

## APPLICATION FOR REVOCABLE STREET PRIVILEGE (RSP)

**Mail To: City of Cincinnati, Property Management**  
**801 Plum Street, Room 122**  
**Cincinnati, OH 45202**  
**513-352-3334**

**A LETTER DESCRIBING THE REASON FOR THE REQUEST FOR A REVOCABLE STREET PRIVILEGE, ALONG WITH THE CHECKLIST, DETAILED DRAWINGS (IF APPLICABLE), PROOF OF OWNERSHIP, INSURANCE, AND SITE MAP MUST BE ATTACHED TO THIS FORM. APPLICATION FEE OF \$100 PER ENCROACHMENT (\$10 for PLANTERS) MUST ALSO BE SUBMITTED**

Property Owner or Community Group: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Contact Phone: \_\_\_\_\_

Contact E-mail: \_\_\_\_\_

Owner/Community Group President Signature: \_\_\_\_\_

**Initials:** \_\_\_\_\_ *Owner or Community Group acknowledges they will maintain liability insurance of \$1,000,000 naming the City as an additional insured, at all times while the revocable street privilege is in effect.*

Petitioner (if not the same as above): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

**Revocable Street Privilege Location** (Address and/or Auditor Book, Page & Parcel): \_\_\_\_\_

**Type of Encroachment – Circle all that apply and fill out the corresponding checklist:**

1. Removable structure attached to building such as an awning, canopy, sign light, banner, flag, fire escape, etc.
2. Fence or other free standing temporary structure
3. Planters or Landscaping (Installation and Maintenance)
4. Outdoor Café Seating
5. Emergency Doors that swing into the R/W
6. Sidewalk pavers or decorative or colored concrete sidewalk
7. Monitoring Wells
8. Community Sign, Historical Marker, or Bus Stop Shelter (Structures with poles and/or foundations)
9. Attachments to City owned utility poles in the R/W (cigarette ash receptacles, sensors, monitors, etc.)
10. Park Bench
11. Private Utility
12. Driveway on Paper Street
13. Other encroachments (describe): \_\_\_\_\_

**Brief Description of Request** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## Use of the Right of Way Checklist - To be Submitted with RSP Application

### 1. Removable structure attached to building such as an awning, canopy, sign, light, banner, flag, fire escape, etc.

- \_\_\_ **Completed Application for Revocable Street Privilege (RSP) - with Signatures**
- \_\_\_ **Proof of Liability Insurance naming the City of Cincinnati as an additional insured**
- \_\_\_ **Location/Site Map**
- \_\_\_ **Fully dimensioned plan showing location and dimensions of the building, the proposed removable structure, the right of way line, and the location and dimensions to the curb line and to all poles, driveways, fire hydrants, trash cans, street trees, etc; both Vertical and Horizontal Dimensions to be shown for structures**
- \_\_\_ **Construction drawing sealed by an Engineer or Architect registered in the State of Ohio**
- \_\_\_ **Building Permit Number \_\_\_\_\_**
- \_\_\_ **\$100 Application Fee (per encroachment)**

**Extra Notes:**

1. Awnings, canopies, building mounted signs, fire escapes, platforms, lights, banners, flags, etc. extending into the public right-of-way must be:
  - a. approved by the department of city planning
  - b. vertically at least eight feet above the sidewalk (ten feet if energized)
  - c. horizontally no closer than two feet from the street curb line
  - d. fully supported from the building with no supports extending below the bottom of the canopy, awning, or building mounted sign
  - e. compliant with clearance requirements for overhead utility lines
  - f. horizontally no closer than five feet from a utility pole
  
2. The construction drawings for any building mounted structures (awnings, canopies, signs, fire escapes, balconies, platforms, lights, banners, flags, etc.) in the public right-of-way or extending into the public right-of-way, must be prepared and sealed by a professional engineer or architect registered in the State of Ohio. The design loads must be in accordance with the latest version of the Ohio Building Code or the American Association of State Highway and Transportation Officials’ “Standard Specification for Structural Supports for Highway Signs, Luminaries, and Traffic Signals” for a 90 mph wind load and a 50 year recurrence interval and be stated on the sealed drawings. The sealed drawings must identify all materials, be fully dimensioned, and identify all structural member sizes and thicknesses, weld sizes and lengths, bolt sizes, lengths, and embedment depths, mounting and framing details, and all other information necessary to fabricate, construct, and install the building mounted structure. The sealed construction drawings shall be submitted with the Revocable Street Permit application for approval.
  
