



**LAND USE PERMIT
LUP-SPG
Special Provisions – General**

Permittee Agreement for Land Use Permit Issuance

I the undersigned hereby acknowledge that I am fully cognizant of all of the following requirements associated with the issuance of a VDOT Land Use Permit:

Type or Print Clearly

Applicant Name: _____

Applicant Federal Tax ID No. or Driver’s License No.: _____

Project Name: _____

County: _____ Route Number: _____

Applicant / Property Owner Signature: _____

Agent / Contractor Signature: _____

VDOT Land Use Permit Required by Law

The General Rules and Regulations of the Commonwealth Transportation Board provide that no work of any nature shall be performed on any real property under the ownership, control, or jurisdiction of VDOT until written permission has been obtained from VDOT. Written permission is granted for the above-referenced activity through the issuance of a land use permit.

By issuing a permit, VDOT is giving permission only for whatever rights it has in the right-of-way; the permittee is responsible for obtaining permission from others who may also have an interest in the property.

The permittee will be civilly liable to the Commonwealth for expenses and damages incurred by VDOT as a result of violation of any of the rules and regulations of this chapter. Violators shall be guilty of a misdemeanor and, upon conviction, shall be punished as provided for in [§33.2-210](#) of the Code of Virginia.

Application Requirements

Application shall be made for VDOT land use permits through the local district permit office where the activity is to take place.

Application forms and general information regarding VDOT land use permitting can be obtained by contacting the central office permit manager or at the following VDOT web site: <http://www.virginiadot.org/business/business/landUsePermits.asp>

The applicant shall provide a notarized affidavit indicating compliance with the registration and notification requirements outlined in [§ 2.2-1151.1](#) of the Code of Virginia.

Permit Fees

The land use permit application shall include a check in an amount determined by the district administrator's designee based on the schedule found in [24VAC30-151-710](#) of the [Land Use Permit Regulations](#).

Surety Requirement

A performance surety in the amount determined by the district administrator's designee is required to restore the right-of-way in the event of damage or default. This surety may be in the form of cash, check or surety bond [LUP-SB](#), or [LUP-LC](#) irrevocable letter of credit.

Cash Surety Refund

Applicants owing the Internal Revenue Service or the Commonwealth of Virginia may not receive a refund of the cash guarantee provided for the issuance of a VDOT land use permit unless the amount owed is less than the amount of cash guarantee provided. Applicants providing cash guarantee for the issuance of a VDOT land use permit must provide an executed copy of the Commonwealth of Virginia's Substitute Form W-9 to receive a refund of the cash guarantee provided for the issuance of a VDOT land use permit.

Insurance Requirements (excluding County, Town or City)

The permittee or their agent shall secure and maintain insurance to protect against liability for personal injury and property damage that may arise from the activities performed under the authority of a land use permit and from the operation of the permitted activity up to one million dollars (\$ 1,000,000) each occurrence to protect the Board members and the Department's agents or employees; seventy-five thousand dollars (\$75,000) each occurrence to protect the Board, the Department, or the Commonwealth in event of suit. Insurance must be obtained prior to start of the permitted work and shall remain valid through the permit completion date. VDOT staff may require a valid certificate or letter of insurance from the issuing insurance agent or agency prior to issuing the land use permit.

Any of the following provisions that may apply, shall apply:

General Requirements

- 1) Permittee acceptance and use of a Virginia Department of Transportation (VDOT) land use permit is prima facie evidence that the permittee has read and is fully cognizant of all required permit provisions, applicable traffic control plans and associated construction standards to be employed. All applicants to whom permits are issued shall at all times indemnify and save harmless the Commonwealth Transportation Board, members of the Board, the Commonwealth, and all Commonwealth employees, agents, and officers, from responsibility, damage, or liability arising from the exercise of the privileges granted in such permit to the extent allowed by law including any sums ordered to be paid or expended by VDOT by any governmental entity as a fine, penalty or damages for any violation of any applicable environmental law, or to remediate any hazardous or other material, including illicit discharge into VDOT maintained storm sewer systems.
- 2) The permittee assumes full responsibility for any and all (downstream flooding, erosion, siltation, etc.) damages that may occur as a result of the work performed under this permit. Furthermore, the Department will in no way be responsible for any damage to the facility being placed as a result of future maintenance or construction activities performed by the Department.
- 3) The permittee agrees to move, remove, alter, or change any installation that interferes with the ultimate construction of the highway in alignment or grade at no cost to the Department unless otherwise stipulated and agreed to by the Department.
- 4) The permittee shall immediately correct any situation that may arise as a result of these activities that the district administrator's designee deems hazardous to the traveling public.

