

July 19, 2024



Land Use Permit Application for Outdoor Advertising Vegetation Control

LUP-OAVC

Vegetation control operations associated with outdoor advertising structures visible from state maintained highway right-of-way and National Highway System routes are authorized under Section [24VAC30-151-620](#) of the Land Use Permit Regulations and [24VAC30-200](#).

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 of the following requirements associated with the issuance of a VDOT Land Use Permit authorizing vegetation control operations associated with outdoor advertising structures visible from state-maintained highway right-of-way and National Highway System routes.

Type of 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: _____

Name of Agent: _____

Agent's Tax ID No.: _____

Agent's Mailing Address: _____

City: _____ State: _____ Zip code: _____

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

Email Address: _____

Arborist's Name: _____

Arborist's ISA Certification No: _____

Arborist's Signature: _____

Work Description:

Locality: _____

Route Name and Number: _____

Route to: _____ Route from: _____

Coordinates: Latitude _____ Longitude _____

Name of Applicant's Duly Authorized Representative: _____

Representative's Title: _____

Representative's Signature: _____

Name of Agent's Duly Authorized Representative: _____

Agent's Title: _____

Agent's Signature: _____

VDOT Land Use Permit Required by Law

The General Rules and Regulations of the Commonwealth Transportation Board provide that no work of any nature shall be performed on 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 expenses and damages incurred by VDOT as a result of violation of any of the rules and regulations of [24VAC30-151](#). Violators shall be

guilty of a misdemeanor and, upon conviction, shall be punished as provided for in [§33.2-210](#) of the Code of Virginia.

Permit Term and Fees

VDOT land use permits for vegetation control operations associated with outdoor advertising structures visible from VDOT maintained highways are valid for a period of one (1) year.

An annual fee of \$400.00 is required for vegetation control operations associated with all outdoor advertising structures visible from non-limited access highway segments along a specific route within a specific VDOT construction district.

An annual fee of \$400.00 is required for vegetation control operations associated with all outdoor advertising structures visible from limited access highways along a specific route within a specific VDOT construction district.

Surety Requirement

A surety is required in the amount of two-thousand five-hundred dollars (\$2,500.00) per issued land use permit to restore the right-of-way in the event of damage to state-maintained facilities resulting from the authorized activity. This surety may be in the form of cash or check, a [LUP-SB](#) Permit Surety Bond or [LUP-LC](#) Irrevocable Letter of Credit Bank Agreement. A continuous surety of a greater amount in the form of cash, check or [LUP-SB](#) Permit Surety Bond may also be provided to cover the issuance of multiple land use permits for outdoor advertising vegetation control operations.

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 insurance to protect against liability for personal injury and property damage that may arise from the activities performed under the authority of a land use permit and from the operation of the permitted activity up to one million dollars (\$ 1,000,000) each occurrence to protect the Board members and the Department's agents

or employees; seventy-five thousand dollars (\$75,000) each occurrence to protect the Board, the Department, or the Commonwealth in event of suit. 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 or letter of insurance from the issuing insurance agent or agency prior to issuing the land use 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 (excluding localities) to whom permits are issued shall at all times indemnify and save harmless the Commonwealth Transportation Board, members of the Board, the Commonwealth, and all Commonwealth employees, agents, and officers, from responsibility, damage, or liability arising from the exercise of the privileges granted in such permit to the extent allowed by law including any sums ordered to be paid or expended by VDOT by any governmental entity as a fine, penalty or damages for any violation of any applicable environmental law, or to remediate any hazardous or other material, including illicit discharge into VDOT maintained storm sewer systems.
- 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) The permittee or their agent must contact the VDOT Customer Service Center at 1-800-367-7623 a minimum of 48 hours prior to initiating any planned excavation within 1,000 feet of a signalized intersection and/or near VDOT ITS infrastructure. Excavation activities may proceed only after the VDOT regional utility location agent has notified the permittee that the utility marking has been completed. Additional information can be

found at: http://www.virginiadot.org/business/resources/IIM/TE-383_Request_for_Marking_VDOT_UTILITY_Location.pdf

Alternately, within all localities in the Northern Virginia Construction District, including the Counties of Arlington, Fairfax, Loudoun & Prince William, the Cities of Alexandria, Fairfax, Falls Church, Manassas and Manassas Park, and the Towns of Clifton, Dumfries, Hamilton, Haymarket, Herndon, Hillsboro, Leesburg, Lovettsville, Middleburg, Occoquan, Purcellville, Quantico, Round Hill and Vienna, and on Interstate 95 in the counties of Stafford, Spotsylvania and Caroline, the permittee may request VDOT regional utility marking at: <http://www.vdotutilitymarking.virginia.gov>. Failure to carry out this requirement may result in permit revocation.