3. Must also get Zoning and Building approval.

## Use of the Right of Way Checklist - To be Submitted with RSP Application

### 2. Fence or other free standing structure.

- Completed Application Sheet with Signature
- Proof of Insurance naming the City of Cincinnati as an additional insured
- Location Map
- Fully dimensioned plan showing the location and dimensions of the proposed fence or other free standing structure, the right of way line, and the location and dimensions to the curb line and to all poles, driveways, fire hydrants, trash cans, street trees, existing underground utilities, etc. and to the right of way line
- Documentation on the type, height and embedment method of the proposed fence or other free standing structure sufficient to evaluate the impact to the Right of Way
- **\$100 Application Fee (per encroachment)**

**Extra Notes:**

1. The fence shall meet the requirements of the Cincinnati Zoning Code in the Department of Building and Inspections.
2. Structures shall not block site distances, vehicular access, or pedestrian access as determined by DOTE.

## Use of the Right of Way Checklist- To be Submitted with RSP Application

### 3. Planters or Landscaping (Installation and Maintenance)

- **Completed Application Sheet with Signature**
- **Proof of Insurance naming the City of Cincinnati as an additional insured**
- **Location Map**
- **Fully dimensioned plan showing location and the size of the proposed planters or landscaping and the location and dimensions to the curb line and to all poles, driveways, fire hydrants, trash cans, street trees, etc.; the location and dimensions to the right of way line shall be shown if applicable.**
- **Documentation on the type and size of the proposed planters or landscaping sufficient to evaluate the impact to the Right of Way**
- **Planter Application fee - \$10/planter. Other landscaping applications fee - \$100 (per encroachment)**

#### Extra Notes:

1. Planters must be set back at least two (2) feet from the curb.
2. Planters must be placed so as not to interfere with access to bus stops, pull boxes, curb ramps, cross walks, cellar doors, entrances to private property, etc. see attached guidelines.
3. Height to top of plant in planter shall not exceed 2.5'
4. Locate planters to avoid conflicts with bus stops. No planter shall be placed in the 20 foot distance from the bus front door to side door and enough room needs to be kept for egress from both doors.
5. A free DOTE street use permit is required. Through the permit, an inspector will meet on-site to facilitate proper placement of planter.
6. Keep shrubs and plantings trimmed at least 2 feet from the curb and 6 inches from a public sidewalk. The height of a shrub or planting shall not exceed 2.5 feet. If trees are planted, mature limbs must be maintained at a minimum of 8 feet above the walk and 14' above the roadway pavement.
7. No ivy, vines or creeping plants may be planted in the right-of-way.

## Use of the Right of Way Checklist - To be Submitted with RSP Application

### 4. Outdoor Café Seating

- \_\_\_ **Completed Application Sheet with Signature**
- \_\_\_ **Proof of Insurance naming the City of Cincinnati as an additional insured**
- \_\_\_ **Location Map**
- \_\_\_ **Fully dimensioned plan showing the location and the length and width of the outdoor seating area, the right of way line, and the location and dimensions to the curb line and to all poles, driveways, fire hydrants, trash cans, street trees, etc. and the dimensions to the right of way line**
- \_\_\_ **Documentation on the type and size of the proposed chairs, tables, railings, etc.**
- \_\_\_ **\$100 Application Fee (per encroachment)**

