

**Planning & Development Dept. – Infrastructure Division**

P.O. Box 11706, or 155 Johnston Street, Rock Hill, SC 29731-1706

Phone: 803-329-5515 FAX: 803-329-7228 [www.cityofrockhill.com](http://www.cityofrockhill.com)



**APPLICATION FOR ENCROACHMENT ON CITY RIGHT- OF- WAY**  
**\$25 plan review fee**

Plans should be submitted to the Permit Application Center (PAC) at the address above and will be routed to the appropriate City departments for review. Plan review may take up to 10 business days. Plans may be submitted for review the following ways:

- **Electronically** - Electronic plan submission is preferred and allows for a faster plan review. Please combine all drawing sheets into one .pdf file and add bookmarks listing the sheet number to each page. Submit plans using the following:
  - Via Online Services website at [www.cityofrockhill.com/onlineservices](http://www.cityofrockhill.com/onlineservices), use Create Project option.
  - Via FTP site (contact us for login info)
- **Paper** - Plans may be mailed or hand delivered to the address above. Four paper copies are needed.

**Applicant Information**

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

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

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Project Name: \_\_\_\_\_

Road Name or Tax Parcel No. (for Utility Right-of-Way): \_\_\_\_\_

The undersigned applicant hereby applies to the City of Rock Hill, Planning and Development Department for a permit for encroachment on City Right- of-Way as shown and described below:

1. Type of Encroachment: \_\_\_\_\_
2. Description of location with reference to road: \_\_\_\_\_

3. City Right-of-Way being encroached (check all that apply):

Road Right-of-Way: Attach sketch indicating roadway features such as: pavement width, shoulder width, sidewalk and curb and gutter location, significant drainage structure, north arrow, right of way width, and location of the proposed encroachment with respect to the roadway centerline and the nearest intersecting road.

Utility Right-of-Way: Attach sketch indicating utility Right-of-Way features such as: type of Utility(ies) within the Right-of-Way, location of proposed and existing utility(ies) [ i.e., underground/overhead, distance from edge of Right-of-Way, depth of bury, minimum vertical clearances for overhead wires], size and material of buried structures, above-ground structures, method of installation, north arrow, scale, Right- of- Way width, and location of the proposed encroachment with respect to the nearest street centerline and its nearest intersecting street. Sketch should show distances from any proposed buildings or fences to City poles, pad mounted equipment, and located underground utility lines. South Carolina 811 or 888-721-7877 to locate utilities.

The undersigned applicant hereby requests the City of Rock Hill to permit encroachment on the City Right-of-Way as described herein. It is expressly understood that the encroachment, if and when constructed, shall be installed in accordance with the sketch attached hereto and made part hereof.

**The applicant agrees to comply with and be bound by all general provisions and special provisions below or attached hereto during the installation, operation and maintenance of said encroachment within the City of Rock Hill.**

The applicant hereby further agrees, and binds his heirs, successors, assigns, to assume any and all liability the City might otherwise have in connection with accidents or injuries to persons, or damage to property, including the road, that may be caused by the construction, maintenance, use moving or removing, of the physical appurtenances contemplated herein and agrees to indemnify the City of Rock Hill for the liability incurred or injury or damage sustained by reason of the past, present, or future existence of said appurtenances.

Applicant Signature: \_\_\_\_\_ Date Requested: \_\_\_\_\_

Applicant Printed Name and Title: \_\_\_\_\_ NPDES Permit No.: \_\_\_\_\_

**For Office Use Only**

In compliance with your request and subject to all the provisions, terms, conditions, and restrictions stated in the application, general provisions and special provisions below or attached hereto, the City of Rock Hill approves the request. This permit shall become null and void unless the work contemplated herein shall have been completed prior to \_\_\_\_\_.

SPECIAL PROVISION(S): \_\_\_\_\_

CONTACT THE INFRASTRUCTURE DIVISION, PLANNING AND DEVELOPMENT DEPARTMENT UPON PROJECT COMPLETION. An inspection of the disturbed area will be performed to verify reclamation is complete.

