



ROAD ACCESS PERMIT APPLICATION
Town of North East, MD 21901-0528
PO Box 528 / 106 South Main Street
Phone 410-287-5801 x107

Applic. Recd.

Applic. No.

ADDRESS OF PROPOSED CONSTRUCTION: _____

MAP NO.	PARCEL NO.	LOT NO.	SECTION NO.	ZONING

APPLICANT _____

APPLICANT COMPANY AND ADDRESS _____

APPLICANT PHONE NUMBER _____ FAX NO. _____

PROPERTY OWNER _____ PHONE NO. _____

EMAIL ADDRESS: _____

CONTRACTOR NAME _____ PHONE NO. _____ EMAIL: _____

CONTRACTOR ADDRESS _____

PROPOSED BEGIN CONSTRUCTION DATE:

SECTION 3.00; 3.01 a, or b., (WHICHEVER IS APPLICABLE) OF THE REGULATIONS, ATTACHED.
 DRAWINGS SHALL BE ATTACHED WITH PERMIT APPLICATION

SIGNATURE OF OWNER OR OWNERS REPRESENTATIVE _____ **DATE** _____

FOR USE OF OFFICE STAFF ONLY

MINIMUM YARD REQUIREMENTS: Applicant shall construct in accordance with the following:

1. Front yard depth to be no less than _____ feet from front property line.
2. Rear yard depth to be no less than _____ feet from rear property line.
3. Side yard depth to be no less than _____ feet from side property line.
4. Other(s): _____

FLOODPLAIN: Are floodplain regulations applicable to this authorization? _____ YES _____ NO

CHESAPEAKE BAY CRITICAL AREA:
 Critical Area Designation _____ Total Disturbed Area _____
 Is mitigation required? YES NO If yes, mitigation requirements are outlined on approval letter.

TOWN APPROVAL _____ DATE _____

(SEE ATTACHED LETTER OF CONDITIONS FROM THE TOWN)