- 5) Any and all highway signs, right-of-way markers, etc., disturbed as a result of work performed under the auspices of a land use permit shall be accurately reset by the permittee immediately following the work in the vicinity of the disturbed facility. The services of a certified land surveyor with experience in route surveying may be required.
- 6) It shall be the permittee's responsibility to obtain any and all necessary permits that may be required by any other government agencies, i.e., U.S. Army Corp. of Engineers, Department of Environmental Quality, Department of Conservation and Recreation, etc.
- 7) A copy of the VDOT land use permit shall be maintained at the work site and made readily available for inspection when requested by authorized VDOT personnel. District administrator's designee may request the permittee to install on site a project information sign to help the public and VDOT personnel identify activities in the right of way (see LUP-IS).
- 8) The permittee shall notify the local district permit office at least 48 hours prior to commencement of any work requiring inspection and/or testing as stipulated in VDOT's Road and Bridge Standards (current edition) and VDOT's Road and Bridge Specifications (current edition). Failure to carry out this requirement may result in permit revocation.
- 9) The permittee or their agent must contact the VDOT Customer Service Center at 1-800-367-7623 a minimum of 48 hours prior to initiating any planned excavation within 1,000 feet of a signalized intersection and/or near VDOT ITS infrastructure. Excavation activities may proceed only after the VDOT regional utility location agent has notified the permittee that the utility marking has been completed. Additional information can be found at: http://www.virginiadot.org/business/resources/IIM/TE-383_Request_for_Marking_VDOT_UTILITY_Location.pdf

Alternately, within all localities in the Northern Virginia Construction District, including the Counties of Arlington, Fairfax, Loudoun & Prince William, the Cities of Alexandria, Fairfax, Falls Church, Manassas and Manassas Park, and the Towns of Clifton, Dumfries, Hamilton, Haymarket, Herndon, Hillsboro, Leesburg, Lovettsville, Middleburg, Occoquan, Purcellville, Quantico, Round Hill and Vienna, and on Interstate 95 in the counties of Stafford, Spotsylvania and Caroline, the permittee may request VDOT regional utility marking at: <http://www.vdotutilitymarking.virginia.gov>

Failure to carry out this requirement may result in permit revocation.

- 10) The permittee shall to notify "Miss Utility" (or each operator of an underground utility where no notification center exists) of any planned excavation within state maintained right-of-way. This notification must be provided at least 48 hours (excluding weekends and holidays) in advance of commencing with any planned excavation within state maintained right-of-way. Failure to carry out this requirement may result in permit revocation.
- 11) It is the duty of the district administrator's designee to keep all roads maintained in a safe and travelable condition at all times. Therefore, any permit may be denied, revoked or suspended when in the opinion of the district administrator's designee, the safety, use or maintenance of the highway so requires.
- 12) The permittee shall at all times give strict attention to the safety and rights of the traveling public, their employees and themselves. VDOT reserves the right to stop work at anytime due to safety problems and/or non-compliance with the terms of the permit. The Department may, at its discretion, complete any of the work covered in the permit or restore the right-of-way to the department's standards and invoice the permittee for the actual cost of such work. The permittee may be required to move, alter, change or remove from state maintained right-of-way, in a satisfactory manner, any installation made under this permit.
- 13) All work authorized under the auspices of a VDOT land use permit shall be subject to VDOT's direction and be in accordance with VDOT's Road and Bridge Standards (current edition) and VDOT's Road and Bridge Specifications (current edition).

- 14) Design changes, specified material changes and/or field changes from the approved plans shall be submitted to the appropriate district administrator's designee for review and approval prior to proceeding with the proposed changes. This submittal shall include written justification, supplemental documentation and/or engineering calculations that support the requested changes.
- 15) The permittee shall meet or exceed the existing pavement design and typical section when constructing pavement widening adjacent to an existing state maintained roadway. The proposed pavement design and typical section shall be approved by the district administrator's designee prior to commencing with any work within state maintained right-of-way. All pavement widening shall be in accordance with VDOT's Road and Bridge Standard 303.02.
- 16) Within the limits of a VDOT construction project it is the responsibility of the permit applicant to obtain the contractor's consent in writing prior to permit issuance. Information regarding current and/or planned VDOT construction and maintenance activities can be obtained at: <http://www.virginiaroads.org/>.

