

October 22, 2024



Land Use Permit Application for Building Movements

LUP-BM

Section [24VAC30-151-460](#) of the Virginia Department of Transportation (VDOT) Land Use Permit Regulations stipulates that a VDOT Land Use Permit shall be obtained for movements on right-of-way for all buildings over 16 feet in width.

I the undersigned hereby acknowledge that I am fully cognizant of and, in my individual capacity and as a duly authorized representative of the entity applying for this permit, agree to all the following requirements associated with the issuance of a single use permit authorizing building movements over 16 feet in width upon the state-maintained right-of-way.

Type or Print Clearly

Name of Applicant: _____

Applicant's Tax ID No.: _____

Applicant's Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Primary Telephone No.: _____ 24-Hour Telephone No.: _____

Email Address: _____

Mover's Name: _____

Mover's Tax ID No.: _____

Mailing Address: _____

City: _____ State: _____ Zip code: _____

Primary Telephone No.: _____ 24-Hour Telephone No.: _____

Email Address: _____

Mover licensed to move buildings in VA? Yes ☐ No ☐

Mover insured in VA? Yes ☐ No ☐

Description of building to be moved: _____

Building size: Width ____ (ft.) Height ____ (ft.) Length ____ (ft.) Approximate Weight ____ (lbs.)

Can building be reduced to smaller dimensions? Yes ____ No ____

Location of Building: County _____ Route No. _____ Street address _____

Destination of Building: County _____ Route No. _____ Street address _____

Proposed Route of Travel:

Name of Applicant's Duly Authorized Representative: _____

Representative's Title: _____

Representative's Signature: _____

Name of Mover's Duly Authorized Representative: _____

Mover's Title: _____

Mover's Signature: _____

VDOT Land Use Permit Required by Law

The General Rules and Regulations of the Commonwealth Transportation Board provide that no work, occupancy, or non-transportation uses of any nature may be allowed or performed on the system of state highways or any real property under the ownership, control, or jurisdiction of VDOT until written permission has been obtained from VDOT. Written permission is granted for the above-referenced activity through the issuance of a land use permit.

By issuing a permit, VDOT is giving permission only for whatever rights it has in the right-of-way; the Permittee is solely responsible for determining all entities that may have a property interest of any kind or nature in the right-of-way and for obtaining permission from all such entities for the Permittee's use of the right-of-way and shall be solely liable for any failure to obtain from any and all entities having a property interest in the right-of-way.

The Permittee will be civilly liable to the Commonwealth for all actual damage caused by a violation of the terms of the permit or [24VAC30-151-40.1](#).

Permit Fees & Charges

The land use permit application for the movement of buildings upon or across state-maintained highways shall include a check or cash in the amount of \$100.00 for processing of the request.

The permittee or their agent shall pay for inspection services, the relocation of traffic control devices and equipment provided by VDOT to facilitate the building movement. The amount of any additional fees will be determined by the district administrator's designee prior to permit issuance. These services shall be charged to an accounts receivable established by VDOT and the permittee or their agent will be invoiced for said services within thirty (30) days of completion of the move.

The permittee or their agent may be required to pay for any services provided by local law enforcement, state police and/or any other governmental agencies required to facilitate the event.

Surety Requirement

A surety in the amount of fifty-thousand dollars (\$50,000.00) is required for each building movement upon or across state-maintained highways to restore the right-of-way in the event of damage *to VDOT infrastructure*. The surety may be in the form of a check, cash, irrevocable letter of credit ([LUP-LC](#)), Resolution or surety bond ([LUP-SB](#)).

Cash Surety Refund

Applicants owing the Internal Revenue Service or the Commonwealth of Virginia may not receive a refund of the cash guarantee provided for the issuance of a VDOT land use permit unless the amount owed is less than the amount of cash guarantee provided. Applicants providing cash guarantee for the issuance of a VDOT land use permit must provide an executed copy of the Commonwealth of Virginia's Substitute Form [W-9](#) to receive a refund of the cash guarantee provided for the issuance of a VDOT land use permit.

Insurance Requirements (excluding County, Town, or City)

The permittee or their agent shall secure and maintain commercial general liability insurance to protect against liability for personal injury and property damage in connection with all activities undertaken under a permit. Comprehensive general liability insurance with limits of at least \$1,000,000 per occurrence and \$5,000,000 aggregate, or in amounts otherwise required by VDOT as stated in the permit, shall be maintained at all times. Insurance must be obtained prior to start of the permitted work and shall remain valid through the permit completion date. VDOT staff may require a valid certificate of insurance or policy documents from the issuing insurance agent or agency prior to issuing a permit.