TOWN OF NORTH EAST

OFFICE OF PLANNING AND ZONING

106 South Main Street
P. O. Box 528
North East, Maryland
21901-0528



410-287-5801
410-287-8267 Fax



www.northeastmd.org

TO: Applicant
FROM: Betsy Vennell, Director of Planning
RE: Town of North East – Road Access Permits

~~~~~  
In accordance with the Code of Ordinances of the Town of North East, Article 8. Road Code Standard Specifications and Details. Attached please find the application and application instructions for obtaining a Road Access Permit for work in the Town of North East Public Right of Way. The application fee is \$100.00, please make check payable to the Town of North East. Submit applications to: Betsy Vennell, Director of Planning; Town of North East, 106 South Main Street, North East, MD 21901

Please note: Per the Code of Ordinance, the following terms shall be revised wherever they appear:

### 1.01 DEFINITIONS

In general, the following terms shall be revised wherever they appear:

1. "Commissioners", "County Commissioners", "The Board of County Commissioners (of Cecil County)", "County Commissioners of Cecil County", shall be construed in the non-generic sense to mean "The Mayor and Commissioners of the Town of North East" or "The Town of North East".
2. "Cecil County Department of Public Works", "Department of Public Works", "Department", and "Director" shall be construed to mean "The Town of North East" or "Consulting Engineer for the Town of North East" and/or "Town Engineer", "Supervisor of Town of North East Maintenance Department or his designee".
3. "Cecil County", "County" or "Cecil County, Maryland" shall be construed in the non-generic sense to mean "Town of North East" or "Town of North East, Maryland".
4. "Engineer" shall be construed to mean "Consulting Engineer for the Town of North East" and/or "Town Engineer".
5. "Cecil County Subdivision Regulations" shall be construed to mean "Town of North East Subdivision Regulations".

# **APPENDIX**

## **B**

### **Rules and Regulations for Road Access Permits**

**APPENDIX B**  
**RULES AND REGULATIONS FOR ROAD ACCESS PERMITS**

Pursuant to Sections 3.08 and 4.07 of the CECIL COUNTY ROAD CODE AND STANDARD SPECIFICATIONS, the following Rules and Regulations are established for the purpose of regulating the construction of residential and non-residential entrances (hereinafter referred to as "road access"), entering onto all public roads owned or maintained by the Department of Public Works of Cecil County, Maryland, or onto any future road to be taken into and maintained by the Department of Public Works of Cecil County, Maryland.

**1.00 DEFINITIONS**

- 1.01 Director – Director of Public Works or duty authorized agent
- 1.02 Department – Department shall mean the Department of Public Works
- 1.03 Non-Residential Road Access – Any access to a County Road except for a Residential Road Access defined in section 1.04 below.
- 1.04 Residential Road Access – Any access to a County Road from a property used primarily for residential and/or agricultural purposes, excluding there from an access serving more than two (2) residences or residential units, with the exception to inter-family transfers in which the County will permit a maximum of three (3) residences or residential units with an executed private residential maintenance agreement.
- 1.05 Permittee – The owner of the property to which access is requested from an existing or proposed County Road or his agent, if such delegation is made in a writing filed as a part of the permit application pursuant to Section 2.00 below.
- 1.06 Road Access Permit – A permit issued in accordance with these Rules and Regulations regulating the construction of private, residential, and commercial entrances onto Cecil County Public Roads, rights-of-way and easements.
- 1.07 Work Site – The location of construction activities described in the permit.

**2.00 PERMIT APPLICATIONS**

- 2.01 Each applicant shall complete and file with the Department of Public Works Development Services Division an access permit application.

3.00 DRAWINGS TO BE FILED WITH PEMRIT APPLICATION

3.01 The following drawings shall accompany each application in accordance with the type of access:

a. Applications for Non-residential Road Access Permits – One (1) copy of a drawing to appropriate scale, folded to 8 1/2” by 11” in size, with a scale of no less than one inch (1”) equals fifty feet (50’) or more than one inch (1”) equals thirty feet (30”) showing clearly the following information:

- i. Property lines;
- ii. Building locations;
- iii. Road name;
- iv. Road right-of-way boundaries;
- v. Road widths;
- vi. Type and Location of Curbing
- vii. Sidewalks and handicapped ramps;
- viii. Street address number and building lot numbers;
- ix. Proposed driveway location and driveway dimensions including radii and width
- x. All existing and proposed utilities.

b. Applications for Residential Road Access Permit – One (1) copy of a drawing folded to 8 1/2” by 11” in size, with a scale of no less than one inch (1”) equals forty feet (40’) or more than one inch (1”) equals thirty feet (30’) showing clearly following information:

- i. Property lines;
- ii. Building locations;
- iii. Road name;
- iv. Road right-of-way boundaries;
- v. Road widths;
- vi. Type and Location of Curbing
- vii. Sidewalks and handicapped ramps;
- viii. Street address number and building lot numbers;
- ix. Proposed driveway location and driveway dimensions including radii and width.

3.02 During the review of the application, the Director or duty authorized agent may request that additional information be submitted including, but not limited to, location of adjacent driveways, site distances and a traffic control plan to enable the Director or Duty authorized agent to make a determination of the impact of the proposed access on adjacent areas.

Unless otherwise required by the Department, access within commercial/industrial subdivisions are considered to have acceptable sight distances and may forego a formal sight distance analysis. All other

commercial/industrial accesses shall perform a sight distance analysis as stipulated in Section 3.03 and 3.07.14 of the Cecil County Road Code and Standard Specifications. The need for a sight distance analysis for residential driveways will be determined on a case-by-case basis by the Department.

3.03 Upon completion of the application, the Department of Public Works will approve or disapprove the application as submitted. The Applicant will be notified of the status of the application, either by receipt of the permit (approved or disapproved) or by request for additional information.

