streets, choose a number that best fits between houses and allows for property subdivision and future numbering.
 - f. For new roads or as determined by the City Engineer, house numbers shall be determined by E-911 standards:
 - i. Numbers rise in value from south to north and east to west.
 - ii. For dead ends or no outlet streets, numbers rise from the major street to dead end.
 - iii. Numbers are determined by the distance (stationing) from the start to the driveway/front walk divided by 10. Thus, a driveway located about 125 feet from the major intersection would be numbered #12 or #13 depending on side of the street.
4. If approved,
 - a. Property owner is responsible for ensuring copies of approval are sent to the following (letter to note plat/lot, new full address and old address):
 - i. US Postmaster
 - ii. Private utility companies: Gas, Electric, Phone, etc.
 - iii. City Engineering Office will send notification to the following:
 1. State of Rhode Island E-911
 2. Tax Assessor, Tax Collector, Police Chief, Fire Chief, Canvassing Authority, Building Official, Zoning Officer, Utilities Department, GIS, Engineering File
 - b. Property Owner receiving written or printed notice from the Director of Public Services that his or her real estate has been numbered or renumbered shall, within thirty (30) days, cause to be affixed in a conspicuous place near the main entrance to the premises the number so established. (ref. 15.20.010)