



**Montgomery County
Department of Permitting Services**

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**RIGHT of WAY RESTORATION PERMIT POLICY
Residential Additions, Demolition and Swimming Pools**

Chapter 49, Section 8(b) of the Montgomery County Code established the requirements to manage and safe keep of the public right of way in conjunction with construction materials that are delivered to/from a construction work site.

The purpose of this policy is to provide a uniform process for requiring a restoration of public right of way permit and bond associated with building demolition, construction of an addition to a residential dwelling or construction of a residential swimming pool. In addition to a permitting fee, a one thousand-dollar (\$1,000.00) bond will be required prior to right of way permit issuance. If damages of the right of way occur because of construction or demolition activities, repairs will be required. The right of way inspector may also require a restoration permit if construction exceeds what was indicated on the original building application.

This guidance is provided to determine if a permit would be required under different situations:

A. WITH OR WITHOUT DRIVEWAY

- i. The total of proposed additional floor is less than 1,000 sf, or New building foundation or slab construction is 400 Cubic feet (14.8 CY) or less

• **Waived**

- ii. The total of proposed additional floor is 1,000 sf or more, or New building foundation or slab construction is 400 cubic feet (14.8 CY) or more

• **Required**

(This total floor area is the sum of all new floors regardless of basement, first, second and up)

B. DEMOLITION

A restoration of right of way permit is required for any building or inground swimming pool demolition of five hundred square foot (500sf) or more for properties with access to the public right of way.

C. POOL CONSTRUCTION

Above ground: **Waived**

In ground: **Required**