#### Extra Notes:

1. The petitioner must follow the rules and regulations for Section 718-3 Revocable Street Privilege and Section 1419-21 Limited or Full Service Restaurant of the Cincinnati Municipal Code. No cooking facilities will be permitted in the right of way.
2. Outdoor facilities, including railing post supports (feet), must be placed to provide at least 5 feet (4' minimum MAY be accepted at pinch points) of unobstructed (free from curb, poles, fire hydrants, pull boxes, news racks, tree grates, tree wells, etc.) clear pedestrian path; or the railing posts shall be placed 5 feet (4' minimum may be accepted at pinch points) from the edge of a paver collector strip; or 7 feet (min.) from the face of curb; whichever provides the greatest distance from the curb. In areas of high pedestrian use, the minimum unobstructed width will be greater.
3. The tables and chairs and removable barriers must never restrict the clear path of egress from the main entrance or from egress paths of the adjacent properties to the sidewalk.
4. The petitioner must check with the Building & Inspections Department to see if a building permit is required and if the additional seating adds to the plumbing fixture requirements.
5. Furniture, fixtures, and barriers provided for use in an outdoor eating area shall consist only of movable items, such as: tables, chairs, umbrellas, planters, lights, railings, fences, etc. Furniture and fixtures may have to be removed during major events as directed by the Police.
6. The petitioner must abide by all other regulations and obtain applicable permits from the Liquor Board, Health Department, Building Department, Historic Conservation etc.
7. OFC 1030.2 Reliability (Ohio Fire Code). Required exit accesses, exits or exit discharges shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency when the areas served by such exits are occupied. Security devices affecting means of egress shall be subject to approval of the fire code official.

## Use of the Right of Way Checklist - To be Submitted with RSP Application

### 5. Emergency Doors/Windows that swing into the R/W

- **Completed Application Sheet with Signature**
- **Proof of Insurance naming the City of Cincinnati as an additional insured**
- **Location Map**
- **Fully dimensioned plan showing the location and dimensions of the proposed emergency doors, the right of way line, and the location and dimensions to the curb line and to all poles, driveways, fire hydrants, trash cans, street trees, etc. and to the right of way line.**
- **\$100 Application Fee (per encroachment)**

#### Extra Notes:

1. Doors must be for emergency egress only. The doors may have no hardware on the outside and shall be provided with alarms that sound when the doors are opened to alert pedestrians.
2. All proposed non-emergency outward swinging doors or windows below 8 feet are prohibited into the public right of way.
3. All existing outward swing doors that are modified in any way shall comply with these restrictions.

## Use of the Right of Way Checklist - To be Submitted with RSP Application

### 6. Sidewalk pavers or decorative or colored concrete sidewalk

- **Completed Application Sheet with Signature**
- **Proof of Insurance naming the City of Cincinnati as an additional insured**
- **Location Map**
- **Fully dimensioned plan showing the location and dimensions of the proposed pavers or decorative concrete, the right of way line, and the location and dimensions to the curb line and to all poles, driveways, fire hydrants, trash cans, street trees etc. and to the right of way line**
- **Documentation on the type, size, thickness, material, etc. of the proposed pavers or concrete sufficient to evaluate the impact to the Right of Way**
- **\$100 Application Fee (per encroachment)**

#### Extra Notes:

1. Per the City Municipal Code, the property owner is responsible for maintenance of all abutting sidewalk. The property owner is forewarned that utilities or other City agencies that disturb the walk will not match colored or decorative concrete or pavers set in mortar, but will instead install plain concrete. The owner will be responsible for replacement with colored or decorative concrete or mortared pavers if so desired. Where pavers are set on a sand base and can be easily removed, Utilities and City agencies will be instructed to carefully remove and reset these pavers.
2. Pavers must be placed per City specifications and approved by the City Architect's office. Call 513-352-3284 for requirements which will include a 5" thick concrete sub-base with a sand or mortar setting bed.