3.04 The approved access permit shall be valid for a period of one year (1) from the date of issuance.

#### 4.00 GENERAL REQUIREMENTS

4.01 All work described in the permit shall be subject to inspection by the Director or duly authorized agent.

4.02 The Permittee shall maintain at the work site a copy of the permit, together with a copy any drawings and other documents required in accordance with the permit.

4.03 The Permittee shall erect and maintain all necessary signs, barricades, detour signs and warning devices required to safely direct traffic over or around the part of the highway where permitted operations can be done, so long as the work does not interfere with traffic, in accordance with the Federal Highway Administration's Manual on Uniform Traffic Control Devices, adopted by the state Highway Administration pursuant to the Annotated Code of Maryland, Transportation Article, Title 25, Section 104.

4.04 All activities under the permit must conform to the Cecil County Road Code and Standard Specifications.

4.05 If construction under the permit requires the alteration or removal of all or part of any existing structure within the County road right-of-way which is not addressed in the permit, the Permittee shall not perform such alteration or removal without first obtaining the written approval of the Director or duty authorized agent, which approval shall be an amendment to the permit.

4.06 Monumental mailboxes and other ornamental permanent structures are not permitted in the County's right-of-way unless they meet the standards established by the Department of Public Works, the United States Postal Service and the Department of Planning and Zoning; or, are otherwise explicitly permitted (in writing) by the Department of Public Works.

4.07 The Director may develop Policies and Procedures to establish procedural activities pursuant to these Rules and Regulations.

## 5.00 NOTIFICATIONS

- 5.01 Permittee shall notify the Cecil County Department of Public Works Development Services Division ("Department"), telephone number 410-996-5265 weekdays between the hours of 8:00 a.m. and 4:30 p.m. prior to engaging in any construction under permit and shall provide the Department with the name and phone number of its representative at the work site.
- 5.02 The Permittee shall notify "Miss Utility", phone number 1-800-257-7777, forty-eight hours (48) in advance of any work under the permit.
- 5.03 The Permittee shall notify the Department of Public Works Development Services Division upon completion of permitted work by calling 410-996-5265, as the Department of public Works will complete the permit review and work completion documents as necessary.
- 5.04 Failure to notify the Department of Public Works of the completion of the permitted road access may result in a delay of the issuance of the corresponding "Use and Occupancy" permit. Such notice shall be made in a timely manner to allow the scheduling of a final inspection of the road access.

## 6.00 SPECIAL CONDITIONS FOR NON-RESIDENTIAL ROAD ACCESS PERMITS

- 6.01 Applicants for a Non-Residential Road Access Permit may be required to execute a Public Works Agreement if the size and scope of the access and its relationship to other development activities adjacent to the work site create an actual or potential threat to the public health and safety of highway users, adjacent property owners, or the public in general.
- 6.02 The Director or duly authorized agent may, as a condition of the Non-Residential Road Access Permit, require that the Permittee initiate a traffic control plan depending upon the size and scope of the access and its impact upon traffic.

## 7.00 PERMIT FEES AND EXPENSES

- 7.01 An application fee shall be paid to Cecil County prior to the issuance of an Access Permit. This fee shall be paid to Cecil County Government at the time the application is filed. These fees will cover plan and field review and inspection costs.
- 7.02 As the permit fee includes applications, plan and field review of the proposed work site, as well as any required inspections, such fees will not be refunded once the review process has begun.

7.03 Inspection Fees: Normal inspection fees are covered by the Application Fee. This includes one initial site permit inspection, one pre-paving inspection and one final inspection – as may be required by the Department. Subsequent additional inspections or site visits, requested by the applicant, or agent, may be charged additional fees.

#### 8.00 PENALTIES

8.01 The Director or duly authorized agent may fine under Section 1.07 (A) of the Cecil County Road Code, any Permittee who has violated any provision, restriction, or requirement of any permit issued pursuant to these Rules and Regulations and the Code of Cecil County and/or may suspend or revoke any permit issued hereunder. Any Permittee whose privileges have been suspended or revoked shall forfeit and return any road access permit to the Cecil County Department of Public Works.

8.02 In addition to the penalty the Director or duly authorized agent may issue a “Stop Work Order” under section 1.08 of the Cecil County Road Code, if the Permittee violates any provision issued hereunder.

8.03 In the event that the construction is NOT in accordance with the Code of Cecil County, Maryland and appropriate notice has been given in writing by certified mail, Cecil County may make all necessary corrections and the cost of such corrections may be adjudicated toward future work or business with Cecil County, including property tax attachment.

8.04 In the event that final construction completion is delayed at a time when the “Use and Occupancy” approval is needed by the applicant, Cecil County may choose to allow the applicant or agent to post and “Access Cash Performance Bond” in the amount of the outstanding work as established by the Department of Public Works. The cash bond is provided for the anticipated short term, successful completion of the requirements of the access permit, not to exceed six (6) months shall be forfeited, unless extensions for unusual circumstances are approved prior to the expiration of the aforementioned six (6) months. Forfeited funds shall be used by the Department of Public Works to construct and/or correct the deficiencies in the accesses construction or required road improvements. Upon successful completion of the requirements of the Access Permit and Cash Bond, the Department will refund the posted monies to the applicant.

#### 9.00 EFFECTIVE DATE

9.01 These Rules and Regulations for Road Access Permits shall become effective on the date of the adoption of the Road Code Revisions.