

Information for Applicants for a Public Ways and Property Permit

1. Applicants may request an Application for Public Ways and Property Permit, applicable ordinances and information from the Town Office of the Town of Washington Grove, Maryland, by letter, email, telephone, or in person.
2. The completed application should be delivered to the Town Clerk in person or by mail addressed to the attention of the Town Clerk. Applicant must include the following items in order for the application to be accepted for consideration by the Washington Grove Planning Commission or an assigned representative:
 - a) Completed application form.
 - b) Copy of a boundary survey, house location diagram, plat, or other diagram showing distances from proposed work to property lines and/or corner markers.
 - c) Copy of work plans and elevations drawn to scale as noted on the plan legend.
 - d) Fee payable to the Town of Washington Grove (cash or check).
 - e) Public Improvement Agreement with bond (when applicable).
3. In the case of a utility emergency, a waiver may be obtained from the Mayor of the Town of Washington Grove.
4. After the Town Office receives the application, the Planning Commission or an assigned representative will determine if the application and supplementary materials are sufficient for their review. If not, the applicant will be informed and the entire application returned to the applicant.
5. After receiving the application for a permit, the Planning Commission or an assigned representative will review the entire package at its next scheduled monthly meeting. Assuming all the desired information has been provided a decision will be rendered. Once the permit is approved, the application and submitted plans will be stamped and returned to the applicant.
6. The issuance of a Public Ways and Property Permit by the Town of Washington Grove does not preclude the need to obtain a Montgomery County permit. The Montgomery County Department of Permitting Services can be contacted at 240-777-6370 for additional information.
7. If the Town denies the permit, the application will be so stamped and returned to the applicant including the grounds for denial.
8. The operation of the Town government is dependent on volunteers and every effort is made to review applications promptly. Questions regarding status of applications should be directed to the Planning Commission Chairman. Please call the Town Office for contact information.
9. This permit is valid for 90 days unless otherwise noted.
10. This permit is **NOT** transferable.



ORDINANCE NO.	<u>2012-07</u>
INTRODUCED	<u>12/10/2012</u>
PUBLIC HEARING	<u>01/14/2013</u>
ENACTED	<u>01/14/2013</u>
EFFECTIVE	<u>02/14/2013</u>

ORDINANCE to Amend Article III, "Traffic, Vehicles and Transportation" to change the title of the Article and to enact Section 14, "Construction in Public Ways and on Town Property" and to amend Article XVI "Schedule of Fees", to enact Section 10, "Public Ways and Property Permit Fee" to require a permit for work in the public ways or on Town property, to provide for a Stop Work Order and set a fee.

WHEREAS, the Charter for the Town of Washington Grove empowers the Town Council to adopt ordinances for the purposes:

- To control, protect, and maintain public buildings, grounds, and property of the Town;
- To maintain in good condition the public ways of the Town; and
- To establish, regulate, and change from time to time the grade lines, widths, and construction materials of any Town public way or part thereof, including bridges, curbs, and gutters.

WHEREAS, amending Article III, "Traffic, Vehicles and Transportation", to enact a permit requirement for construction in the public ways under Town jurisdiction and on Town property, to provide for a stop work order, and to set a permit fee, will assist with protecting public property, public ways, and the character of the Town.

Section 1. NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Council of the Town of Washington Grove, Maryland that Article III, "Traffic, Vehicles, and Transportation", be and is hereby repealed, reenacted and amended to read as follows:

Article III – Traffic, Vehicles, Transportation, Public Ways and Town Property

Section 14. Construction in Public Ways and on Town Property

(A) For purposes of this section:

1. "Person" includes individual, Firm, Association, Partnership, Corporation, Utility, Governmental Body, or Combination thereof.
2. "Public Way" includes any street, avenue, road, highway, lane, alley or other right of way under the jurisdiction of the Town, including curbs, gutters, sidewalks or storm drainage facilities.

(B) It shall be unlawful for any person to perform any excavating or other work either in the public ways or on Town property not in the public ways without first obtaining a permit from the Town through its Planning Commission at a fee established by Article XVI, Section 10, Public Ways and Property Permit Fee. Prior to its consideration of a permit application, the Planning Commission may require the applicant to provide such information as is necessary for the review. In the case of a utility emergency, a waiver may be obtained from the Mayor.

(C) A bond based on the nature and extent of the proposed work may be required.

(D) In addition to any other enforcement available by law, the Mayor may issue a Stop Work Order against any person violating this section. No person shall continue to work in violation of the provisions of a Stop Work Order still in effect and operation. Failure to comply with a Stop Work Order is a violation of this Article.

(E) This section does not apply to residential driveways and parking areas.

Section 2. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the Town of Washington Grove, that Article XVI, "Schedule of Fees", Section 10, "Public Ways And Property Permit Fee" be and is hereby enacted to read as follows:

Article XVI – Schedule of Fees

Section 10. Public Ways and Property Permit Fee

The filing fee for a Public Ways and Property Permit is \$100.00.

EFFECTIVE DATE: This Ordinance shall become effective thirty (30) days from the date of enactment hereof in the absence of a petition by qualified voters as set forth in Section 15 of the Charter of the Town.

ADOPTED THIS 14th DAY OF January, 2013.

TOWN OF WASHINGTON GROVE