## Use of the Right of Way Checklist - To be Submitted with RSP Application

### 7. Monitoring Wells

- **Completed Application Sheet with Signature**
- **Proof of Insurance naming the City of Cincinnati as an additional insured**
- **Location Map**
- **Fully dimensioned plan showing the location and size of the proposed monitoring well, the right of way line, and the location and dimensions to the curb line and to all poles, driveways, fire hydrants, trash cans, street trees, existing underground utilities, etc. and to the right of way line**
- **Documentation on the type, size and material of the proposed monitoring well sufficient to evaluate the impact to the Right of Way**
- **\$100 Application Fee (per encroachment)**

#### **Extra Notes:**

1. All existing utilities must be field located prior to installation. Call the Ohio Utility Protection Service (OUPS) 1-800-362-2764. Monitoring wells must be placed a minimum of 3' from any existing utility.
2. When monitoring wells are no longer needed, they must be removed to a depth of 6' below surface, and pavement or walk must be restored in accordance with City standards, policies and guidelines. Monitoring wells shall be properly abandoned per Ohio EPA guidelines.

## Use of the Right of Way Checklist - To be Submitted with RSP Application

### 8. Community Sign Historical Marker or Similar Structure with its own Foundation

- \_\_\_ **Completed Application Sheet with Signature**
- \_\_\_ **Proof of Insurance naming the City of Cincinnati as an additional insured**
- \_\_\_ **Location Map**
- \_\_\_ **Fully dimensioned plan showing the location and dimensions of the proposed sign or marker, the right of way line, and the location and dimensions to the curb line and to all poles, driveways, fire hydrants, trash cans, street trees, existing underground utilities, etc. and to the right of way line**
- \_\_\_ **Construction drawing sealed by an Engineer registered in the State of Ohio**
- \_\_\_ **Certificate of Appropriateness from the City's Urban Conservator or Historic Conservation Board**
- \_\_\_ **\$100 Application Fee (per encroachment)**

**Extra Notes:**

1. Historical Marker must be approved by the City of Cincinnati Historic Conservation Board before a RSP can be issued. Contact the Office of the Urban Conservator at 513-352-4848.
2. The sign must not contain any text or symbols that purports to be or is an imitation of or resembles a traffic control device, along with all other requirements and limitations in Cincinnati Municipal Code Section 502-22.
3. Exact location of pole shall be laid out in field and approved by DOTE. Edge of sign shall be placed a minimum of 2 feet from the face of curb. Bottom of sign shall be a minimum of 7 feet above the sidewalk. If placed in a landscaped area, this vertical clearance may not apply.
4. Poles, signs, markers and similar structures installed in the ground in the public right-of-way must be designed in accordance with American Association of State Highway and Transportation Officials' "Standard Specifications for Structural Supports for Highway Signs, Luminaries, and Traffic signals" for a 90 mph wind load and a fifty-year recurrence interval. These design loads must be stated on the sealed drawings. The sealed drawings must identify all materials, be fully dimensioned, and identify all structural member sizes and thicknesses, weld sizes and lengths, bolt sizes, lengths and embedment depths, foundation details, and all other information necessary to fabricate, construct, and install the ground mounted sign or marker. The sealed construction drawings shall be submitted with the Revocable Street Permit for approval.
5. Field investigation may be necessary to avoid underground encroachments such as basements, utility vaults, etc.
6. Historical Marker may require Planning Commission approval.

## Use of the Right of Way Checklist- To be Submitted with RSP Application

### 9. Attachment to City Owned utility poles in the R/W

- **Completed Application Sheet with Signature**
- **Proof of Insurance naming the City of Cincinnati as an additional insured**
- **Location Map**
- **Fully dimensioned plan showing the location and dimensions of the pole, the right of way line, and the location and dimensions to the curb line and to all poles, driveways, fire hydrants, trash cans, street trees etc. and to the right of way line**
- **Construction drawing sealed by an Engineer registered in the State of Ohio; this requirement may be waived for very small attachments**
- **Documentation on the type, size, and material of the proposed attachment sufficient to evaluate the impact to the City owned utility pole**
  
