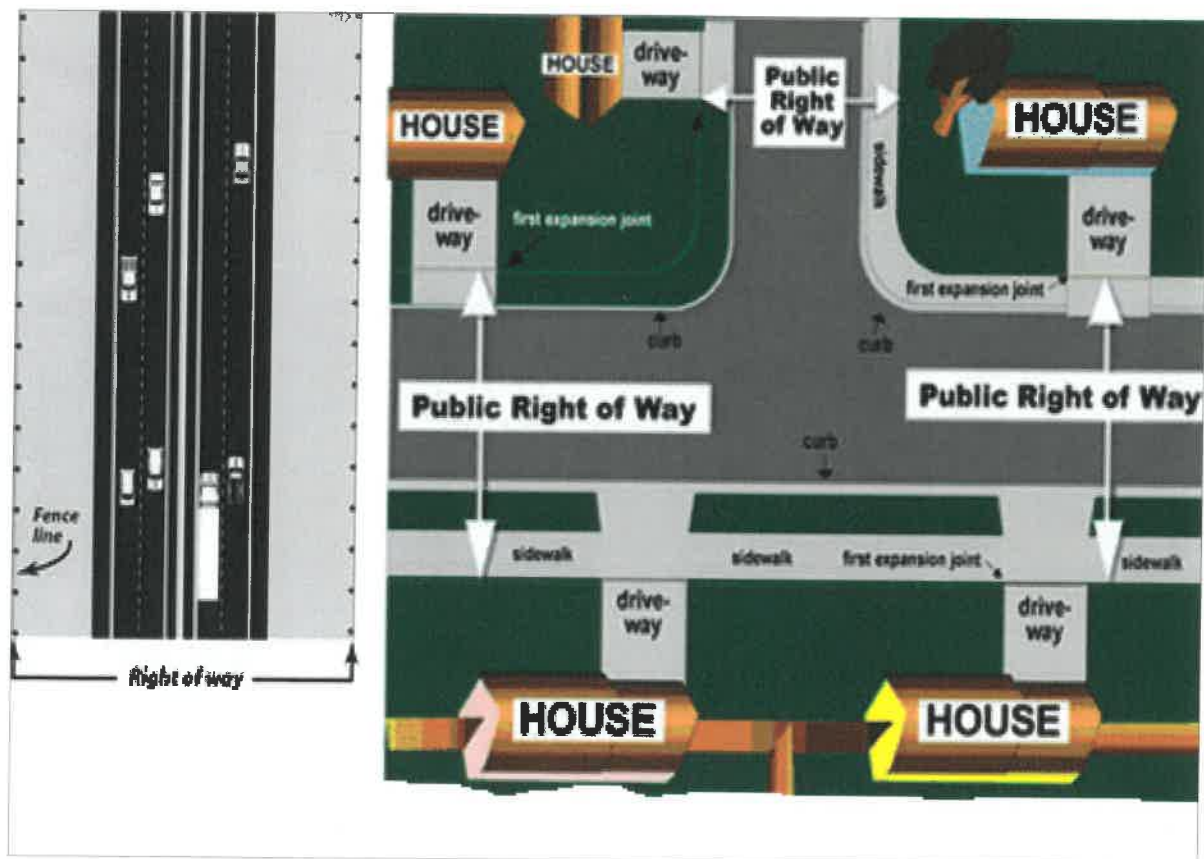


Right- of - What? What is Right?

Everything you need to know about the public Right -of-Way

Right-of-Way: A street "right of way" is the public area that includes the roadway surface, concrete or grassy median, intersections, entrance and exit ramps, and strip of land, usually bordering either side of the road, which is reserved for shoulders, drainage ditches, sidewalks, traffic signs/signals, fencing, electrical traffic signal control boxes, utility lines, and future road expansion.



The **City** has a right to regulate what occurs in the Right-of-way. The **property owner** is responsible for repair and maintenance of items such as trees/plants, sidewalk, curbs and gutters in the right-of-way.

Who ya gonna call?

First, before you dig, call the Ohio Utility Protection Services (OUPS) at 1-800-362-2764 or 811 and have them locate underground utilities

	White - Proposed excavation
	Pink - Temporary survey markings
	Red - Electric power lines, cables, conduit and lighting cables
	Yellow - Gas, oil, steam, petroleum or gaseous materials
	Orange - Communications, alarm, or signal lines, cables, or conduit
	Blue - Potable water
	Purple - Reclaimed water, irrigation and slurry lines
	Green - Sewers and drain lines

Second, call the City Engineering Office 740-387-2240 for permits if you or your contractor:

want to fix the sidewalk in the Right-of-Way

want to fix a sewer or waterline in the Right-of-Way

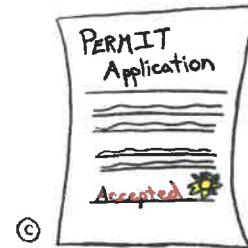
want to dig in the Right-of-Way

want to plant in the street Right-of-Way

want to cut down a tree in the Right-of-Way

**Homeowners responsibilities for Sidewalks, Curbs & Driveways
in the Right of Way (R-O-W) as listed in
the City of Marion Codified Ordinances:**

1. Permits from the City Engineer's Dept. are required when installing, removing or repairing. (903.01) Call 740-387-2240



2. Sidewalks should be kept free from snow, ice or any other nuisance. (660.05)



3. The State cites the ability to require property owners to repair or construct sidewalks, curbs or gutters in accordance with local specifications and assess the costs against the lot on the property taxes. (ORC 729.02)



**Homeowners responsibilities within the tree lawn
as listed in the
City of Marion Codified Ordinances:**

1. Trees shall be trimmed to provide 7' clear passage under the branches. (905.02)



2. Trim or remove any dead/decayed tree, plant or shrubbery so it doesn't fall on to the street or sidewalk. (905.02) Call Engineer's office before removing @ 740-387-2240.



3. On occasion where the tree or shrub blocks view of traffic or becomes a safety issue to drivers or pedestrians, the owner shall trim or remove it. (905.02)
4. Failing to do so may result in the Safety Director enforcing the rule and assessing fees. (905.04)



5. Permits are required from the City Engineer's office before planting anything in the tree lawn. (905.01) Call 740-387-2240.

**Commercial use of Sidewalks
in the public Right of Way (R-O-W) as listed in
the City of Marion Zoning Ordinance (1112.02)
(Adopted 5/9/2016)**

**No goods, materials, equipment, displays in the public right-of-way
(Sidewalk)**

Exceptions:

1. Temporary placement for delivery or pickup for less than one (1) hour



2. Special event permit from City Safety Director with application & fee

3. Temporary Displays or Occupations require a Revocable Temporary Sidewalk Permit from the Safety Director. Permits can be good for up to one year.
 - ★ Requires indemnity agreement, permit and fee
 - ★ No negative impact on adjoining properties
 - ★ Leave five (5') feet unobstructed sidewalk for pedestrians
 - ★ Must control the space identified on the permit
 - ★ Outdoor sales can last up to 3 days, and held no more than 10 times a year
 - ★ No items taller than six (6') feet in height



Safety Director 740-387-5865
Zoning Inspector 740-383-4114

