

Town of St. Armand Highway Department – Right of Way Permit Form

Applicant	Prop. Owner	Town Permit to Install or Repair		
(Circle your selections)				
Name	Driveway	Water Line	Sewer	Tel/Elect. Cable Other
Company	Location	Road Name	Town	
Address	Description			
Town				
Phone				
Contractor				
Name				
Company				
Address				
Town				
Phone #	Project Begin Date	Project End Date		

Conditions

Under Section 136 of the New York State Highway Law, any entity, whether public or private, desiring to work in the Town Road right of way, must secure a permit. This permit shall be issued based upon the approval of the Superintendent of Highways prior to commencing the project. Conditions for this approval will be the following:

1. General Conditions:

- a. All work done in the Town Road right of way shall be performed in a manner that is satisfactory to the Town of St. Armand Superintendent of Highways.
 - b. The location of the new or replaced installation is to be approved by the Superintendent prior to construction. Its placement shall be located to minimize its impact on the traveling public and not be a hazard to them.
 - c. The applicant is to contract Dig Safely New York at 1-800-962-7962, before commencing work, as mandated by New York State Law, Code Rule 753. Advanced notice of two full working days is required for this service.
- 2. Hold Harmless Clause:** The applicant is to keep in good repair all pipes, hydrants and all other appurtenances which may be placed within the bounds of the highway under terms of this permit. He shall also indemnify and hold harmless the Town of St. Armand from all damages which may accrue, due to their installation and location in the Highway. Upon notice of the Town Superintendent, he agrees to make any repairs required for the protection and preservation of the Highway and further

consents that upon the failure of the applicant to make such repairs, they may be made by the Town Superintendent at the expense of the applicant. Such expense shall be a prior lien upon land benefited by the use of the Highway for such pipes, hydrants or appurtenances.

3. **Traffic:** While working in the Town Road right of way, at least one lane of traffic is to remain open at all times, unless an exception is made by the Superintendent of Highway ahead of time. Proper use of flagmen, cones, barricades and construction zone signs, etc. must be maintained at all times while working in the right of way.
4. **Driveway Entrances:** The installation of new driveway entrances will be evaluated by the Town Highway Superintendent and Highway staff prior to commencing work, for adequate sizing, proper grade and location, and if a culvert is necessary. Although providing access to a property may be obligatory, there might be restrictions placed on the entrance due to unusual circumstances.

If it is determined that a culvert is not warranted, the applicant is to backfill the driveway with a minimum of 6" of suitable compacted Item #4 gravel. Paving of the driveway apron may be necessary as conditions dictate. The Highway Department will determine if this is necessary.

When a new culvert is required, the property owner shall be responsible for its installation. The Highway Department specifies the diameter, length, and type of pipe to be used. The standard residential driveway entrance will consist of one 20-foot long pipe. In exceptional cases, longer pipes may be allowed. Suitable compacted backfill will be required over the culvert. If conditions are favorable, a larger diameter pipe than what was recommended may be used, provided that there will be enough cover material over the culvert. After installation by the applicant, maintenance of the pipe shall be the Town of St. Armand Highway Department' responsibility.

5. **Installation by Boring:** When feasible, the applicant shall install the new facility by the use of a boring machine and pushing the structure under the roadway.
6. **Installation by Trenching:** When boring is not possible and with the approval of the Superintendent of Highways trenching in the Town Road will be allowed. Proper patching of this trench will be the applicant's responsibility.
7. **Depth of Installation:** Proper depth of installation of new wires, pipes, etc. is critical for future highway work. Unless specified elsewhere in the permit, the following minimum depths are to be achieved. Telephone and Electric Cables – 24"; Sewer Pipes and Services – 36"; Water Pipes and Services – 60".
8. **Site Restoration:** Upon completion of the installation, the work area is to be left in at least the same condition as prior to the work being done. If Highway Department has to repair the site, the property owner shall be charged for all costs associated with the restoration work.
9. **Insurance:** The applicant is to carry a general liability insurance policy in the event that an injury or damage to property results from the installation covered to this permit. Contractors hired to do the work shall have a minimum of \$1,000,000.00 coverage per occurrence, \$2,000,000.00 aggregate. In the event that an individual is doing the work himself, he is to secure a construction rider to his existing homeowner's policy containing a minimum of \$250,000 for general liability insurance. If such a policy does not currently exist, coverage for the construction must be secured. In either case, one should check with his insurance agent on this matter.
10. **Violations; Penalties:** Any violation of the terms of this permit and/or Highway Law 136, the applicant shall be liable for a fine of not less than \$25.00, or not more than \$1,000.00 for each day of the violation. Such penalties shall be recovered by the Town Board and paid to the Town Treasurer to the credit of the Town Road Fund for the construction, reconstruction and maintenance of Town roads in accordance with the provisions of the Highway Law.
11. **Additional Comments/Conditions:**

Project Sketch

Applicant's Signature

Date

Superintendent's Signature

Date

Permit No. _____ (Year Number)