- **\$100 Application Fee (per encroachment)**

#### Extra Notes:

1. Care shall be exercised if the attachments are placed on any poles supporting a traffic signal or pedestrian signal. These poles have limited space available and there may be possible equipment conflicts. Contact Traffic Engineering to schedule a field meeting to determine the acceptable poles for the attachments and/or the acceptable location to mount the attachments.
2. Attachments to city owned utility poles in the public right-of-way must be designed in accordance with American Association of State Highway and Transportation Officials' "Standard Specifications for Structural Supports for Highway Signs, Luminaries, and Traffic signals" for a 90 mph wind load and a fifty-year recurrence interval. If sealed drawings are requested, these design loads must be stated on the sealed drawings. The sealed drawings must identify all materials, be fully dimensioned, and identify all structural member sizes and thicknesses, weld sizes and lengths, bolt sizes and lengths, foundation details, and all other information necessary to fabricate, construct, and install the attachment. The sealed construction drawings shall be submitted with the Revocable Street Permit for approval.
3. No advertising shall be placed on any attachment.
4. Permission will be revoked if condition of any attachment deteriorates or becomes a nuisance.
5. Ash receptacles must be cleaned at least once daily.
6. The City does not own, nor can it give permission to place attachments on any wood poles. Duke Energy or Cincinnati Bell Telephone owns these poles and permission must be granted from the appropriate utility.
7. Banners: Street Banners are administered exclusively by the Cincinnati USA Regional Chamber. All arrangements for street banners must be made through the Cincinnati USA Regional Chamber Sponsorship

Website: <http://www.cincinnati-chamber.com/Member-Resources/Advertising-and-Sponsorships/Street-Banners/Street-Banners.aspx#.WcqF8q1vSzk>

## Use of the Right of Way Checklist- To be Submitted with RSP Application

### 10. Park Bench (see CMC 723-7)

- **Completed Application Sheet with Signature**
- **Proof of Insurance naming the City of Cincinnati as an additional insured**
- **Location Map**
- **Fully dimensioned plan showing the location and size of the proposed bench, the right of way line, and the location and dimensions to the curb line and to all poles, driveways, fire hydrants, trash cans, street trees etc. and to the right of way line**
- **Drawing and Specifications of the proposed Bench**
- **\$100 Application Fee (per encroachment)**

**Extra Notes: The following conditions are from the Cincinnati Municipal Code Section 723—7:**

1. Contact the City Architect’s office at (513) 352-3284 for bench style guidelines.
2. All park benches shall adhere to the following regulations:
  - A. Park benches may be placed only at bus stops or in recognized Neighborhood Business Districts at locations where seating would serve the convenience of the public as determined by the city manager or his designee.
  - B. Park benches shall be placed:
    - a. Only on paved surfaces;
    - b. In a location that is not directly in front of an entrance to a building;
    - c. At least six (6) feet from any alley, pedestrian crosswalk, driveway curb cut, curb ramp, fire hydrant or sidewalk café and at least four (4) feet from any bicycle rack;
    - d. Either with the back of the bench set six (6) inches away from the adjacent building (only with prior permission from the property owner) or with the front edge of the bench located two (2) feet from the curb line and in alignment with other authorized street furniture;
    - e. In a manner such that the open area available for pedestrian traffic is not less than six (6) feet in front of or behind the bench in those areas established as business districts as shown on the building zone map ("Neighborhood Business Area"), or in any area designated by the Department of Transportation and Engineering as having a high volume of pedestrian traffic ("High Pedestrian Area"), or less than four (4) feet in all other areas of the city;
    - f. In a way that does not block access to buses at bus stops, fire escapes, sidewalk access doors, traffic or street lighting equipment, utility valve boxes or other utility equipment;
    - g. In a way that does not obstruct permanent building signage or building display windows (unless prior permission from the property owner has been obtained);
    - h. In a way that does not obstruct curb control signage or traffic signal equipment, including pedestrian crosswalk signs.

