

ADMINISTRATIVE POLICIES **OF THE CITY OF MIRAMAR, FLORIDA**

PERMITTING PROCEDURES FOR ALL UTILITY WORK WITHIN THE PUBLIC RIGHTS-OF-WAY OR UTILITY EASEMENTS

In accordance with the City of Miramar Code of Ordinances (“City Code”), and Florida Law, this Administrative Policy establishes the permitting procedures for all utility work within the City of Miramar’s (“City) Public Rights-of-Way, as defined by the City Code,ⁱ or utility easements. This Administrative Policy clarifies steps necessary for all parties that apply for a permit from the City for excavation or any other work performed in the Public Rights-of-Way or utility easements.ⁱⁱ Any and all work performed within the City shall at all times comply with and abide by all applicable provisions of the City Code, as it may be amended, with respect to installation and maintenance of any and all facilities within the City, including, but not limited to the “Communications Rights-of-Way Ordinance,” as said Ordinance may hereinafter be amended, codified at Chapter 23 of the City Code, §556.111(3), Florida Statutes,ⁱⁱⁱ as amended, and §337.401, Florida Statutes,^{iv} as amended.

Section 1. Soil Boring & Locating Utilities (Soft Dig) Permits

When soil boring and locating utilities, the following requirements apply:

- A) Complete a “Utility Rights-of-Way Use Permit” application by the company performing the work.
- B) If a utility owner is proposing to perform a directional bore shallower than fifteen (15) feet deep, all existing utilities must be located using appropriate non-destructive locating methods, such as soft dig, and the “Utility Rights-of-Way Use Permit” shall indicate where such exploratory work will be required.
- C) Submit a sketch indicating where locations of soil boring or locating utilities will be performed.
- D) Provide a copy of contractor’s/company’s certificate of liability insurance, with the City as an additional insured, and company license to perform the work.
- E) Upon the City’s request, schedule an appointment with one of our Civil Engineer’s to review the application (call 954-602-3304).
- F) If the application is complete, the permit will be issued at the review meeting.
- G) Call Sunshine State One Call of Florida, Inc., at 1-800-432-4770, forty eight (48) hours prior to commencement of the dig.

Section 2. Utility Permits

When doing directional bore in public rights-of-way or utility easements, the following requirements apply: Follow City Code Chapter 23, Article IV

- A) The applicant’s contractor shall submit a completed “Utility Rights-of-Way Use Permit” application along with copies of license and Liability Insurance Certificate, with the City as an additional insured, and drawing indicating the locations and extent of the work to be performed.

- B) The drawing needs to be no smaller than 11" X 17" in size. All existing utilities must be indicated on the drawing. Provide profile of all directional borings with the locations of existing utilities marked.
- C) The depth of bore shall be fifteen (15') feet or greater. Provide a 4'X4'X3' trench at each end of the directional bore. If the applicant chooses to bore shallower than 15' deep, the actual location, horizontal and vertical, of existing City utilities and drainage pipes shall be determined and noted on drawings. The applicant will be required to submit copies of field reports from the utility locating companies verifying the actual location of pipes.
- D) Upon the City's request, the applicant shall schedule an appointment with one of the City's Civil Engineers to review the application (call 954-602-3304).
- E) If the application is complete, upon the City's request, the applicant and the applicant's contractor will be required to attend a pre-construction meeting at City's Engineering Department. This meeting will be scheduled at a time that will allow attendance to include representatives from other Departments within the City, such as Public Works, Utilities, etc. The permit will be issued at the pre-construction meeting.
- F) If the proposed construction requires Maintenances of Traffic ("MOT"), the applicant is required to submit an MOT plan to City's Traffic Engineer for approval prior to starting work in City's right-of-way prior to issuance of the permit.
- G) Utility companies will be required to directional bore under paved City streets. Open cuts on paved streets within City right-of-way may only be considered on a case-by-case basis.

Section 3. Trenching in Public Utility Easements.

When trenching in public utility easements, the following requirements apply:
Follow City Code Chapter 23, Article IV

- A) The applicant's contractor shall submit completed "Utility Rights-of-Way Use Permit" application along with copies of license and Liability Insurance Certificate, with the City as an additional insured, and drawing indicating the locations and extend of the work to be performed.
- B) The drawing needs to be no smaller than 11" X 17" in size. All existing City utilities must be indicated on the drawing.
- C) There shall be a minimum of three (3) feet horizontal and 18" vertical clearance between City water/sewer/drainage pipes and proposed utility lines.
- D) Upon the City's request, the applicant shall schedule an appointment with one of the City's Civil Engineers to review the application (call 954-602-3304).

ⁱ Section 23-14 defines Public Right-of-Way as "any street, sidewalk, drainage system, swale, **easement** or utility dedicated to the public within the jurisdictional limits of the City."

ⁱⁱ Section 23-2(b) of the City Code specifically provides: "No excavator shall commence or perform any excavation in any Public Right-of-Way without first having obtained a permit as is required herein, and complying with the provisions of this Ordinance."

ⁱⁱⁱ "Nothing in this act shall be construed to...preempt a government member operator from reasonable regulation of its right-of-way."

^{iv} Section 337.401(2) provides that no utility shall be installed, located or relocated unless authorized by a written permit issued by the authority.