City Representative : Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

## General Provisions

1. **NOTICE PRIOR TO STARTING WORK:** Before starting the work contemplated within the limits of the road rights of way, the City's Infrastructure Division shall be notified 24 hours in advance so that they may be present while the work is under way and this permit is subject to any further restriction. Please contact Infrastructure Division at 803-329-5515.
2. **PERMIT SUBJECT TO INSPECTION:** This permit shall be kept at the site of the work at all times while said work is under way and must be shown to any representative of the City or law enforcement officer on demand.
3. **PROTECTION OF ROAD TRAFFIC:** Adequate provision shall be made for the protection of the road traffic at all times. Necessary detours, barricades, warning signs and flagmen shall be provided by and at the expense of the permittee and shall be in accordance with the South Carolina Manual on Uniform Traffic Control Devices. The work shall be planned and carried out so that there will be the least possible inconvenience to the highway traffic. The permittee agrees to observe all rules and regulations of the City while carrying on the work contemplated herein and take all other precautions that circumstances warrant.
4. **STANDARDS OF CONSTRUCTION:** All work shall conform to recognized standard of construction and shall be performed in a workmanlike manner. Adequate provisions shall be made for maintaining the proper drainage of the Right-of-way. All work shall be subject to the supervision and satisfaction of the City.
5. **FUTURE MOVING OF PHYSICAL APPURTENANCES:** If, in the opinion of the City of Rock Hill, it should ever become necessary to move or remove the physical appurtenances, or any part thereof contemplated herein, on account of change in location of the Right-of-Way, widening of the highway or Right-of-Way, or for any other sufficient reason, such moving or removing shall be done on demand of the City at the expense of the permittee.
6. **RESTORATION OF ROAD FACILITIES UPON REMOVING OF PHYSICAL APPURTENANCES:** If, and when the physical appurtenances contemplated herein shall be moved or removed, either on the demand of the City or at the option of the permittee, the Right-of-Way and facilities shall immediately be restored to their original condition at the expense of the permittee.
7. **COSTS:** All work in connection with the construction, repair, maintenance, moving and removing of the physical appurtenances contemplated herein shall be done by and at the expense of the permittee.
8. **PERMISSION OF ABUTTING PROPERTY OWNERS:** It is distinctly understood that this permit does not in any way grant or release any right lawfully possessed by the abutting property owners. Any such rights necessary shall be secured from said abutting property owners by the permittee.
9. **WORK PERFORMANCE:**
  - (a) All work must be conducted in compliance with all federal, state, and local laws and regulations.
  - (b) Poles shall be placed at the distance from the centerline of the roadway or existing utilities as required by City and/or State regulations.
  - (c) All crossing over existing infrastructures shall be constructed in accordance with Specifications for Overhead Crossings of Light and Power Transmission Lines and Telephone and Telegraph Lines over each other and over Highway Rights-of- Way in South Carolina, as approved by the Public Service Commission of South Carolina and operative as of date of this permit.
  - (d) All tunneling, boring, blasting or jacking shall be done in such a way as not to disturb any highway surfacing or the competency of existing utilities.
  - (e) No pavement shall be cut unless specifically authorized herein. Pavement cuts are to be repaired in accordance with the permit.
  - (f) No existing utilities shall be disturbed unless specifically authorized herein.
  - (g) No excavation shall be nearer than three feet to the edge of pavement unless specifically authorized herein.
  - (h) Underground facilities will be located at minimum depths as defined in subparagraph 9(i) below generally as follows: (1) Bury under pavement – 4 feet minimum for hazardous or dangerous transmission, 3 feet for all other lines. (2) Bury under other surfaces – 30 inches minimum for power and communication lines and 3 feet for all other facilities. Shallower depths may be approved if adequate protection is provided.
  - (i) Service lines and other small diameter pipes shall be jacked, driven, or otherwise forced, underneath the pavement on any surfaced road or under existing utilities without disturbing said pavement or said utility. The section under the roadway pavement and within a distance of two (2) feet on either side shall be continuous without joints. The section under the existing utility and within a distance of at least ten feet on either side shall be continuous without joints.
  - (j) Work in the street Right-of-Way shall be performed in accordance with the South Carolina Department of Transportation "A Policy for Accommodating Utilities on Highway Right-of-Way", "Standard Specifications for Highway Construction", AASHTO's "A Guide Accommodating Utilities within Highway Right-of-Way", and the South Carolina Department of Health and Environmental Control "State Primarily Drinking Water Regulations".
  - (k) No stockpiling of materials or debris will be allowed in the Right-of-Way.
  - (l) Water shall not be impounded, stored, retained, or dammed up over the right-of-way for any reason.
  - (m) Work within City Right-of-Way shall be conducted in compliance with all applicable requirements of the National Pollutant Discharge Elimination System (NPDES) permit(s) issued to the City of Rock Hill, to govern the discharge of stormwater and non-stormwater from its properties. Work shall also be in compliance with all other applicable Federal, State and Local laws and regulations. Unless the project is exempt, the encroachment permit will not be issued until the applicant has received an NPDES construction permit from SC Department of Health and Environmental Control.