Traffic Control and Safety

- 1) The permittee shall at all times give strict attention to the safety and rights of the traveling public, their employees, and contractors. Any permit may be revoked or suspended when in the opinion of the district administrator's designee, the safety, use or maintenance of the highway so requires.
- 2) *In accordance with the Virginia Department of Transportation (VDOT) Road and Bridge Specification, Special Provision 105.14, all activities performed under the auspices of a VDOT Land Use Permit involving the installation, maintenance and removal of work zone traffic control devices must have an individual on-site who, at a minimum, is accredited by VDOT in Basic Work Zone Traffic Control. The accredited person must have their VDOT Work Zone Traffic Control accreditation card in their possession while on-site.*
- 3) *The individual accredited in Basic Work Zone Traffic Control is responsible for the placement, maintenance and removal of work zone traffic control devices within the project limits in compliance with the permit requirements and conditions, the approved plans and specifications, the Virginia Work Area Protection Manual, and the Manual of Uniform Traffic Control Devices.*
- 4) *A person accredited by VDOT in Intermediate Work Zone Traffic Control must be on-site to provide supervision for adjustment to the approved layout of any standard Typical Traffic Control (TTC) layouts outlined in the Virginia Work Area Protection Manual.*
- 5) *All traffic control plans shall be prepared by a person verified by VDOT in Advanced Work Zone Traffic Control.*
- 6) *Individuals responsible for implementation of work zone traffic control measures shall provide evidence of their accreditation upon request from VDOT personnel.*
- 7) *The permittee shall be exempt from the requirements of Virginia Department of Transportation (VDOT) Road and Bridge Specification, Special Provision 105.14 if the authorized activity is not within the roadway (as defined in 24VAC30-151) of a state maintained highway.*
- 8) *Non-compliance with the requirements outlined in VDOT Road and Bridge Specification, Special Provision 105.14 may result in a stop work order and / or permit revocation.*
- 9) *All activities that require the disruption (stoppage) of traffic shall utilize VDOT certified flaggers. Flag persons shall be provided in sufficient number and locations as necessary for control and protection of vehicular and pedestrian traffic in accordance with the Virginia Work Area Protection Manual. All flaggers must have their certification card in their possession when performing flagging operations within state maintained right-of-way. Any flag person found not in possession of his/her certification card shall be removed from the flagging site and the district administrator's designee will suspend all permitted activities.*

- 10) Any VDOT certified flag person found to be performing their duties improperly shall have their certification revoked.
- 11) All signs shall be in accordance with the current edition of the Manual of Uniform Traffic Control Devices (MUTCD).
- 12) The permittee shall immediately correct any situation that may arise as a result of these activities that the district administrator's designee deems hazardous to the traveling public.
- 13) During authorized activities, the permittee shall furnish all necessary signs, flag persons and other devices to provide for the protection of traffic and workers in accordance with the Virginia Work Area Protection Manual or as directed by the district administrator's designee.
- 14) Traffic shall not be blocked or detoured without permission, documented in writing or electronic communication, being granted by the district administrator's designee.
- 15) All lane or shoulder closures on highways in the Northern Virginia construction district classified as arterial or collector routes must be authorized, documented in writing or by electronic communication by the VDOT Transportation Operations Center (NRO/TOC).
- 16) The permittee shall notify the following appropriate VDOT Transportation Operations Center (TOC) 30 minutes prior to the installation of a lane closure or shoulder closure on non-limited access primary routes and within 30 minutes of removing the lane or shoulder closure:
 - Eastern Region (757) 424-9920: All localities within the Hampton Roads construction district excluding Greenville County and Sussex County
 - Northern Virginia (703) 877-3401: All localities within the NOVA construction district including Spotsylvania County and Stafford County
 - Central Region (804) 796-4520: All localities within the Richmond construction district including Greenville County and Sussex County. All localities within the Fredericksburg district excluding Spotsylvania County and Stafford County
 - SW Region (540) 375-0170: All localities within the Salem, Bristol, and Lynchburg construction districts
 - NW Region (540) 332-9500: All localities within the Staunton and Culpeper construction districts.

VIRGINIA WORK ZONE TRAFFIC CONTROL TRAINING OPTIONS

The following three options are available to receive Work Zone Traffic Control (WZTC) training based on an individual's job duties and responsibilities as required by the FHWA Final Rule on Work Zone Safety and Mobility and the Virginia Department of Transportation:

OPTION 1 – Have someone trained to become a qualified instructor in your company who can then instruct others, utilizing training material provided by VDOT. The following qualifications must be met in order to teach the VDOT Basic, Intermediate, or Advanced WZTC training courses:

- **Basic** – Be flagger certified either by VDOT or by the American Traffic Safety Services Association (ATSSA); possess two years of practical experience in Highway Design, Construction, Maintenance, or Traffic Operations; possess two years of documented experience in conducting training courses; and successfully complete the VDOT WZTC Intermediate or Advanced course or complete the ATSSA Virginia Intermediate/Traffic Control Supervisor (TCS) course.
- **Intermediate** - Be flagger certified either by VDOT or by ATSSA; possess two years of practical experience in Highway Design, Construction, Maintenance, or Traffic Operations; possess two years of documented experience in conducting training courses; complete and possess the ATSSA Virginia Intermediate/TCS certification.

