

# Charter Township of Bloomfield

## Right-of-Way Permit Exemption Form

(To be completed in accordance with the requirements of the Bloomfield Township Code of Ordinances, Article II, Right-of-Way Regulations)

### For Township Use Only



Form No.:

Applicant Name:

Received By:

Date:

Dear Applicant:

“Pursuant to section 29 of division 7 of the Michigan Constitution of 1963, and other applicable state and federal legislation, including but not limited to, MCL 247.183, the township has the authority to exercise reasonable control over its highways, streets, alleys and public places. The township finds that, in the furtherance of control and to ensure and protect the public health, safety and welfare, it is appropriate for the township to monitor, review and regulate activities and persons that disrupt and/or use a township right-of-way.”

By completing this form fully, and attaching it to the materials requested, you will assist the Charter Township of Bloomfield in its effort to promptly review your request for a right-of-way permit exemption. The information requested on this form is the minimum required. You should submit any additional information or materials you believe would assist the Township in its review of your proposal.

This form must be filled out in full, and must bear the signature of the applicant or applicant’s representative. This form should only be submitted if your work in the Township’s right-of-way complies with one of the exemptions listed in Section 32-46 of the Code of Ordinances (See attached). Please submit this form and **three** sets of plans to the Bloomfield Township Clerk’s Office.

All information requested for an exemption must be submitted at least 14 days prior to the commencement of work in the Township’s right-of-way.

### Applicant Information:

Estimated Commencement Date: \_\_\_\_\_

Estimated Completion Date: \_\_\_\_\_

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

Location of Work: \_\_\_\_\_

Contact Person's Name:

Contact Person's Address:

City:

State:

Zip:

Contact Person's Phone:

**Work to be Performed in the Township's Right-of-Way:**

**Reasoning for Exemption:**

**Section of the Township's Code of Ordinances that Supports Exemption Reasoning:  
(See Sec. 32-46 (b) - Attached)**

**Certification**

I certify the statements made in this application are true to the best of my knowledge, information and belief.

Applicant's Signature:

Date:

Applicant's Printed Name:

## **Sec. 32-46. Disruption permit required.**

(a) Generally. Except as otherwise provided in this division, no person, including persons who have or are exempt from having a use permit, shall direct or perform any activity which causes or results in any disruption to any township right-of-way unless the consent of the township board is first obtained, as evidenced by a disruption permit issued by the township pursuant to this article. Activity shall be performed in accordance with the disruption permit and in the manner provided for in this article.

(b) Exemptions. Subject to compliance with all applicable terms and conditions in division 6, a disruption permit is not required for:

(1) Activities or improvements by or under contract with the township, Michigan Department of Transportation, Road Commission of Oakland County or other public agency.

(2) Activities or improvements that have been disclosed and described to the extent required by this division and that are thereafter approved as part of a permit, site plan, plat or other approval under another township ordinance.

(3) Temporary obstructions, which are incidental to the expeditious movement of property and things to and from abutting premises.

(4) The lawful operation and parking of vehicles within a township right-of-way.

(5) The lawful and customary use of property by adjoining property owners for such things as landscaping and lawful repairs, maintenance and other activities of, for or on a sidewalk, driveway or other similar improvement in public road right-of-way located within the township, provided that any residential or other use permit required under this article and all other township required permits or approvals are first obtained.

(6) Minor disruptions by adjoining owners of property zoned for single-family residential.

(7) Connection from a main or branch utility line, including, but not limited to wires, cables, pipes, conduits or other equipment used for the transmission of electrical current impulses, sounds, voices or communications, water sewage, gas or other fuel, to an individual user or subscriber provided such connection does not service more than four users.

(8) Replacement or repair of damaged or obsolete wires, cables, pipes, conduits or other equipment so long as the replacement or repair of such wires, cables, pipes, conduits or other equipment shall not deviate from the location of the equipment being replaced or repaired.

(9) Replacement or repair of damaged or obsolete substation or generating equipment.

(c) Emergencies. In a public emergency, a person and/or a permittee may disrupt a township right-of-way without first receiving a disruption permit from the township provided that the township has approved the emergency repairs before the disruption takes place.

(d) Violations. Failure to obtain a disruption permit under this section shall constitute a violation of and subject the violating person to the penalties provided for in this article. A person who violates this section shall pay the required application fee and disruption permit fee, as well as any additional charge established by resolution of the township board for that period of time that the person did not have a valid disruption permit.

(Ord. No. 550, § 11, 3-8-2004; Ord. No. 572, § 1, 7-10-2006; Ord. No. 604, § 2, 8-11-2008)