- 8) 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.
- 9) 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.
- 10) All work authorized under the auspices of a VDOT land use permit shall be subject to VDOT's direction.
- 11) 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) For the term of the permit, the permittee shall employ (on staff) or engage (on contract) an arborist who is currently certified by the ISA to represent the permittee. The arborist shall provide the permittee's contract crews with the necessary guidance to ensure that the authorized activities are performed in accordance with the permit provisions. A copy of the arborist's current certification shall be made available upon request by authorized VDOT representatives.
- 2) The permittee shall attach two photographs (a closeup and a distant view) with the permit application showing the vegetation to be controlled, the highway, and the sign or business.

- 3) Prior to issuance of a VDOT land use permit the applicant's arborist shall flag all vegetation to be removed from state-maintained highway right-of-way and perform a field review with the district roadside manager and the permit applicant.
- 4) The permittee's arborist must be present during all pruning and/or complete tree removal from within state-maintained right-of-way.
- 5) The issuance of a single use permit (per board) shall be required when outdoor advertising vegetation control operations impedes highway travel and/or requires the implementation of traffic control.
- 6) The permit application shall include an annual work schedule and include at a minimum, (i) the outdoor advertising permit number(s), and (ii) the structure location(s) and route number(s) where vegetation control operations will occur. The permit may be renewed annually provided that a new annual work schedule is provided for the year covered by the authorized permit extension(s).
- 7) The permittee's contract crews shall notify the local residency permit office by telephone or electronic communication to confirm their work location(s) prior to initiating outdoor advertising vegetation control operations.
- 8) Failure to provide the work location and/or work completion notification may result in the suspension or revocation of the VDOT land use permit authorizing vegetation control operations associated with outdoor advertising structures.
- 9) No land disturbance shall be allowed under a VDOT land use permit authorizing vegetation control operations on state-maintained highway right-of-way except in situations where the district roadside manager requires supplemental landscape planting to mitigate the removal of existing vegetation.
- 10) All cut vegetation shall be immediately removed from state maintained right of way and disposed of in accordance with the Solid Waste Management Regulations (9 VAC 20-80-10 et seq.) of the Virginia Waste Management Board.
- 11) When trees are completely removed the stumps shall be cut at ground level and the face of the stump shall be cut parallel with the surrounding grade.
- 12) Climbing irons or spurs shall not be utilized during vegetation control operations on state-maintained rights-of- way.

- 13) Outdoor advertising vegetation control operations shall be accomplished in accordance with the following:
- a. American National Standard for Tree Care Operations – Tree, Shrub, and Other Woody Plant Maintenance – Standard Practice (ANSI A300)
 - b. American National Standard for Tree Care Operations – Pruning, Trimming, Repairing, Maintaining and Removing Trees, and Cutting Brush – Safety Requirements (ANSI Z133.1)
 - c. International Society of Arboriculture, Best Management Practices – Tree Pruning
 - d.
- 14) The district roadside manager may approve requests for the removal of vegetation having a trunk base diameter greater than 6-inches from state-maintained right-of-way for diseased and dying vegetation, vegetation damaged by insects, undesirable vegetation or vegetation that poses a safety hazard.
- 15) No pruning of vegetation will be permitted if the cut at the point of pruning exceeds 4-inches in diameter.
- 16) The permittee’s arborist shall be available to meet on site with VDOT representatives within 24 hours of notification for dispute or performance resolution.
- 17) The permittee shall contact the *local residency permit office* in the event that emergency vegetation removal is necessary due to a vehicular accident or acts of nature.
- 18) The use of herbicides on state maintained right-of-way requires the submission of a completed [LUP-CCV](#) request from, their pesticide business license and subsequent approval by the district roadside manager.
- 19) All herbicide applicators shall meet the applicable requirements established by the Virginia Department of Agricultural and Consumer Services and maintain a Category 6 (ROW) certification. Activities involving the chemical control of vegetation shall comply with all applicable federal and state regulations.
- 20) Stump treatments shall be applied to live deciduous cut stumps in accordance with product label directions and specifications.

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 project limits 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) All traffic control plans shall be prepared by a person accredited by VDOT in Advanced Work Zone Traffic Control.
- 5) Individuals responsible for implementation of work zone traffic control measures shall provide evidence of their accreditation upon request from VDOT personnel.
- 6) 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.
- 7) All activities that require the disruption (stoppage) of traffic shall utilize VDOT certified flaggers. 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.
- 8) Any VDOT certified flag person found to be performing their duties improperly shall have their certification revoked.
- 9) Traffic shall not be blocked or detoured without permission, documented in writing or electronic communication, being granted by the district administrator's designee.
- 10) 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 including Spotsylvania County and Stafford County
 - Central Region (804) 796-4520: All localities within the Richmond construction district including 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

- 11) Lane closure requestors are required to have direct access to LCAMS and VaTraffic. Training is available for both programs, however requestors must complete [ITD-35E & ITD-36E](#) and return to Ms. Katrina Carrol at katrina.carroll@vdot.virginia.gov. Please contact Katrina Carrol to schedule training.