- **Advanced** - Be flagger certified either by VDOT or by ATSSA; possess two years of practical experience in Highway Design, Construction, Maintenance, or Traffic Operations; possess two years of documented experience in conducting training courses; complete and possess the ATSSA Virginia Advanced Traffic Control Design Specialist (TCDS) certification or ATSSA Virginia Intermediate TCS certification.

To become an approved instructor, an application must be completed listing the above qualifications and sent to the chairman of VDOT's WZST committee at the following location:

http://www.virginiadot.org/business/resources/wztc/wztc_inst_app_form.pdf

Once a person has become an approved instructor, training material can be obtained from VDOT using the order form obtained from the following location (requires an approved instructor identification number): http://www.virginiadot.org/business/resources/wztc/WZTC_order_form.pdf

OPTION 2 – Obtain the services of an approved instructor from VDOT's Approved WZTC Instructor List to teach the course or courses you need for your employees.

The Approved WZTC Instructor's List can be obtained at the following location:

http://www.virginiadot.org/business/resources/wztc/Approved_WZTC_Instructors.pdf

A list of Approved Providers of training can be obtained at the following location:

http://www.virginiadot.org/business/resources/wztc/wztc_training_sponsors.pdf

OPTION 3 – Send personnel to classes conducted by approved sources such as ATSSA Virginia or the Virginia Local Technical Assistance Program (LTAP).

Courses by ATSSA Virginia can be found at the following location:

http://atssa.com/cs/course_information/courses_by_state?state=56

Courses by the Virginia LTAP can be found at the following location:

<http://ltap.cts.virginia.edu/2%20Page%20Calendar%20June%20-%20Sept%2009.pdf>

Basic WZTC courses by the Virginia Rural Water Association can be found at the following location:

<http://www.vrwa.org/> (See Training Schedule)

Training by the Virginia Transportation Construction Alliance (VTCA) can be found at the following location:

<http://vtca.org/>

Visit the following site for additional information regarding Virginia's Work Zone Traffic Control training program:

<http://www.virginiadot.org/business/trafficeng-WZS.asp>

Authorized Hours and Days of Work

Normal hours for work under the authority of a VDOT land use permit are from 9:00 a.m. to 3:30 p.m. Monday through Friday for all highways classified as arterial or collector. All highways classified as local roads will have unrestricted work hours and days.

The district administrator's designee may establish alternate time restrictions in normal working hours for single use permits.

The central office permit manager may establish alternate time restrictions in normal working hours for district-wide permits.

The classifications for all state maintained highways can be found at the following link: http://www.virginia-dot.org/projects/fxn_class/maps.asp

Emergency Repair

In the event of an emergency situation that requires immediate action to protect persons or property, work may proceed within the right-of-way without authorization from the district administrator's designee; however, the utility owner must contact the VDOT Emergency Operations Center as soon as reasonably possible but no later than 48 hours after the end of the emergency situation.

The utility owner must apply for a separate land use permit from the local district permit office for any emergency work performed on state maintained right-of-way when the following actions are proposed:

- Stopping or impeding highway travel in excess of 15 minutes, or,
- Accessing facilities within limited access right-of-way, or,
- Cutting the highway pavement or shoulders.

The district administrator's designee shall determine the applicable permit fee for emergency repair permits.

Holiday Restrictions

Permitted non-emergency work will not be allowed on arterial and collector highway classifications from noon on the preceding weekday through the following state observed holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. If the observed holiday falls on a Monday, the permit will not be valid from noon on the preceding Friday through noon on Tuesday.

Excavation

All excavation within state maintained rights-of-way shall comply with OSHA Technical Manual, Chapter 2, Title Excavation: Hazard Recognition in Trenching and Shoring. A professional engineer shall certify all shoring and/or trench boxes.

No excavated material is to be placed or tracked on the pavement without written permission from the District Administrator's designee. When so authorized, the pavement shall be satisfactorily cleaned by a VDOT approved method. No cleated (track-mounted) equipment is to be used on the pavement without properly protecting the pavement from damage.

Trenchless Construction

Site specific geotechnical sub-surface investigation reports, compiled in accordance with the provisions of VDOT Materials Division Manual of Instructions, shall be submitted to the district administrator's designee if the following trenchless installation(s) are proposed:

- The proposed pipe diameter is 24-inches or greater, and;
- The proposed pipe cover is less than 3 times the pipe diameter, and;
- The AADT of roadway is greater than 25,000, or;
- The proposed pipe diameter is 60-inches or greater, or;
- Any situation where there is a significant risk identified.

Inspection and Restoration

- 1) Inspection and testing of all backfill and pavement sections shall be performed in accordance with all applicable sections of VDOT's Road and Bridge Specifications (current edition).

