



TOWN OF MERRILLVILLE  
POLICY PERMITTING  
WORK IN TOWN RIGHT OF WAY

1. **GENERAL:** The Town of Merrillville has authority over any construction/maintenance work by any entity within the public rights of way within the Town of Merrillville. This includes, but is not limited to public or private utilities, private developers, and local and state public agencies or their representatives.
2. **APPLICATION:** An application for right of way entry can be obtained at the Public Works Department, 13 West 73<sup>rd</sup> Avenue, Merrillville, IN 46410 or online at [www.merrillville.in.gov](http://www.merrillville.in.gov). Five (5) copies of the application and all attachments must be completed and returned to the Public Works Department between the hours of 7:30 a.m. to 3:00 p.m., Monday through Friday, at least ten (10) business days before the date of the planned commencement of the disturbance. This timeframe may be shortened by the Town in case of an emergency, as determined by the Town. All applications must be accompanied by scaled drawings of the affected area, and a detailed description of the nature, location, extent, and duration of the disturbance.
3. **ENGINEERING:** Two (2) sets of detailed engineering drawings must accompany the application for the permit and be submitted through the Town of Merrillville Public Works Department located at 13 West 73<sup>rd</sup> Avenue Merrillville, IN 46410, if any question call 219.769.6784. Once the information is submitted to Public Works, a review will be performed and the request and documentation will be forwarded to the Town Engineering Administrator. All utilities must be identified in or near the location of the subject of the permit. These drawings will be submitted to the Town Engineering Administrator for a review to determine if the Town standards and good engineering practices have been followed. A favorable recommendation letter from the Town Engineering Administrator must be received before the application is deemed to be complete. The Town Engineering Administrator will review and provided either comments or approval within 10 business days of receipt of the plans.
4. **FEE:** At the time the completed application is submitted to the Town of Merrillville Public Works Department, the appropriate fee must be paid to the Town of Merrillville Clerk Treasurer. The receipt must be presented to the Town Engineering Administrator at the first scheduled meeting after the application is submitted.
5. **RIGHT OF WAY ENTRY OR RIGHT OF WAY YEARLY ENTRY PERMIT FOR OWNERS:** The applicant shall submit a Right of Way Entry or Right of Way Entry Permit for Owners, which will include a completion date for the construction/maintenance, licensing, bonding, and any conditions which the Town places on the applicant.

6. **FINANCIAL SECURITY:** The applicant must post financial security in an amount recommended by the Town Engineering Administrator and decided by the Staff Team, to proceed with the right of way disturbance. Financial security is intended to provide the Town with resources to be used to restore the right of way, should the applicant fail to honor the terms of the permits.
7. **DISTURBANCE COMMENCEMENT:** After receiving Town approval and agreeing to the development agreement, the applicant may conduct the right of way disturbance in accordance with the approved engineering plans and Town Standards and conditions of the permit.
8. **INSPECTION:** The applicant or his agent must request (in writing) a minimum of five (5) calendar days in advance of the commencement of work by contacting the Town Engineering Administrator located at 7820 Broadway Ave, Merrillville, IN 46410 or if any questions call 219.769.3631, or via email [sking@merrillville.in.gov](mailto:sking@merrillville.in.gov) to have the Town Engineering Administrator inspect the work within the right of way.
9. **COMPLETION OF DISRURBANCE ACTIVITIES:** Once the disturbance ceases, inspection occurs and is approved, the applicant may request the commencement of a one (1) year maintenance period, during which the applicant is responsible for any and all defects in workmanship or restoration. As a condition of this release, the applicant maybe required to submit a digital copy of as-built plans of any physical improvements installed in the public right of way.
10. **RELEASE OF FINANCIAL SECURITY:** At the end of the designated maintenance period, the applicant shall request a final inspection by the Town Engineering Administrator. If deficiencies are found by the inspection, the applicant shall correct the deficiencies within the time frame determined by the Town Engineering Administrator. Once the deficiencies are approved, the Town shall release the Financial Security. The applicant shall assume and maintain responsibility for any infrastructure installed as a part of the application.

I, the owner or a representative who has the authority to sign for the Owner have read and understand the provision of the Public Right of Way Disturbance Process described above.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Company