

RIGHT OF WAY
CONSTRUCTION PERMIT APPLICATION
MUNICIPALITY

Application/Permit # _____

Application Date _____

Exhibit "A"

APPLICANT INFORMATION: (please print or type)			
Business Name: _____	Phone # _____		
Business Address: _____	Email _____		
Contact Person: _____	Phone # _____		
Contact Person Address: _____	Email _____		
Business Organization (Partnership, Corporation, etc.): _____			
Ohio Utilities Protection Service Registration # (if applicable) _____			
24 Hour System Representative(s) (in order to be contacted)			
Name	Business #	Residence #	Mobile #
#1 _____	_____	_____	_____
#2 _____	_____	_____	_____
#3 _____	_____	_____	_____

CONSTRUCTION PERMIT FEES *

Shall be calculated, assessed, and remitted as described in Section 931.13(D) of the Codified Ordinances.		
<input type="checkbox"/> Fees to be invoiced quarterly.	<input type="checkbox"/> Fee to be invoiced annually.	<input type="checkbox"/> Fee enclosed.

THE FOLLOWING INFORMATION MUST BE PROVIDED, LABELED, AND IDENTIFIED IN THE ORDER AND MANNER SHOWN BELOW FOR YOUR APPLICATION TO BE CONSIDERED "COMPLETE". AN OFFICER OF THE COMPANY OR OTHER LAWFULLY AUTHORIZED INDIVIDUAL MUST SIGN YOUR APPLICATION.

_____ **Exhibit "A"** Applicant shall submit a completed copy of this document.

_____ **Exhibit "B"**; Applicant shall provide additional attachments and scaled, dated drawings as may reasonably be required by the municipality pursuant to and in accordance with Section 931.13(B)(2)(b)

_____ **Exhibit "C"** Applicant shall use an approved traffic control plan consistent with the requirements of Section 931.13(B)(2)(d) and The Ohio Manual of Uniform Traffic Control Devices)

_____ **Exhibit "D"** Pursuant to Section 931.13(B)(2)(f), if Applicant is proposing to install new poles within the Rights of Way, the Applicant shall provide, the location, size, color, material of the proposed poles and that Applicant will adhere to all applicable Laws concerning the installation of new poles.

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_____ **Exhibit "E"** Pursuant to Section 931.13(B)(2)(h), if Applicant is proposing an underground installation within new ducts or conduits within the Rights of Way, the Applicant shall provide credible information satisfactory to the City to sufficiently detail and identify: the location, depth, size and quantity of new ducts or conduits.

_____ **Exhibit "F"** Pursuant to Section 931.13(B)(2)(i), Applicant shall provide: a preliminary construction schedule and completion date.

_____ **Exhibit "G"** Pursuant to Section 931.13(B)(2)(j), Applicant shall provide payment of: all money due the City for Permit Fees; and any loss, damage, or expense suffered by the City as a result of Applicant's prior Construction in the City Rights of Way or any Emergency action taken by the City; any Certificate of Registration issued to Applicant or Person for whom Facilities are being Constructed; any other money due the City from Applicant or Person for whom Facilities are being Constructed.

_____ **Exhibit "H"** Pursuant to Section 931.13(B)(2)(k), when a Construction Permit is requested for purposes of installing additional Systems or any part of a System, the posting of a Construction Bond and Removal Bond in accordance with Chapter 931.17 and acceptable to the Village **may be** required.

****NOTE** – Applicant may substitute utility generated construction forms with the required information for all exhibits except this page. The municipality reserves the right to request additional information or clarification prior to issuing the construction permit.

On behalf of _____ I hereby certify that to the best of my knowledge the above and all attached information is complete and correct as of this _____ day of _____, 20____, and that I have read and fully understand and acknowledge the requirements of this Application.

Signed / Print Name

Remit by mail or email to:

Jack Liggett jl Liggett@johnstownohio.org
ROW permits
599 S. Main Street
Johnstown, Oh
43031

509.031 DISTURBING THE PEACE.

(a) No person shall create or cause the creation of noise so as to disturb or disrupt the peace and quiet of any reasonable person of normal sensitivity, including, but not limited to the following:

(1) The emission of sound in such a manner as to be plainly audible at a distance 50 feet from the property line of a parcel on which the sound is emanating from a building, structure, vehicle, equipment, machinery, animal or fowl; or on a street, highway, or in the public right-of-way where the sound is audible 50 feet from the device generating the sound.

Exemptions to division (a)(1) include the following:

i. Sound emanating from scheduled events conducted, sponsored or permitted by the Village or Schools;

ii. Construction operations occurring between the hours of 7:00 a.m. and 9:00 p.m., provided that all equipment is operated in accordance with the manufacturer's specifications and/or with all standard manufacturer's mufflers and noise-reducing equipment in use and in proper operating condition;

iii. Construction operations conducted by the Village as approved by the Village Manager or the Village Manager's designee;

iv. The loading and/or unloading of commercial waste receptacles between the hours of 7:00 a.m. and 9:00 p.m. within 500 yards of any residentially zoned property;

v. Noise of safety signals, warning devices, emergency pressure relief valves, and church bells;

vi. Noise resulting from any authorized emergency vehicle;

vii. Lawn mowers and other similar motorized landscaping equipment used between 7:00 a.m. and 9:00 p.m. when operated with all the manufacturer's standard muffler and/or sound reducing equipment in use and in proper operating condition; and

viii. Emergency work as authorized by the Village.

(2) Noise related to the discharge of blank ammunition when conducted in conjunction with a funeral, patriotic event or such other activity as specifically authorized by the Village Manager or the Village Manager's designee. In determining whether a noise is of such character to violate the elements herein with regard to unreasonably disturbing the peace and quiet of the community, the following shall be considered:

i. Complaints of neighbors regarding the referenced noise;

ii. The time of day during which the noise is occurring or has occurred;

iii. The intensity and duration of the noise;

iv. The type of noise emanating; and

v. What, if any alternatives are available without excessive noise.

(b) Penalties.

(1) Whoever violates this section is guilty of Disturbing the Peace

(2) Disturbing the peace except as otherwise provided in division (b)(3), disorderly conduct is a minor misdemeanor.

(3) Disturbing the peace is a misdemeanor of the fourth degree if any of the following applies:

A. The offender persists in disturbing the peace after reasonable warning or request to desist.

B. The offense is committed in the vicinity of a school or in a school safety zone.

C. The offense is committed in the presence of any law enforcement officer, firefighter, rescuer, medical person, emergency medical services person, or other authorized person who is engaged in the person's duties at the scene of a fire, accident, disaster, riot or emergency of any kind. The offense is committed in the presence of any emergency facility person who is engaged in the person's duties in an emergency facility.

D. Offense is a second or subsequent offense, if less than 12 months have elapsed since the last offense of the same provision. Each day such offense is committed or continued shall constitute a separate offense and shall be punishable as such. Citations shall be issued to a person, firm or corporation and/or an individual present at the time of the alleged offense.

i. The offender previously has been convicted of or pleaded guilty to three or more violations of division (b) of this section, a violation of division (b) of this section is a misdemeanor of the fourth degree.

(4) As used in this section:

A. "Emergency medical services person" is the singular of "emergency medical services personnel" as defined in Ohio R.C. 2133.21.

B. "Emergency facility person" is the singular of "emergency facility personnel" as defined in Ohio R.C. 2909.04.

C. "Emergency facility" has the same meaning as in Ohio R.C. 2909.04.

D. "Committed in the vicinity of a school" has the same meaning as in Ohio R.C.2925.01. (ORC 2917.11).

(Ord. 16-2020. Passed 7-2-20.)