- 2) If during or before construction it is deemed necessary for the local district permit office to assign an inspector to the project, the permittee shall pay the Department an additional inspection fee in an amount that will cover the salary, expense allowance, and mileage allowance for the inspection(s) assigned by the Department for handling work covered by this permit. Said inspection fee shall be paid promptly each month on invoices rendered by the Department.
- 3) It shall be the decision of the district administrator's designee whether to assign an inspector to monitor the placement of all backfill and pavement restoration activities.
- 4) The absence of a VDOT inspector does not in any way relieve the permittee of their responsibility to perform the work in accordance with the approved plans, provisions of the attached permit, VDOT's Road and Bridge Standards (current edition) and VDOT's Road and Bridge Specifications (current edition).
- 5) The permittee shall be responsible for any settlement of all backfill or pavement restoration necessitated by authorized excavation activities for a period of two (2) years after the completion date of permit, and for the continuing maintenance of the facilities placed within the highway right-of-way. A one (1) year restoration warranty period may be considered, provided the permittee adheres to the following criteria:
 - The permittee retains the services of a professional engineer (or certified technician under the direction of the professional engineer) to observe the placement of all backfill and pavement restoration.
 - The professional engineer (or certified technician under the direction of the professional engineer) performs any required inspection and testing in accordance with all applicable sections of VDOT's Road and Bridge Specifications.
 - The professional engineer submits all testing reports for review and approval, and provides written certification that all restoration procedures have been completed in accordance with all applicable sections of VDOT's Road and Bridge Specifications prior to completion of the work authorized by the permit.
- 6) Whenever existing pavement is permitted to be cut, not over one-half of the roadway width shall be disturbed at one time and the first open cut trench section shall be satisfactorily restored to allow for the passage of traffic prior to the second half of the roadway surface can be disturbed.
- 7) All crossing of existing pavement shall be bored, pushed or jacked an appropriate distance from the edge-of-pavement so as not to impede the normal flow of traffic or damage the existing pavement section. Existing pavement shall not be cut unless approved by the district administrator's designee and then only if justifiable circumstances prevail or proof is shown that a thorough attempt has been made to push, bore or jack.
- 8) Authorized daily trench excavation within pavement sections shall not exceed 500 feet in length.
- 9) Pavement restoration shall be in accordance with the VDOT LUP-OC Pavement Open Cut Special Provisions. This document can also be found at: <http://www.virginiadot.org/business/bu-landUsePermits.asp>
- 10) Where the pavement is disturbed or deemed weakened in its entirety or such portions as deemed desirable by the Department, the pavement shall be restored or replaced in a manner that is satisfactory to the district administrator's designee.

Environmental

- 1) In accordance with the Virginia Department of Transportation (VDOT) Road and Bridge Specification **§107.16**, all contractors performing regulated land disturbing activities within VDOT right-of-way must have at least one (1) employee that has successfully completed the VDOT Erosion & Sediment Control Contractor Certification training. This person shall be on site during all land disturbance activities and will be responsible for insuring compliance with all applicable local, state and federal erosion and sediment control regulations during land disturbance activities. This person must have their certification card with them while on the project site. The land use permit will be suspended if proof of certification cannot be provided. Regulated land disturbing

activities are defined as those activities that disturb 2,500 square feet or greater in Tidewater, Virginia or 10,000 square feet or greater in all other areas of the State. The Department will require evidence of this certification with any land use permit application that involves utility and/or commercial right of way improvement. Improper installation, maintenance and removal of erosion and sediment control devices may result in revocation of VDOT Erosion & Sediment Control Contractor Certification.

- 2) The permittee is responsible for pursuing and obtaining any and all environmental permits which may be required to pursue the proposed activity prior to any work beginning within state maintained right-of-way.
- 3) In the event hazardous materials or underground storage tanks are encountered within state maintained right-of-way during authorized activities, the permittee shall suspend all work immediately then notify the local district permit office and other responsible parties, i.e., the local fire department, emergency services, Department of Environmental Quality, etc. The permittee is responsible for coordination and completion of all required remediation necessary to complete the permitted activities within the state maintained right-of-way. The permittee shall provide evidence of such compliance to the local district permit office prior to recommencement of permitted activities.
- 4) In the event cultural resources, archaeological, paleontological, and/or rare minerals are encountered within the right of way during authorized activities, the permittee shall suspend all work immediately then notify the local district permit office and the proper state authority charged with the responsibility for investigation and evaluation of such finds. The permittee will meet all necessary requirements for resolving any conflicts prior to continuing with the proposed activities within the state maintained right-of-way, and shall provide evidence of such compliance to the local district permit office.
- 5) Roadway drainage shall not be blocked or diverted. The shoulders, ditches, roadside, drainage facilities and pavement shall be kept in an operable condition satisfactory to the Department. Necessary precautions shall be taken by the permittee to insure against siltation of adjacent properties, streams, etc., in accordance with VDOT's current standards or as prescribed by the Department's Environmental Manual and the district administrator's designee.

