Anchorage Municipal Code (AMC) Title 24.20.030 and 24.30.020 require anyone "using" the municipal Right-of-Way to obtain a Right-of-Way permit prior to the "use." This use includes driveway(s). Right-of-Way permits are required for driveways to existing (in-fill) lots and lots in new subdivisions. For the latter, an open subdivision meets this requirement.

Maintenance and repair of driveway surfacing occurring on private property, including staging of equipment, does not require a Right-of-Way Permit.

Pursuant to AMC 24.20.030, Right-of-Way Permits are required for all work in municipal rights of way. To comply with these requirements, a Building or Land Use Permit will not be issued until necessary Right-of-Way permits are issued.

**REVIEWS**
The following types of improvements (Partial Listing) require review by the Right-of-way Section to review for the impact on the right-of-way and road prism:

- Driveways
- Driveway Culverts
- Parking Lots
- Storm Drain Connects
- Sump Discharges
- Water & Sewer Connects within the Right-of-way
- Curb Cuts

**RIGHT-OF-WAY PERMITS**

All work within a public right-of-way requires a Right-of-Way Permit. Applications for Right-of-way Permits must be accompanied by four (4) sets of plans and a .pdf electronic copy and shall be submitted to the Right-of-way Permits Section for approval prior to the start of any work. The plans shall clearly state the scope of work and that all work will be performed in accordance with Municipality of Anchorage Standard Specifications (MASS).

**DRIVEWAYS**
Right-of-way permits for driveways are applicable to the site location of the driveway and where other work is being done in the right-of-way relevant to the driveway.

- All driveways on streets or roads require right-of-way permits. Plans will be reviewed and stamped by right-of-way plan review for each driveway.
- A right-of-way permit is required prior to any "use" in the right-of-way. Work done in the right-of-way without benefit of permit will be assessed fines and fees in accordance with Anchorage Municipal Code (AMC) Titles 14 and 24.
- Right-of-Way Permits will be obtained prior to the building permit being issued. No right-of-way permit fee will be collected until the permit is issued.
- Right-of-way permits may be issued in winter conditions for access to construction sites, however construction and inspection of the driveway must be completed when the right-of-way is open. All driveways will be built to applicable standards established by Anchorage Municipal Code Titles 21.07.090, 21.10.070D, 24.20, 24.30, 24.50.010, Design Criteria Manual (DCM), Municipality of Anchorage Standard Specifications.
(MASS), Municipality of Anchorage Traffic Department Driveway Standards and other applicable laws, codes, regulations, policies and standards.

- At least two working days before the work is commenced or resumed, the permittee shall request to activate the permit at MOAROWRequests@muni.org or call the ROW Contractor Line, 343-8206, with the following information (in accordance with AMC 24.30.150):
  - Provide permit number
  - Provide utility “One-Call” ticket number
  - Give notice of the time of commencement of the work

- A final Certificate of Occupancy (CO) for an associated building permit will not be issued until the final inspection and acceptance of the work in the right-of-way is completed. Where weather, other planned and permitted construction or other factors create excessive delay in completing work in the right-of-way, the Building Official may consider a performance bond, escrow or other measures to provide a CO for an associated building permit while work is still outstanding.

- Driveways shown on approved plans within an open Subdivision Agreement are considered part of the ROW permit for the subdivision and thus do not require separate permits. Driveway widths and other characteristics will be checked against the approved plans and the ROW condition documented during the Subdivision inspections for conformance with the Subdivision Agreement and applicable standards identified above. After a Notice of Completion has been issued to close the Subdivision Agreement, driveway ROW permits are required for new driveways.

ENCROACHMENT PERMITS

Any person desiring to construct an encroachment on a public right-of-way, or any other property dedicated to a public use, shall apply for a Right-of-Way Permit and Encroachment Permit. No construction may begin unless the permits have been approved and obtained. The following types of private improvements (Partial Listing) within the right-of-way require permits:

- Fences
- Landscaping Structures
- Yard Lighting
- Sidewalk Canopies
- Retaining Walls

Submit plans for review electronically at MOAROWRequests@muni.org or at the Right-of-Way Counter, located near the front entrance of the Permitting Center, 4700 Elmore Road.

Robert Doehl, Building Official
DATE: June 18, 2019
(Ref. 96-01; 00-03, 01-02; 04-03; 06-02, 03-08)