Contact information:

NRO-(703) 877-3462

[Katrina Carrol - LCAMS Technician katrina.carroll@vdot.virginia.gov](mailto:Katrina.Carroll@vdot.virginia.gov)

Northern Virginia District: Counties: Arlington, Fairfax, Loudoun and Prince William

Fredericksburg District: Counties: [Spotsylvania, Stafford](#).

- 12) Lane closure requests in all the counties listed below are within the Northwest Region and [shall be sent to: StauntTrafficManagementCenter@vdot.virginia.gov](mailto:StauntTrafficManagementCenter@vdot.virginia.gov)

Contact information:

NWRO (540) 332-9500

Sandy Wyrick, Lane Closure Coordinator Sandy.Wyrick@VDOT.Virginia.gov

Culpeper District: Counties: Albemarle, Culpeper, Fauquier, Fluvanna, Greene, Louisa, Madison, Orange and Rappahannock

Staunton District: Counties: Alleghany, Augusta, Bath, Clarke, Frederick, Highland, Page, Rockbridge, Rockingham, Shenandoah and Warren

Lane closure requestors are required to have direct access to LCAMS and VaTraffic. Training is available for both programs, however requestors must complete [ITD-35E & ITD-36E](#) and return to Ms. Sandy Wyrick at Sandy.Wyrick@vdot.virginia.gov. Please contact Ms. Wyrick at (540) 332-9881 to schedule training.

- 13) Lane closure requests in all the counties listed below are within the Southwest Region and shall be sent to: SalemTOC@vdot.virginia.gov

Contact information:

SWRO (540) 798-8108

Vicky Reed, Lane Closure Coordinator vicky.reed@vdot.virginia.gov

Bristol District: Counties: Bland, Buchanan, Dickenson, Grayson, Lee, Russell, Scott, Smyth, Tazewell, Washington, Wise and Wythe

Salem District: Counties: Bedford, Botetourt, Carroll, Craig, Floyd, Franklin, Giles, Henry, Montgomery, Patrick, Pulaski and Roanoke

Lynchburg District: Counties: Amherst, Appomattox, Buckingham, Campbell, Charlotte, Cumberland, Halifax, Nelson, Pittsylvania and Prince Edward

- 14) Lane closure requests in all the counties listed below are within the Eastern Region and shall be sent to: HRPermits@VDOT.Virginia.gov

Contact information:

(757) 424-9915

Sam Holzemer, Lane Closure Coordinator sam.holzemer@vdot.virginia.gov

Hampton Roads District: Counties: Accomack, Isle of Wight, James City, Northampton, Southampton, Surry, Sussex, York and Greensville

- 15) Lane closure requests in all the counties listed below are within the Central Region and shall be sent to: RichmondDist.SmartTraffic@vdot.virginia.gov

Contact information:

CRO (804) 609-5338 (804) 401-2756

Sharod Taylor, Lane Closure Coordinator sharod.taylor@vdot.virginia.gov

Richmond District: Counties: Amelia, Brunswick, Charles City, Chesterfield, Dinwiddie, Goochland, Hanover, Henrico, Lunenburg, Mecklenburg, New Kent, Nottoway, Powhatan and Prince George

Fredericksburg District: Counties: Caroline, Essex, Gloucester, King and Queen, King George, King William, Lancaster, Mathews, Middlesex, Northumberland, Richmond, and Westmoreland

All requests being directly input into LCAMS and VaTraffic must be entered no later than 12:00 pm on the preceding Thursday for the upcoming week's lane closure activities. Any conflicts with other roadway work must be resolved by close of business on Thursday the week prior to the scheduled lane closure activities with documented resolution sent to the VDOT point of contact provided by the regional traffic operation center LCAMS Administrator. Any requests received after these time limitations will not be approved and the proposed work within VDOT right of way requiring lane closures must be rescheduled.

Lane closure requestors wanting direct access to LCAMS and VaTraffic must submit complete [ITD-35E & ITD-36E](#) forms to Sharod Taylor at sharod.taylor@vdot.virginia.gov. Online training is available for LCAMS and VaTraffic and VDOT can accommodate any additional training needs. Please contact Sharod Taylor at (804) 609-5338 – (804) 401-2756 to schedule training.

Authorized Hours and Days of Work

Normal hours for work under the authority of a VDOT land use permit are from 9:00 a.m. to 3:30 p.m. Monday through Friday for all highways classified as arterial or collector. All highways classified as local roads will have unrestricted work hours and days.

The district administrator's designee may establish alternate time restrictions in normal working hours for single use permits.

The central office permit manager may establish alternate time restrictions in normal working hours for district-wide permits.

The classifications for all state-maintained highways can be found at the following link:

http://www.virginiadot.org/projects/fxn_class/maps.asp

Holiday Restrictions

Non-emergency work will not be allowed on arterial and collector highway classifications 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.

Permit Revocation

Upon revocation of the permit, the permittee must obtain single-site single use permits from the local residency permit office where the activity is to occur to continue outdoor advertising vegetation control operations during the revocation period. In addition VDOT may apply additional penalties in accordance with [§33.2-1221](#).