Entrances

- 1) VDOT's authority to regulate highway entrances is provided in §, [§33.2-240](#), and [§33.2-241](#) of the Code of Virginia and its authority to make regulations concerning the use of highways generally is provided in [§33.2-210](#) of the Code of Virginia. Regulations regarding entrances are set forth in VDOT's regulations promulgated pursuant to [§33.2-245](#) of the Code of Virginia.
- 2) The permittee shall be responsible for the design and installation of a private entrance under the auspices of a VDOT land use permit however the permittee may request that VDOT forces install the private entrance at the permittee's expense.
- 3) Street connections, private entrances, and construction entrances shall be kept in satisfactory condition during all activities authorized under the auspices of a VDOT land use permit. Entrances shall not be blocked. Ample provisions must be made to provide safe ingress and egress to adjacent properties at all times. Entrances that are disturbed shall be restored to the satisfaction of the property owner and the district administrator's designee.

Utilities

- 1) Prior to any excavation, the permittee shall comply with the terms of [Title 56, Chapter 10.3](#) of the Underground Utility Damage Prevention Act and [§56-265.14](#) through [§56-265.20](#) of the Code of Virginia. This permit does not grant permission to grade on or near property of others, or, adjust or disturb in anyway existing utility poles or underground facilities within the permitted area. Permission to do so must be obtained from the impacted utility company and any expense involved shall be borne by the permittee. Any conflicts with existing utility facilities must be resolved between the permittee and the utility owner(s) involved.

- 2) All underground utility installations within limited access right-of-way shall have a minimum of 36 inches of cover. All underground utilities within non-limited access right-of-way will require a minimum of 36 inches of cover, except underground cables that provide telecommunications service shall be at a minimum of 30 inches of cover.
- 3) Where feasible, all aboveground installations (such as fire hydrants, telephone pedestals, markers, etc.) shall be located adjacent to the outside edge of the right-of-way line and in accordance with minimum clear zone requirements. All manhole covers, valve box, etc., shall be installed two inches below existing ground line and shall conform to existing contours.
- 4) No poles, guys, anchors, etc., are to be placed on state maintained right-of-way unless authorized under the auspices of a VDOT land use permit. At no time will any such facilities be allowed between the ditch line and the traveled roadway.
- 5) All overhead installations crossing non-limited access highways shall provide a minimum of 18 feet of vertical clearance or at a minimum height as established by the National Electric Safety Code, whichever is greater. All overhead utility installations within limited access right-of-way shall maintain a minimum of 21 feet of vertical clearance. The vertical clearance for all new overhead parallel installations within non-limited access rights-of-way shall be in compliance with standards as specified in the National Electric Safety Code.

Final Inspection and Completion of Permit

Upon completion of the work covered by this permit all disturbed areas outside of the roadway prism shall be restored to their original condition as found prior to starting such work.

Completion of this permit is contingent upon the permittee's completion of the authorized work in accordance with the approved plan and compliance with all governing bodies involved in the total completion of work on state maintained right-of-way.

Upon completion of the work under permit, the permittee shall provide notification, documented in writing or electronic communication, to the district administrator's designee requesting final inspection. This request shall include the permit number, county name, route number and name of the party or parties to whom the permit was issued.

The district administrator's designee shall promptly schedule an inspection of the work covered under the permit and advise the permittee of any necessary corrections.

Permit Revocation

At the discretion of the district administrator's designee, a land use permit may be revoked upon written finding that the permittee was not in compliance with all requirements contained herein and/or violated the terms of the permit, or any state and local laws and ordinances regulating activities within the right-of-way. In addition VDOT may apply additional penalties in accordance with §33.2-1221.

Permittee Notice

The preceding provisions are intentionally condensed in format and should not be loosely interpreted by the permittee without consultation with the central office permit manager and affirmation from the [Land Use Permit Regulations](#).



**LAND USE PERMIT
LUP-OC**

Open-Cut Pavement Restoration Requirements

Any of the following provisions that may apply, shall apply:

