

**DEPARTMENT OF PUBLIC SERVICES  
ENGINEERING DIVISION  
CITY OF NEWPORT, RHODE ISLAND**

**RULES, REGULATIONS, AND STANDARD SPECIFICATIONS FOR  
CONSTRUCTION WITHIN CITY RIGHT-OF-WAY  
August 1, 2008**

The following represents an abbreviated version of the rules and conditions that shall apply to construction activities proposed to take place within rights-of-way owned by the City of Newport. For application forms, fee calculation worksheets, and the complete version of the City of Newport's requirements, please reference the City of Newport's **Rules, Regulations and Standard Specifications for Construction Within City Right-of Way, 2008 as amended** which can be obtained from the Department of Public Services Engineering Division located in City Hall, 43 Broadway, or on-line via [www.cityofnewport.com](http://www.cityofnewport.com) within the link provided via the Public Services, Engineering Division's page. No work shall commence until approval has been granted by the Department of Public Services. **Failure to obtain the appropriate permits and/or to comply with these regulations will result in a \$150.00 fine, in addition to the costs associated with the permit application.**

1. The Department of Public Services Engineering Division shall be notified a minimum of 24 hours in advance of all planned work within the public right-of-way. Prior to backfilling, a request shall be made of the Department of Public Service's office for inspection. In the case of emergencies, call the Newport Police Department at (401) 847-1306 and the Engineering Division at (401) 845-5483 per City Ordinances 12.08.030 and 12.08.050.
2. **Fees shall be included as part of the application submission package.** Applications will not be reviewed until all applications materials, including the appropriate fee, have been provided. The fee schedule is provided below. All checks shall be made payable to the "City of Newport." All fees outlined below are inclusive; therefore administrative application fees as outlined in City of Newport codified ordinance #2.120.010(58), Administrative Fee for License and Permit Applications shall not apply.
  - a. **Alteration/Curb Cut Permit:** The following base fees will be applied to all applications based upon the type of use applicable to the proposed curb cut to which the additional fee of \$2.00 per square foot of disturbed area in any city owned right-of-way.
    - i. Residential Single Family .....\$100.00
    - ii. Multi-Unit Residential:
      - a. 5 units or less .....\$200.00
      - b. 6-49 units .....\$500.00
      - c. 50+ units .....\$2,000.00
    - iii. Commercial/Industrial:
      - a. <25,000 square ft. building.....\$1,000.00
      - b. 25,001 – 300,000 square ft. building .....\$1,500.00
      - c. 300,001 – 750,000 square ft. building .....\$2,000.00
      - d. >750,000 square ft. building.....\$3,000.00
  - b. **Excavation Permit:** \$100.00 plus \$2.00 per square foot of disturbed area in any city owned right-of-way.

- c. **Obstruction Permit:** \$25.00 per day for the first thirty (30) days for obstructions located within city owned rights-of-way. It is the intent of these requirements to limit obstructions to a maximum duration of 30 days. If longer durations are approved by the Director of Public Services, the fee of \$100.00 per day will be imposed for each day beyond the 30 day maximum. Obstruction permits are required for temporary obstructions in any city owned right-of-way, (i.e. ladders, scaffolding, dumpsters, construction equipment/materials.) Please note: Additional fees will apply if obstructions occur within metered parking spaces per City of Newport codified ordinance 10.20.210E.
  - d. **Drain Layers Permit:** \$25.00 per connection in addition to securing a drain layer's license with the City of Newport's City Clerk's Office.
  - e. **Road Closure Fee:** For all activities which require a complete roadway closure of any duration, an additional fee of \$100.00 will be charged to the applicant.
3. **A scaled plan shall also be submitted with the application package.** This plan should be provided on 8 ½" x 11" or 11" x 17" sheets and have a maximum scale on 1:20. Plans that are "not to scale" will not be accepted.
  4. A **minimum of 24 hours notice** shall be given to the Engineering Division before any excavation can commence. Notification may be in writing or by phone. If proper notification is not given, all work shall be immediately discontinued or removed and work shall not recommence until proper notice is given.
  5. It shall be the responsibility of the contractor performing the work to maintain a safe and passable (minimum one lane) roadway throughout the duration of the project. The contractor shall provide all necessary signs, barricades, flag persons, or traffic details as deemed necessary by the Director of Public Services. Road closures are not recommended but will be allowed upon prior approval of the Director of Public Services. In all cases of roadway closures, local and emergency access must be made available at all times. All roadways must be completely reopened for vehicular traffic at the end of each construction day.
  6. **Backfilling. An inspection by the Engineering Division is required before any backfilling will occur.** Inspections can be requested by calling the Transportation Engineer, 845-5842, or the Engineering Division, 845-5483. All restoration work shall be governed by the City of Newport, **Rules, Regulations and Standard Specifications for Construction Within City Right-of Way, 2008, as amended**, City of Newport Construction Details, and both the Rhode Island Department of Transportation (RIDOT) Standard Specifications for Road and Bridge Construction and Standard Details (2004 Edition) as amended.
  7. **All road excavations in the transverse direction (perpendicular to traffic flow) shall be backfilled with "flowable fill" material** to the bottom of the existing bituminous pavement and allowed to cure for 24 hours prior to application of the temporary patch material.

