

# Department of Public Works Right of Way Management

## CITIZEN RESPONSIBILITIES & CITY RESPONSIBILITIES

*Presented by Herbert King*

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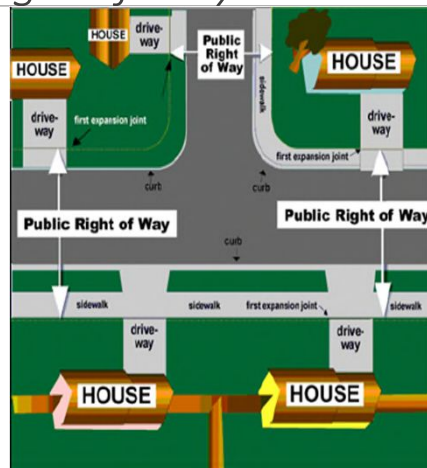
## *What is the “Right of Way”?*

The right of way is the land secured and reserved to the public for highways, streets, sidewalks, utilities, etc.

In general it is defined by parallel property lines.

The right of way may be improved to facilitate vehicular and pedestrian traffic.

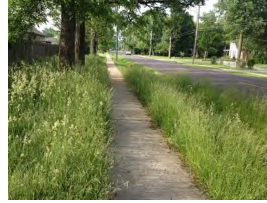
The right of way can also be just a “paper street” with no improvements.



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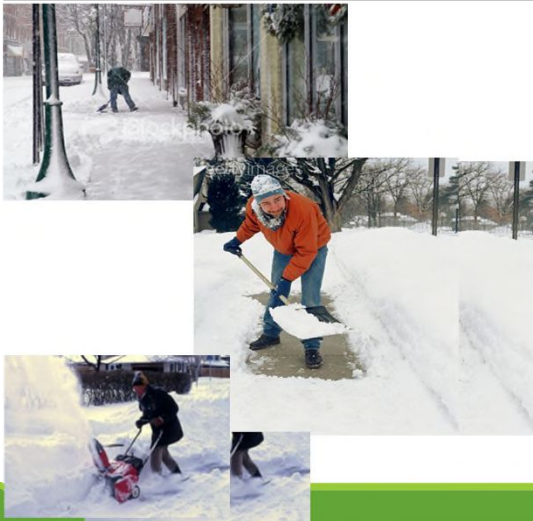
## Citizen responsibilities: Maintain the verge

Sec. 27-9. **Duty of owner or occupant of abutting land to remove solid waste and to cut grass, weeds and other vegetable matter between sidewalk and curb.** It shall be the duty of the owner or occupant of any land or premises abutting upon any public right of way, including between the sidewalk and curb, whether paved or not, and the duty of the owner of any unoccupied land or premises abutting upon any public right of way, including between the sidewalk and curb, whether paved or not, to remove solid waste therefrom and to have any grass, weeds and other vegetable matter cut and removed, and at all times to prevent such area from becoming unsightly, impeded, or offensive by reason of failure to remove any such solid waste or cut any such grass, weeds and vegetable matter.



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## Citizen Responsibility: Snow Removal from Sidewalks



Sec. 42-34. Removal of snow from sidewalks within 3 hours after the fall of any snow has ceased. **It shall be the duty of every person** using or occupying, in any manner or for any purpose whatsoever, any house, store, shop, building or tenement of any kind, and of persons having charge of churches and public buildings of any description, other than public schools and buildings owned or occupied by the city, and of owners of unoccupied houses or unimproved lots, situate on any paved street, lane or alley in the city, within three (3) hours after the fall of any snow has ceased, **to remove and clear away, or cause to be removed and cleared away, the snow** from the sidewalks fronting such house, store, shop, church, building or lot, in such manner as not to obstruct the passage of the water in the gutters.

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## Citizen Responsibility: Maintain accessways (driveway/sidewalk)

Sec. 42-9.1. Maintenance of accessways (driveways). All accessways crossing the unimproved public right-of-way between the paved vehicular portion and the private property line shall be graded, surfaced, and maintained in a manner prescribed by the director of public works, permitting safe and convenient use under normal weather conditions. **At which time an accessway becomes a hazard to vehicular or pedestrian traffic it shall be the abutting property owner's responsibility** to repave or replace such within a reasonable time as prescribed by the director of public works.

