



## ***DSC NOTICE #138***

***City of Virginia Beach  
Planning Department  
Development Services Center  
October 16, 2007***

### **Topic: Changes in Right-of-Way Permit Requirements**

#### **Item #1: Additional Information Regarding Contractors Performing Work in the Public Right-of-Way**

Recent changes to Sections 33-52 and 33-63 of the Code of Virginia Beach require the individual or company (permittee) obtaining a permit to work within the public right-of-way to indicate whether a subcontractor(s) will perform any of the work. If a subcontractor(s) is performing the work, the name, business address, and telephone number of each subcontractor, and the name and telephone number of an employee, agent or representative of the applicant who is responsible for supervising the subcontractor(s) must be provided and included in the permit. The Code amendment may be found on the Planning Department webpage under "Development Review & Regulations, City Code & Development Ordinances."

#### **Item #2: Notice to Adjacent Private Property Owners Prior to Performing Work in the Public Right-of-Way**

Written notice, in the form of a **door hanger** on the private property adjacent to the area of work in the right-of-way, must be placed on the **front door** at least twenty-four (24) hours prior to the permittee and/or subcontractor commencing work, but no more than seven (7) days before such work is to commence. The following information shall be included on the door hanger:

1. The full name of the permittee;
2. The permit number;
3. When the work will be performed;
4. The name and telephone number of the employee, agent, or representative of the permittee who is responsible for supervising the work; and
5. The telephone number for the City's permitting office.

The telephone numbers for the two permit issuing offices are:

- Development Services Center (757) 385-8277
- Permits and Inspections (757) 385-4211

### **Item #3: New Attachment Forms to the Right-of-Way Permit**

The new attachment forms are to be used by the permittee to indicate whether a subcontractor or only the permittee is performing the work. The forms are also used to provide the required information on each subcontractor and to provide the permitting office with any changes in subcontractors or contact information. These forms become part of the permit with the permittee's signature and acknowledgment that they understand the new notice requirements.

### **Item #4: Scope of the New Requirements**

All permits for work within the public right-of-way are covered under this Code amendment. Examples of the work involved include, but are not limited to, private utility repair and installation, landscaping, utility installation, pavement widening, turn lanes, sidewalk installation, and private force mains. The intent is to notify property owners when the work will be performed adjacent to their property. Notification of work within the right-of-way is not necessary if the work is only within the boundary of the site under construction. For example, a turn lane for a subdivision that is located completely within the project's frontage on the right-of-way would not need to notify adjacent property owners. The information regarding the subcontractors would still need to be provided in the permit.

### **Item #5: Location of Fillable Forms**

In addition to being a part of this DSC Notice, the new attachment forms to the Right-of-Way Permit are located on the Planning website at [www.vbgov.com/dsc](http://www.vbgov.com/dsc) (select DSC Processes then Subcontractor Attachment under **Right-of-Way Permits**). These forms may be completed before the permittee visits the City's permitting offices for the complete permit. The "SUBCONTRACTORS ATTACHEMENT" form may be emailed or faxed to the proper permitting staff (listed below), if it is an update or amendment to an existing permit.

**Effective Date:           October 22, 2007**

**For more information, please contact:**

**Private Utility Permits Issued by Permits and Inspections**

Victoria Welborn [vwelborn@vbgov.com](mailto:vwelborn@vbgov.com)

385-4211

**Right-of Way Permits Issued by the DSC**

Sue Hollingsworth [sholling@vbgov.com](mailto:sholling@vbgov.com)

385-5660

Linda Smith [lsmith@vbgov.com](mailto:lsmith@vbgov.com)

385-8745