



# City of Mobile

## Engineering Permitting Department

### Right of Way – Frequently Asked Questions

## Frequently Asked Questions

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### 1. What does Public/City Right of Way (ROW) mean? What is the ROW line?

Land in which the public and municipality has common interest and right of use dedicated for public streets, sidewalks, drainage, and utilities. This includes the areas on, above, and below the ground. Similar to property lines between neighbors, there is also a property line between the ROW and the adjacent private property. This property line is the ROW line.

### 2. What is an easement?

A specified area on private property in which another entity has been given a legal right of specific limited use. This area is typically delineated on a plat or deed. It is common for the City to have public drainage easements on private property to protect the right of use and conduct maintenance on storm drainage on private property.

### 3. When do I need a ROW permit?

Any work performed in the ROW or public easement with the exception of minor landscaping of plants less than 18 inches in height requires a ROW permit. Obstruction of sidewalks, on-street metered and non-metered parking, and the street require a ROW permit. Other common examples of permitted work within the ROW include: work related to land development activities, installation/repair/widening of residential and commercial driveways and sidewalk, tree removal, excavations of any kind, connections to the City's storm drainage system, underground utility work, landscaping and irrigation, and placement of poles. Work within a City easement requires a ROW permit as well.

### 4. How do I apply for a ROW permit?

For land developments including both land disturbance (LD) and ROW work, a ROW Section submittal is not required. The ROW component of the site/civil plans is reviewed under the LD permit review process. Once the site/civil plans have been fully approved, the ROW Permit will be created internally on the applicant's behalf and the applicant will be notified of the ROW permit number, any additional documents needed, and ROW fees. If performing work in the ROW only, the ROW Permit submittal should be made according to the ROW Permit submittal instructions below.

**In Person** – 205 Government Street, Mobile, AL 36644 – Government Plaza, South Tower, 3<sup>rd</sup> Floor, Engineering Department Right of Way Section Counter (exit left out of elevators)

**Via Mail** – Engineering Department Right of Way Section, City of Mobile, P.O. Box 1872, Mobile, AL 36633-1827

**Online Via CSS** – Click [here](#) for CSS website, user manual, and contact info for CSS questions

**Submit digital files to** [rightofway.permits@cityofmobile.org](mailto:rightofway.permits@cityofmobile.org)

### 5. What is a Non-Utility Use Agreement (NUUA) and when is it needed?

The non-utility use agreement (NUUA) is a legal document that assigns ownership and responsibility for permanent secondary uses/fixtures in the right of way. Examples include, but are not limited to: signs, balconies, galleries, parking, camera systems, and building encroachment. An application must be submitted to the Engineering Department for review by the NUUA committee. If approved by the committee, the ROW use can then be permitted. It requires a general liability insurance policy with a minimum limit of \$1,000,000 listing the City as an additional insured. For more information contact [rightofway.permits@cityofmobile.org](mailto:rightofway.permits@cityofmobile.org) or at 251-208-6070.



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**6. How do I know where my property ends and the ROW begins? In other words, where is the ROW line?**

There are some indicators which can help approximate the location of the ROW line such as the location of power/utility poles which are typically located just within the ROW. On residential streets, the ROW is typically 50 ft wide and aligned with the center of the street so the ROW line is approximately 25 ft from the center of the street. The only way to accurately locate ROW line is to get a boundary survey from a professional surveyor who can stake out your property pins/corners.

**7. What do I do if I am concerned or have a complaint about someone working in the ROW?**

It is normal for utility companies to perform repairs and expansion of their infrastructure within the ROW. Similarly, property owners may hire contractors to install/replace/widen their driveways, place sidewalks, or perform other work within the ROW; however, they do need to have a permit to ensure public infrastructure is not damaged and the work is done to City standards and avoid potential life safety hazards for the traveling public. If you have a concern about work being performed in the ROW, please make a formal complaint with the City by contacting the City's 311 system (251-280-5311 from a landline phone) and they will assign a Service Request Order (SRO) and route the formal complaint to the ROW department.