**Longitudinal roadway excavations may be backfilled with crushed processed gravel to be placed and compacted in six inch (6") lifts.** The gravel shall be brought to the bottom of the existing bituminous surface or within four (4) inches of the finished road grade, whichever is greater, and left in a smooth and level condition for installation of the temporary pavement.

**For roads that have had new pavement or pavement preservation materials applied within the last five (5) years, the Contractor shall replace 10 feet on both sides of the excavation for the entire road width.**

All materials shall conform to the City of Newport's **Rules, Regulations and Standard Specifications for Construction Within City Right-of Way, 2008, as amended**, City of Newport Construction Details, and both the Rhode Island Department of Transportation Standard Specifications for Road and Bridge Construction and Standard Details (2004 Edition) as amended.

8. Whenever a longitudinal trench within the travel lane of the roadway is greater than two (2) feet from the edge of the road, **the entire travel lane pavement will be replaced or repaved.**
9. All lateral trenches shall be repaired or restored completely within the excavation limits as well as for a distance of five (5) feet on either side of the trench as measured from the centerline of the trench.
10. **Permanent Pavement.** Temporary pavement shall be completely removed from the excavation and properly disposed. The edges of the excavation shall be sawcut at least six inches from the edge of the temporary pavement and cleaned to insure a proper bonding surface. The surface of the gravel base course or flowable fill shall be level, clean, free from frost, and compacted prior to placing the bituminous asphalt. Before the permanent pavement material is placed against the existing pavement, the edge of the existing pavement shall be thoroughly sealed with emulsified asphalt to insure bonding and watertightness.

The contractor is required to place a minimum of four (4) inches of pavement or match existing pavement, whichever is greater. A minimum of 2 inches of base course and 2 inches of RIDOT Class I-1 surface course is required. All bituminous asphalt is to be placed and rolled in accordance with RIDOT Standard Specifications for Road and Bridge Construction, 2004, as amended.

11. **Concrete Sidewalks.** The Contractor shall remove, dispose, and replace any altered concrete sidewalk in **complete panels. The Contractor shall also be responsible for replacing any damaged panels adjacent to the proposed work area as may be directed by the City.** If saw-cutting is required, cuts shall be made along control joints. If base material under the sidewalk is removed or is deemed unsuitable by the City, the Contractor shall install a minimum of six inches (6") of compacted crushed processed gravel. All new concrete sidewalks shall be a minimum of five inches (5") thick. All new concrete driveway aprons and wheelchair ramps shall be a minimum of six inches (6") thick. All new sidewalks constructed in the City of Newport shall be comprised of concrete. Brick, block or alternative materials for sidewalk installations will not be accepted unless they are proposed to replace existing materials in kind with City of Newport's construction methods and details.

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#### **LIABILITY REQUIREMENTS**

Certificates of liability insurance and performance bonds must be posted with the Engineering Division before any permit can be issued. Permits will be issued only for work covered by the applicant's insurance. The performance bond guarantees completion of the work and complete restoration of the site to the City of Newport specifications and to the satisfaction of the Director of Public Services. Certificates required for work in the city right-of-way are provided below:

1. Any excavation, including utility work and curb cuts:
  - a. \$300,000 each/\$600,000 aggregate liability and \$100,000 broad form property damage, plus \$5,000 performance bond, **OR**
  - b. \$500,000 combined liability plus \$5,000 performance bond
2. Sewer work on public or private property:
  - a. or b. above, plus drain layers license from the City of Newport
3. Any obstruction: \$300,000 general liability