### Exceptions:

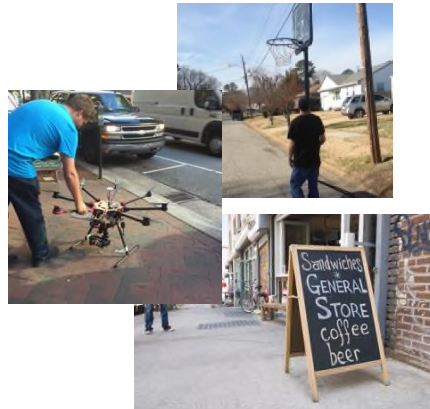
1. Damage caused by City owned tree
2. Damage caused by Utility repair by City forces
3. Damage caused by City truck or equipment



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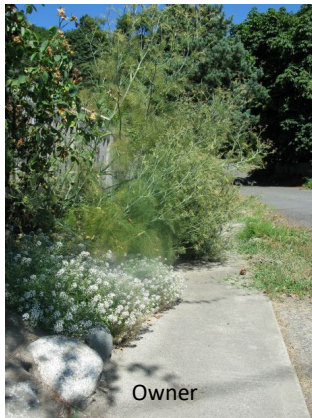
## City Responsibility: Obstructions & Encroachments – Remove objects

Sec. 42-10. - Encroachments and obstructions (a) No piazza, porch, step, fence, enclosure or other projection attached to any building or lot shall be extended beyond the building line, unless authorized by the council. (b) It shall be unlawful for any person to affix, place, erect, maintain, post or attach or cause or allow to be affixed, placed, erected, maintained, posted or attached any sign, banner, poster, sticker, post, light bay or other window, shed, porch, portico, door, platform, step, or any other object or thing of any form or nature whatsoever in or on any right of way, street, alley or land of the city without authorization of council, unless otherwise authorized by law or ordinance.



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## City and Owner Responsibility: Remove Overgrown Trees and Limbs



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## City Responsibility: Obstructions & Encroachment - Remove Illegal Signs

Non-City owned

Placed within public right-of-way

No permission granted

*Illegal signs are all non city owned signs placed within the public right of way without permission.*

*City Code Section 42-10 provides for the removal of private signs without a permit. Subsection (e) The director of public works or his designee, any law enforcement officer, designated special police officer, or the fire marshal and his assistant, shall have authority to enforce this section. Additionally, a citizen designated by the director of public works, who has attended training provided by the director, may be authorized by the director to remove signs, placards or notices placed in the right-of-way or on city property, except for political signs, civic league signs, and real estate signs.*



- We Buy Homes/Houses
- Work from Home
- Concert Advertisements
- Lose Weight Fast
- Health Insurance
- Lower Mortgage
- Tuition Painters
- Private Auctions
- Commercial
- Homeowner
- Mass Marketing
- Yard/Garage Sale Signs
- Signs on Utility Poles



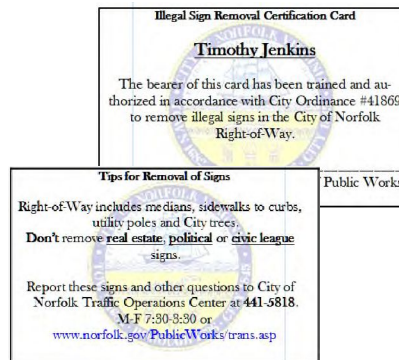
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## Citizens can help?

### Illegal Sign Removal by Certified Citizen

- All Illegal Signs *Except*:
  - Political Signs
  - Large Realtor Signs
  - Civic League Signs
- Citizens can be certified to remove illegal signs per City Ordinance



Cards are valid indefinitely, unless revoked for non-adherence to rules.

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## City Responsibility: Permitting construction work in the right of way

All construction work except for some work by city crews is permitted and inspected by assigned ROW Inspectors.

All restoration is inspected and corrected by the contractor.

Bonds are required to ensure compliance.

City Code section 29-69.1d: Contractors who perform work in the right-of-way without a permit:

- 1<sup>st</sup> offense – NOV (warning); Inspector must turn copy of NOV in to Right-of-Way Permits office (2<sup>nd</sup> Floor, City Hall)
- 2<sup>nd</sup> offense - NOV and \$500 administrative fee
- 3<sup>rd</sup> and any thereafter – NOV and \$1,000 administrative fee per occurrence

Obtain permits online 24/7 at PermitCity: <https://citizen.norfolk.permitcity.com>

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## How Do You Contact Us?

[PWORKS@norfolk.gov](mailto:PWORKS@norfolk.gov)

757.664.6510

- Report a pothole, roadway defects
- Report an obstruction/encroachment
- Report Illegal Signs
- Street Lighting Requests
- Signals/Signs/Pavement Markings
- Permits

### Other Agencies

VDOT (VA Dept. of Transportation)

- Interstate issues, potholes

800.367.ROAD

Dominion Energy

- Power, streetlight, Emergencies

888.667.3000

Virginia Natural Gas

- Leaks, Odor or Emergencies

877.572.3342