



CITY OF MARQUETTE

Permits Required for Work in the Public Right of Way

What is a public right of way or easement?

A public right of way is any land that has been deeded to the City or State of Michigan for ingress/egress or the delivery of utility systems to benefit the public. Rights of ways and easements vary in size and scope and the exact boundaries should be verified with the City Engineering Department prior to construction activities.

When is a permit required for work in the public right of way?

Many construction projects involve some work in the public right of way or on public easements. For example, new and existing buildings need sewer and water connections to public utility mains. Parking lots and residential/commercial driveways need driveway access to public streets. Before doing any work in a public right of way or public easement, you must obtain a **permit** for that work from the City of Marquette's Engineering Department.

Examples of work requiring a permit from the City of Marquette include:

- Storage or placement of vehicles, equipment (including overhead equipment), construction materials or dumpsters that block sidewalks or portions of roadways.
- Sidewalk, driveway, and/or curb construction or repair done within the public right of way or easement.
- Excavation by utility companies for the installation of gas, electric, phone and cable facilities within the right of way or public easement.

The City requires public right of way permits to:

- Ensure public safety.
- Protect City facilities.
- Ensure work is completed in accordance with City specifications.
- Provide a reliable record of infrastructure within rights of way.
- Ensure work is completed and restored properly and in a timely manner.
- Avoid conflicts and provide coordination among multiple activities.

How long does it take to process a permit?

Circumstances in which a permit is required for emergency construction activities in the public right of way or easement, such as an emergency utility repair, can be issued immediately after an application is submitted, the fee paid, proof of insurance, and a permit bond is submitted. In most cases, however, the application and the issuance of a permit will take approximately 3 working days.

Permit Fees

Permit fees vary according to the type of permit needed and can be found on the permit application. Fees can be paid with cash or check. We cannot accept debit cards, credit cards, or online payments.

Bond Requirements

Any person wishing to make any excavation or opening within a public right of way or easement in the City of Marquette shall furnish a bond in the amount of \$5,000 for shallow excavations (driveways, sidewalk, minor grading), or \$15,000 for below ground work (utility repair and replace) to the City of Marquette. The City may retain any portion of the cash bond necessary to cover any expenses or damage to public or private property incurred through the granting of this permit. A valid bond must be on file for each permit requiring one, however a subcontractor may work under a prime contractor's bond if they have also submitted valid insurance.

Insurance Requirements

The following insurance coverage is required for all utility work in the public right of way or easement and for any event or activity which will block a City Street or impede traffic flow. All contractors and subcontractors working under a permit must have valid insurance on file.

<Permitee> shall provide **City of Marquette** with certificates of insurance showing insurance coverage as noted below, stating that coverage afforded on their policies will not be cancelled, limited or allowed to expire until after 30 days written notice has been given to **City of Marquette**. <Permitee> shall maintain this coverage at all times during the performance of this agreement.

Workers Compensation coverage according to any applicable statute.

Comprehensive General Liability including contractual coverage with limits of at least \$1,000,000 per occurrence, \$1,000,000 aggregate bodily injury and \$1,000,000 aggregate property damage or \$1,000,000 Combined Single Limit.

Comprehensive Automobile Liability coverage, including owned, hired and non-owned vehicles with limits of \$1,000,000 per person, \$1,000,000 per accident bodily injury and \$1,000,000 property damage or \$1,000,000 Combined Single Limit.

Each sub-contractor shall be a named insured in <Permitee's> policies. **City of Marquette** will be named an additional insured and loss payee on all <Permitee's> insurance policies (except workmen's compensation insurance, in which **City of Marquette** will not be listed as additional insured or loss payees) and <Permitee's> policies will be on an "occurrence" and not on a "claims made" basis. <Permitee> will file with **City of Marquette**, on or before the commencement of the permitted event and at least ten (10) days before the expiration date of expiring policies, such copies of either current policies or certificates or other proofs, as may reasonably be required to establish <Permitee's> insurance coverage in effect from time to time.

Who is Responsible for Obtaining a Permit?

Ultimately, the property owner is responsible for obtaining a permit. This can be done through the owner/contractor agreement process in which the contractor obtains the permit, or the owner can obtain the permit. Once the permit is obtained the contractor shall have in his possession a copy of the permit before any activity is started inside the public right of way or easement. Failure to show proof of a permit will result in the suspension of construction activities until a permit is produced.

Traffic Control

The permit holder is responsible for traffic control signing in the public right of way. This includes signage for both vehicular and pedestrian traffic. The permit holder is the person who is accepting the conditions of the permit, and as such, is directly responsible for seeing that the conditions stated on the permit and the traffic control plan are met.

All traffic control devices used must meet or exceed the current standards in the Michigan Manual of Uniform Traffic Control Devices (MMUTCD) and the most recent Standard Specifications for Construction by the State of Michigan.

All traffic control devices used must be maintained throughout the construction period to provide correct positioning and legible faces both day and night. Maintenance includes cleaning and replacement of dirty, missing, or damaged devices. Day and night routine inspections are necessary, with the frequency based on common sense. Heavy traffic arterials require more frequent inspections. If inclement weather, vandalism, or other difficulties are experienced, more frequent inspections will be required. No standard schedule is suitable for all conditions. Follow-up action is required to make sure that any deficiencies found are corrected promptly. The permit holder is the person responsible for the inspections and corrective action.

Inspection of Construction Work

All construction work involving curbs, driveways, public sidewalk, water piping, sanitary sewer, and storm sewer will require inspection by the City of Marquette. The City of Marquette must be notified at least 24 hours in advance to inspect the work being completed before concrete forms are filled, or the excavation backfilled. Standard details and specifications are available for the installation of water, sanitary sewer, storm sewer, driveways, sidewalks and curb and gutter at the City of Marquette Municipal Service Center or our website.

Applications

Permit applications can be found at the Municipal Service Center at 1100 Wright Street or on our website: <https://www.marquettemi.gov/departments/community-development/engineering/>. Applications can be submitted via email to kwessels@marquettemi.gov, in person, or mailed to the Municipal Service Center.

Questions

If you have any questions, please contact us by calling 908-228-0440 or emailing Kellen Wessels at kwessels@marquettemi.gov.