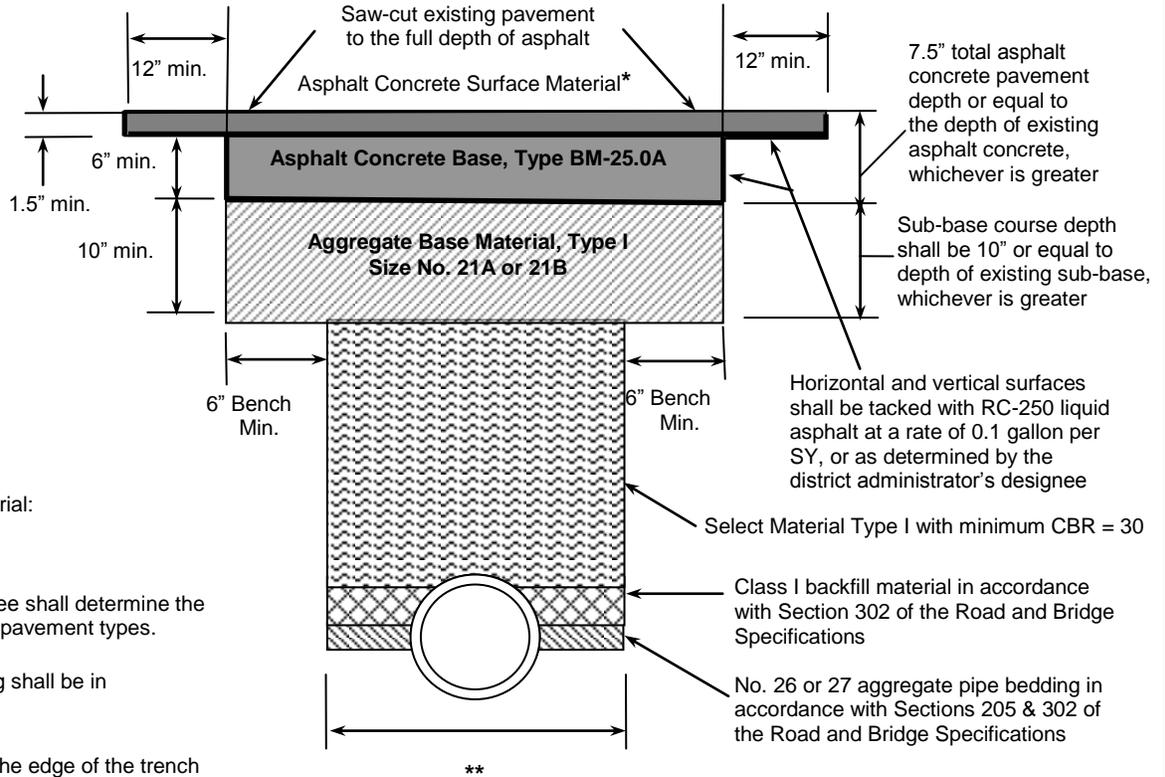
1. The permittee shall be responsible for the restoration of pavement on state maintained highways in accordance with all applicable sections of the VDOT Road and Bridge Specifications, VDOT Road and Bridge Standards and this document.
2. Whenever existing pavement is permitted to be cut, not over one-half of the roadway width shall be disturbed at one time and the first open cut trench section shall be satisfactorily restored to allow for the passage of traffic prior to the second half of the roadway surface can be disturbed.
3. All trench backfill material shall be Select Material Type I having a minimum CBR of 30 and free from any wood, decaying material, asphalt, concrete, ice, frost, large clods, stone or debris.
4. Trench backfill material shall be compacted to a minimum of 95% of the theoretical maximum density at optimum moisture content, as determine by VDOT testing procedures (VTM1), using mechanical tamping throughout the depth of the trench in 6-inch lifts to ensure that the adequate support is provided for the aggregate sub-base layer is adequately supported.
5. For roadways with a bituminous concrete asphalt pavement section the compacted trench backfill shall be capped with 10 inches (10") of Type I, Size 21-A or 21-B aggregate compacted to 100% of the theoretical maximum density at optimum moisture content covering the entire trench width and a minimum six inch (6") bench on each side of the excavated trench or as determined by the district administrator's designee.
6. A bituminous concrete asphalt base course (BM-25) having a minimum thickness of six inches (6"), or matching the existing base course thickness, shall be placed over the benched aggregate sub-base to the bottom elevation of the existing asphalt concrete surface course.
7. All sides of the excavated trench shall be saw-cut trimmed to neat straight lines and a tack coat of RC-250 liquid asphalt applied at a rate of 0.1 gallon per square yard (or as determined by the district administrator's designee) prior to placing the bituminous concrete asphalt base course (BM-25.0) and/or replacement of the bituminous concrete asphalt surface course (SM-9.5A or SM-9.5D).
8. The existing pavement surface course adjacent to the excavated trench shall be milled and repaved with bituminous concrete asphalt (SM-9.5A or SM-9.5D) having of a minimum thickness of 1-1/2 inches (1.5"). This operation shall cover the entire trench width and extend 12 inches (12") beyond the edge of the trench on longitudinal open cuts and 25 feet (25') beyond the trench centerline on perpendicular open cuts, or as determined by the district administrator's designee.
9. Open cuts in surface treated roadway sections with an aggregate base course shall be replaced with the same layer(s) as roadway sections with a bituminous concrete asphalt pavement structure except the sub-base layer (Type I, Size 21-A or 21-B) may be reduced to six inches (6") and the bituminous concrete asphalt base layer (BM-25.0) may be reduced to four inches (4") while maintaining the required six inch (6") bench on both sides of the excavated trench. The surface course restoration material and thickness shall match the existing surface.
10. Replacement of all bituminous concrete asphalt and surface treated courses shall be rolled with equipment having a manufacturer's rating of ten (10) tons until the aggregate is keyed into the bitumen. Where rolling is not possible, a mechanical tamper shall be utilized.

