



**Right-of-Way Requirements and Affidavit**  
**Policy for Water and Sewer Work in the Right-of-Way**

1. **Water services only:** The City will make water main taps in a single trench only.
  - a. If the service is 2" or less, standard scheduled fees apply. The cost of restoration is included in this fee.
  - b. If the service is 4" or larger, an estimate is requested and prepared by DPS. The contractor will be notified of the price and the fee must be paid prior to work starting.
  
2. **Sewer services only:** The City will not make sewer service installations. The owner/applicant is responsible for engaging a qualified contractor to do this work, including the portion in the right-of-way.
  - a. An inspection fee of \$400 per tap will be charged. The fee covers the cost of a DPS standard eight-hour day between the hours of 7:00am and 3:15pm. Time in excess of standard working hours will be charged at the cost for one City inspector at the overtime rate. If work is required on the second or subsequent days, costs will be charged at the City hourly rate for one inspector.
  - b. A trench maintenance fee of \$900 will be charged from the City's schedule of fees. The fee assumes a maximum 4-foot wide saw-cut trench. Any damage to the street in excess of 4 feet will be charged in multiples of the original fee (for example an 8 foot wide trench would be double the original fee).
  - c. The applicant or owner of the project shall hire a geotechnical inspection firm to provide a competent inspector that shall be present at the job during the entire backfill operation. The inspector shall be prepared to develop a maximum density on the backfill material. The contractor shall backfill the trench in maximum 12 inch lifts, at which time a density test shall be taken to ensure 95% or greater compaction. A copy of written documentation of the inspection shall be provided to the City inspector prior to the release of the \$1,000 deposit noted in paragraph h. below. At the time of application, the applicant shall provide the company supplying the inspector, a contact name, and contact information for the inspection firm.
  - d. The City requires 6" Schedule 40 or SDR 26 PVC sewer pipe in the right-of-way. All mains must be core-tapped, and taps must be installed with a Romac, Fernco, or Twistee<sup>®</sup> tapping saddle. Kor-N-Tee<sup>®</sup> products are only permitted on mains 10" in diameter or larger.
  - d. The contractor shall install the sewer on a minimum 3 inch bedding of 6A stone. The pipe shall also be backfilled with 6A stone to a minimum of 6 inches above the top of the pipe. The stone layer shall be followed with sand backfill in the City right-of-way. The contractor is responsible to place 6 inches of gravel and 3" of compacted cold mix in the trench within the street and sidewalk areas prior to leaving the site.



- e. All necessary supplies must be on site prior to the start of any digging in the City right-of-way. Failure to do so may result in the City inspector shutting down the job.

Contractors closing the road must have prior approval. The City requires the placement of road closed signs (if closing the road) or road work ahead signs at the end of each block prior to starting any work in the City right-of-way. Contractor must call the Birmingham Police Department at 248-530-1870 and the Birmingham Fire Department at 248-530-1900 to notify them that the road will be closed at the address of the work being performed and called back open when the work is completed.

- g. A \$1000 refundable deposit will be charged to ensure the contractor completes the project at no expense to the City. Any extra costs incurred including those noted above will be charged against this deposit prior to refunding any remaining monies.
- h. The contractor must take out a "Right-of-Way" permit from the Engineering Department for any work within the street right-of-way. The contractor must meet insurance requirements established by the City and must submit a current certificate of coverage. The permit costs \$50.
- i. A City inspector must be on site at the time taps are made. A minimum notice of 24 hours must be given to the DPS to allow proper scheduling of the inspection. Please call 248-530-1709 to schedule this inspection. This requirement may be waived by the DPS if unforeseen circumstances dictate.
- j. From April 15 to October 15, the contractor or the contractor's agent may elect to make permanent repairs to the right-of-way in the areas that were damaged. Repairs shall match the existing pavement cross-section, or no less than 3 inches of asphalt on the City's cape seal streets. The repair work shall be inspected by the City, and completed as soon as possible after the backfill has been accepted. Upon acceptance of the repair by the City, the \$900 Trench Maintenance Fee shall be refunded. No additional inspection fee shall be charged for this work.

**3. Sewer and water combined trench connections:** If the contractor wishes to use a combined trench, the private contractor shall do all work.

- a. All fees and comments noted above for water and sewer work will apply here as well, except that only one \$1,000 deposit will be charged.
- b. An all-brass tapping saddle (or clamps on repairs) and valve must be used on all water taps.
- c. Type K copper is required for all water services 2" or less in the right-of-way.
- d. A #95E cast iron curb box or gate box must be used. Curb box is to be placed on the property line (normally 12" inside of sidewalk) unless specific approval of



change is authorized by the City.

- e. Contractor will do all work involved in the installation (as in sewer tap above).
- f. An "Inspection Permit" fee of \$400 is charged for each tap (water and sewer).
- g. A contractor shall not shut down any water main without the expressed permission of the City. Doing so is a violation of the permit and may subject the permit holder to additional charges and/or penalties.
- h. A City inspector must be on site at the time taps are made. A minimum notice of 24 hours must be given to DPS to allow proper scheduling of the inspection. This requirement may be waived by DPS if unforeseen circumstances dictate.

**4. Other notes:**

- a. A sewer guarantee (if any) is through private arrangements between the contractor and homeowner but should, for the homeowners benefit if granted, include the portion within the right-of-way. The City is not involved in establishment of this "guarantee" nor shall it be obligated in any way for any agreements or guarantees between the parties.
- b. Work inspected by DPS will include right-of-way work and taps on City mains only. Work on private property will require a separate plumbing permit and separate inspection from the Community Development Department.

I have read and understand the City's policy as outlined above:

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**OBSTRUCTION PERMIT APPLICATION**

City of Birmingham  
Community Development – Engineering Department  
151 Martin Street, Birmingham, MI 48009  
(248)530-1850 www.bhamgov.org

DEPARTMENT USE ONLY

Permit #: \_\_\_\_\_

Issued: \_\_\_\_\_

Expires\*: \_\_\_\_\_

\*Permit expires **15 days** from above date  
unless otherwise noted

**PROJECT INFORMATION**

Job Location: \_\_\_\_\_

Description and Purpose of Request: \_\_\_\_\_

Are any temporary structures being proposed, such as tents or canopies? \_\_\_\_\_ Yes \_\_\_\_\_ No

**APPLICANT INFORMATION**

Name of Applicant: \_\_\_\_\_

Company Name: \_\_\_\_\_

Address of Applicant: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Attachments: Signed Right of Way Affidavit  
Plan of Proposed Work Identifying Area to be Obstructed  
Copy of Insurance Certificate (Naming City of Birmingham as Additionally Insured)

Special Conditions: \_\_\_\_\_

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**PERMIT FEE: \$65**

Make checks payable to the 'City of Birmingham'

Approved By: \_\_\_\_\_

Date: \_\_\_\_\_