General Requirement

- 1) Permittee acceptance and use of a Virginia Department of Transportation (VDOT) land use permit is prima facie evidence that the permittee has read and is fully cognizant of all required permit provisions, applicable traffic control plans and associated construction standards to be employed. All applicants to whom permits are issued shall at all times indemnify and hold harmless the Commonwealth, the Commonwealth Transportation

Board, the Commissioner of Highways, VDOT, and their consultants, representatives, agents and employees from and against any and all claims, causes of action, losses, costs, attorney's fees, expenses, and damages that directly or indirectly results from or arises out of the permittee's activities or violations in the right-of-way or from any of the permittee's contractors, subcontractors, consultants, representatives, agents or employees, or from anyone for whose acts or violations the permittee is or may be liable.

- 2) The permittee shall immediately correct any situation that may arise as a result of these activities that the district administrator's designee deems hazardous to the traveling public.
- 3) Any highway signs, right-of-way markers, etc., disturbed as a result of work performed under the auspices of a land use permit shall be accurately reset by the permittee immediately following the work in the vicinity of the disturbed facility. The services of a certified land surveyor with experience in route surveying may be required.
- 4) It shall be the permittee's responsibility to obtain any and all necessary permits that may be required by any other government agencies, i.e., U.S. Army Corp. of Engineers, Department of Environmental Quality, Department of Conservation and Recreation.
- 5) A copy of the VDOT land use permit shall be maintained at the work site and made readily available for inspection when requested by authorized VDOT personnel.
- 6) The permittee shall notify the local district permit office at least 48 hours prior to commencement of any work requiring inspection and/or testing. Failure to carry out this requirement may result in permit revocation.
- 7) It is the duty of the district administrator's designee to keep all roads maintained in a safe and travelable condition at all times. Therefore, any permit may be denied, revoked or suspended when in the opinion of the district administrator's designee, the safety, use or maintenance of the highway so requires.
- 8) The permittee shall at all times give strict attention to the safety and rights of the traveling public, their employees and themselves. VDOT reserves the right to stop work at any time due to safety problems and/or non-compliance with the terms of the permit. The Department may, at its discretion, complete any of the work covered in the permit or restore the right-of-way to the department's standards and invoice the permittee for the actual cost of such work. The permittee may be required to move, alter, change or remove from state-maintained right-of-way, in a satisfactory manner, any installation made under this permit.
- 9) Within the limits of a VDOT construction project it is the responsibility of the permit applicant to obtain the contractor's consent in writing prior to permit issuance. Information regarding current and/or planned VDOT construction and maintenance activities can be obtained at: <http://www.virginiaroads.org/>.

Permit Specific Requirements

- 1) The single-use permit covers authorized building movements on state-maintained highways designated as non-limited access primary and secondary routes only.
- 2) Permit authorization shall not remain active for more than thirty (30) days after the issuance date.
- 3) An authorized VDOT employee shall accompany the move for the purpose of conducting highway inspections and to ensure safe travel. All costs associated with said inspection activities shall be borne by the permittee.
- 4) The permittee shall advise all affected emergency response units of the date and time of the impending move to avoid any unnecessary inconveniences and/or disruptions of essential services to the community.
- 5) Front and rear escort vehicles are required. The front escort vehicle must be equipped with an over-height pole (hot pole) extended a minimum of 3-inches higher than the permitted height of the load to ensure safe over height travel. Escort drivers must be certified by VDOT.
- 6) The permittee shall be responsible for all clearances on the route and shall provide appropriate certification to VDOT. All costs associated with the temporary relocation and/or adjustment to existing utilities, mailboxes, traffic control devices, signage and tree trimming activities shall be borne by the permittee. All existing utilities, mailboxes, traffic control devices and signage temporarily removed during authorized building movement activities must be replaced immediately.
- 7) The permittee shall be responsible for contacting the local railroad office at least 24 hours in advance of the scheduled move when the proposed route crosses an at-grade railroad crossing.
- 8) No trees or tree limbs are to be cut or trimmed without first obtaining written approval from the district roadside manager. All tree trimming activities shall be in accordance with current VDOT standards, specifications and policies. The permittee shall obtain approval to trim trees not located within state-maintained right-of-way but overhanging the roadway from the property owner.
- 9) A standby tow truck or prime mover vehicle should be available within ten (10) minutes of notification.
- 10) Traffic should not be detained for more than ten (10) minutes. Emergency response vehicles shall not be detained for any reason.
- 11) Prior to moving through construction zones, the permittee must obtain approval from the contractor.
- 12) The district administrator's designee shall provide notification of approval or denial of the request within thirty (30) days of the date of the submittal of the application if all required supporting data is included with the land use permit application.