- (n) Finished grades shall be brought to the original grade at the completion of construction activities and the drainage of water from the Right-of-Way shall not stand or be impeded. Fill soil added to the Right(s)-of-Way shall not exceed 100% or the original grade without prior written approval of the City.
  - (o) There shall be no excavation of soil nearer than thirty (30) inches of any public utility line or appurtenant facility except with the consent of the owner, thereof, and upon special permission of the City.
10. **CITY:** For the purpose of this permit, the word "City" shall mean City of Rock Hill, South Carolina.
11. **PERMITTEE:** The word Permittee used herein shall mean the name of the person, firm, or corporation to whom this permit is issued, his, her, and/or its heirs, successors and assigns.
12. The Permittee shall be responsible for obtaining any and all permits necessary for installation.
13. Permittee shall be responsible for maintaining reasonable access to all Right-of-Way, easements, and private driveways during construction
14. **DRIVEWAYS AND APPROACHES:**
- (a) The existing crown of the highway shall be continuous to the outside shoulder line.
  - (b) If the driveway or approach is of concrete pavement, the pavement shall be constructed at least 6 inches thick, and of a mix not leaner than 1-2-4. There shall be a bituminous expansion joint, not less than ¾ inches in thickness, placed between the street paving and the paving of the approach for the full width of the latter and at the Right-of-Way line or tangent of radius whichever is greater.
15. **RAILROAD TRACKS:**
- (a) The rails of railroad tracks crossing the street at grade shall conform to the grade of the street.
  - (b) The provisions of the Code of Laws of South Carolina as amended regarding the construction and maintenance of railroad and street grade crossing shall be compiled with in all respects.
  - (c) Unless specifically authorized herein for all railroads with engines, trains or cars operating over the tracks across the street, flagmen carrying a red flag by day and a lantern by night shall be stationed on each side of the train to warn approaching vehicular traffic until completion of construction. Should the permittee fail to consistently operate the railroad in accordance with this section, after having received written notice from the City of such failure, this permit shall automatically become null and void insofar as the continuance of the railroad is concerned.
  - (d) For railroad track abandonments, the railroad track and its appurtenances shall be completely removed from the street Right-of-Way within 60 days, if, when, and after operations across the street on the railroad shall have been abandoned, and the street replaced in at least as good condition as the adjacent sections of the street may be at the time of abandonment of said operations. The cost of same shall be borne by the Permittee.
16. **BEAUTIFICATION WORK:**
- (a) All trees, plants, flowers, etc., shall be placed in accordance with the provisions specifically stipulated herein.
  - (b) All trees, plants, flowers, etc., shall be maintained by and at the expense of the Permittee and the provisions of this permit shall become null and void if and when said Permittee ceases to take care of said trees, plants, flowers, etc. It is understood by the Permittee that any plantings and/or fences in the Right-of-Way may be removed by the City and/or its agents to facilitate utility and/or Right-of-Way or easement maintenance. Replacement of the removed or damaged plantings shall be the responsibility of the Permittee.
17. Contact South Carolina 811 or 888-721-7877, a minimum of 72 hours before any construction begins.
18. Trench/excavation backfill materials are to be placed in layers and compacted to a minimum of 95% maximum dry density in street rights-of-ways or other areas to receive pavement and 80% maximum dry density in non-developed grassed areas.
19. Should fences be approved for erection across utility easements, the fences shall be equipped with a gate having a minimum pass through clear width of ten (10) feet at each location the fence crosses the easement to facilitate utility and easement maintenance.
20. City's Right to Keep Clear: The City retains the right to clear and keep the said strip free of trees, structures, buildings, mobile homes, trailers, graves, wells, septic tanks, underground storage tanks, garbage, trash, rubble, flammable materials, building materials, junk, and wrecked or disabled vehicles; together with the right to keep the said strip free and clear from all other objects, whether above or below the ground, which may interfere in any way with or endanger the said utility lines and appurtenant fixtures and equipment, or the maintenance and operation of the said lines and improvements by the City.
21. **FENCES OR ACCESSORY STRUCTURES TO BE LOCATED WITHIN RIGHT-OF-WAY:**
- (a) Contact South Carolina 811 or 888-721-7877 to locate any utility lines.
  - (b) The Utilities Dept. will need a sketch showing the distances from the proposed structure to any City poles, pad mounted equipment, and located underground lines to review your encroachment permit request. This information may be shown on a survey of your property but most likely you will need to measure and draw the sketch. If installing a fence in a right-of-way, a 4 ft. gate is required to be installed to provide access to any utility poles and a 10 ft. gate is required at the driveway to provide access for utility equipment. Please see the sample Encroachment Permit Site Plan for Fence attached.

# Encroachment Permit Sample Site Plan for Fence