11. Full depth aggregate stone may be placed in the trench daily up to maximum length of 500 feet, at which time either temporary or permanent pavement restoration procedures must be implemented.
12. Should the application of the bituminous concrete asphalt surface course be delayed due to adverse weather conditions, the contractor shall provide and maintain a temporary pavement section that is acceptable to the district administrator's designee until such time as the appropriate permanent pavement restoration can be achieved.
13. The permittee shall be responsible for any settlement in the backfill or pavement for a period of two (2) years after the completion date of permit and for the continuing maintenance of the facilities placed within the highway right-of-way.
14. A one-year restoration warranty period may be considered, provided the permittee adheres to the following criteria:
 - The permittee retains the services of a professional engineer (or certified technician under the direction of the professional engineer) to observe the placement of all fill embankments, pavement, and storm sewer and utility trench backfill.
 - The professional engineer (or certified technician under the direction of the professional engineer) performs any required inspection and testing in accordance with all applicable sections of VDOT's Road and Bridge Specifications.
 - The professional engineer submits all testing reports for review and approval, and provides written certification that all restoration procedures have been completed in accordance with all applicable sections of VDOT's Road and Bridge Specifications prior to completion of the work authorized by the permit.
15. The district administrator's designee may request and review the backfill compaction test results and/or authorize an inspector to monitor the trench backfill and compaction operations.
16. The use of steel plates to provide a temporary riding surface will not be allowed between November 1 and April 1. The use of steel plates between April 2 and October 31 shall be in accordance with VDOT standards and specifications.
17. Traffic shall be maintained at all times in accordance with the Virginia Work Area Protection Manual and a VDOT approved Maintenance of Traffic (MOT) plan.
18. The permittee shall notify the district administrator's designee a minimum of 72 hours prior to initiating any pavement open cutting operations.
19. The trench to be backfilled shall be made as dry as practicable at the time of backfilling by pumping, bailing, draining, or other approved dewatering method.
20. All asphalt pavement restoration activities shall be in accordance with the Asphalt Pavement Restoration Detail for Open Cut Utility Installations contained herein.

**LAND USE PERMIT
LUP-OC**

Open-Cut Pavement Restoration Requirements

Asphalt Pavement Restoration Detail for Open Cut Utility Installations



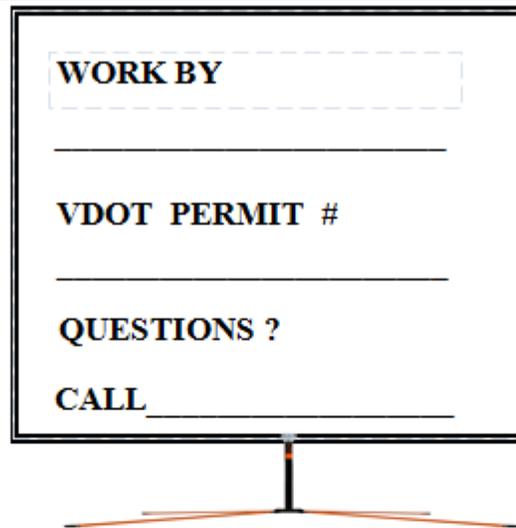
NOTES:

* Asphalt Concrete Surface Material:
SM-9.5A for ADT < 10,000
SM-9.5D for ADT > 10,000

The district administrator's designee shall determine the restoration requirements for other pavement types.

** Trench width and pipe bedding shall be in accordance with VDOT Std. PB-1

*** 12 inches minimum beyond the edge of the trench on longitudinal open cuts, or 25 feet minimum beyond the trench centerline on perpendicular open cuts, or as determined by the district administrator's designee.



1. Sign must not be oriented facing traffic approaching from any direction
2. Sign must be non-reflective
3. Sign must use Times New Roman font and should not use MUTCD sign fonts (or Clearview)
4. Sign must not show any logos
5. Sign must not contain the contractor's name (unless the contractor is the permittee)
6. Sign must be installed outside clear zone within 50' of work area
7. Sign must remain on site until final restoration of right of way
8. For multiple work locations within subdivisions, at least one sign may be installed at the main work area
9. Sign must be at least 36"X36" and made of water-resistant material and firmly secured
10. Sign must be blue with white 3" lettering
11. Sign shall not be installed on existing VDOT sign posts and should not impede pedestrian mobility