## Use of the Right of Way Checklist - To be Submitted with RSP Application

### 11. Private Utility including Irrigation System and Private Street Lights

- **Completed Application Sheet with Signature**
- **Proof of Insurance naming the City of Cincinnati as an additional insured**
- **Location Map**
- **Fully dimensioned plan showing the location and size of proposed item to be installed, the right of way line, and the location and dimensions to the curb line and to all poles, driveways, fire hydrants, trash cans, street trees, existing underground utilities, etc. and to the right of way line**
- **Documentation on the proposed item to be installed sufficient to evaluate the impact to the Right of Way**
- **\$100 Application Fee (per encroachment)**

**Extra Notes:**

1. The petitioner/property owner must become a member and maintain membership of OUPS (Ohio Utility Protection Service), by calling 1-800-362-2764, if not already a member. Membership is required before a permit will be issued. Failure to maintain membership will result in the property owner being responsible for repairs due to damage caused by excavations performed by utility companies, the city, or a permitted contractor.
3. Petitioner must provide a name and phone number of a 24-hour contact for emergency repair and /or maintenance work.
4. If the City cannot reach the 24 hour contact and must perform work of an emergency nature on the privately owned utility, the City reserves the right to bill the Petitioner for all associated costs with this repair work
5. Irrigation Systems must adhere to the following additional conditions:
  - a. Place sprinkler heads at least one inch below grade level so as not to create a tripping hazard. Use only "pop-up" type heads. Place sprinkler heads no closer than one foot from the public walk and point spray away from pedestrian paths.
  - b. Petitioner is responsible for maintenance of entire privately owned water system.
  - c. Water system plan must be approved by Greater Cincinnati Water Works (GCWW).

**Use of the Right of Way Checklist - To be Submitted with RSP Application**

**12. Driveway in Paper Street**

- **Completed Application Sheet with Signature**
- **Proof of Insurance naming the City of Cincinnati as an additional insured**
- **Location Map**
- **Fully dimensioned plan showing the location and dimensions of the proposed driveway, the right of way line, and the location and dimensions to the curb line and to all poles, driveways, fire hydrants, trash cans, street trees, etc. and to the right of way line**
- **Documentation on the size, thickness, material, etc. of the proposed driveway sufficient to evaluate the impact to the Right of Way**
- **\$100 Application Fee (per encroachment)**

**Extra Notes:**

1. Paper Street is defined as dedicated City right of way without a City accepted roadway.
2. A site plan must be included that shows the proposed dimensions and elevations of the driveway. Driveway width will be dependent on the number of residents it serves and fire access. Proposed driveway must not cause drainage problems that will impact the surrounding properties.
3. Driveway apron within the portion of the adjacent improved roadway Right of Way must be 7" thick concrete in accordance with City Standard Drawing Acc. No. 21436. Remainder of driveway in the paper street must be constructed with a hard surface such as concrete, asphalt or pavers.
4. The property owner will be responsible for maintenance of the driveway.
5. Access must be granted to all existing and future users that abut the paper street. Maintenance agreements must be negotiated with all driveway users. This is not an exclusive right to the driveway.

## Use of the Right of Way Checklist - To be Submitted with RSP Application

### 13. Other Encroachments

- **Completed Application Sheet with Signature**
- **Proof of Insurance naming the City of Cincinnati as an additional insured**
- **Location Map**
- **Fully dimensioned plan showing the location and size of the encroachment, the right of way line, and the location and dimensions to the curb line and the dimensions to all poles, driveways, fire hydrants, trash cans, street trees etc. and to the right of way line**
- **Documentation on the size, thickness, material, etc. of the proposed facility sufficient to evaluate the impact to the Right of Way**
- **\$100 Application Fee (per encroachment)**

#### Extra Notes:

1. Provide detailed descriptions and drawings of the proposed facility to be installed in the right of way. Depending on the nature of the proposed facility, sealed engineering may be required. Any digging may require underground utility coordination.
2. Any work performed in the right of way will require a DOTE permit issued to a DOTE licensed contractor.