Traffic Control and Safety

- 1) In accordance with the Virginia Department of Transportation (VDOT) Road and Bridge Specification, Special Provision 105.14, all activities performed under the auspices of a VDOT Land Use Permit involving the installation, maintenance and removal of work zone traffic control devices must have an individual on-site who, at a minimum, is accredited by VDOT in Basic Work Zone Traffic Control. The accredited person must have their VDOT Work Zone Traffic Control accreditation card in their possession while on-site.
- 2) The individual accredited in Basic Work Zone Traffic Control is responsible for the placement, maintenance, and removal of work zone traffic control devices within the work zone in compliance with the permit requirements and conditions, and the approved plans.
- 3) A person accredited by VDOT in Intermediate Work Zone Traffic Control must be on-site to provide supervision for adjustment to the approved layout.
- 4) Individuals responsible for implementation of work zone traffic control measures shall provide evidence of their accreditation upon request from VDOT personnel.
- 5) The permittee shall be exempt from the requirements of Virginia Department of Transportation (VDOT) Road and Bridge Specification, Special Provision 105.14 if the authorized activity is not within the roadway (as defined in 24VAC30-151) of a state-maintained highway.
- 6) All activities that require the disruption (stoppage) of traffic on two-lane undivided roads shall utilize flaggers who have a valid and unexpired VDOT Flagger, ATSSA Flagger, VDOT Basic Work Zone, or VDOT Intermediate Work Zone card. VDOT will not accept VDOT Flagger Cards issued after December 31, 2024; VDOT Flagger Cards issued prior to December 31, 2024, will only be accepted until their date of expiration (two years after date of issuance). Flag persons shall be provided in sufficient number and locations as necessary for control and protection of vehicular and pedestrian traffic. All flaggers must have their certification card in their possession when performing flagging operations within state-maintained right-of-way. Any flag person found not in possession of his/her certification card shall be removed from the flagging site and the district administrator's designee will suspend all permitted activities.
- 7) Any certified flag person found to be performing their duties improperly shall have their certification revoked.
- 8) Traffic shall not be blocked or detoured without permission, documented in writing or electronic communication, being granted by the district administrator's designee.
- 9) The permittee shall notify the following appropriate VDOT Transportation Operations Center (TOC) 30 minutes prior to the installation of a lane closure or shoulder closure on non-limited access primary routes and within 30 minutes of removing the lane or shoulder closure:
 - Eastern Region (757) 424-9920: All localities within the Hampton Roads Construction District excluding Greenville County and Sussex County
 - Northern Virginia (703) 877-3401: All localities within the NOVA Construction District plus Spotsylvania County and Stafford County
 - Central Region (804) 796-4520: All localities within the Richmond Construction District, plus Greenville County and Sussex County. All localities within the Fredericksburg District, excluding Spotsylvania County and Stafford County

- SW Region (540) 375-0170: All localities within the Salem, Bristol, and Lynchburg Construction Districts

- NW Region (540) 332-9500: All localities within the Staunton and Culpeper Construction Districts

- 10) Information regarding how to obtain access and the requirements for entry of lane closure requests in LCAMS and VaTraffic will be provided by the local permit office.

Authorized Hours and Days of Work

Authorized building movements upon or across state-maintained highways shall take place between 12:00AM and 6:00AM on Sunday mornings. The district administrator's designee where the move is to originate may establish alternate time restrictions if the move does not extend beyond the jurisdiction of a single district, or after coordination with the appropriate VDOT district staff for moves that extend beyond the jurisdiction of a single district.

Holiday Restrictions

Authorized building movements upon or across state-maintained highways from noon on the preceding weekday through all state observed holidays. If the observed holiday falls on a Monday, the non-emergency work will not be allowed from noon on the preceding Friday through noon on Tuesday.