

# APPLICATION FOR RIGHT-OF-WAY PERMIT

City of Swartz Creek  
8083 Civic Drive  
Swartz Creek, MI 48473  
810-635-4464

Fee Received: 100.00 Date: \_\_\_/\_\_\_/\_\_\_ Receipt No: \_\_\_\_\_

## APPLICATION AND PERMIT TO CONSTRUCT, OPERATE, USE, AND/OR MAINTAIN WITHIN THE RIGHT-OF-WAY; OR TO CLOSE A CITY STREET

If a contractor is to perform the construction entailed in this application and permit, and is supplying the bond, said contractor will fill out the information block provided, and thereby assume responsibility and liability, along with the applicant, for any provisions of this application and permit and regulations which apply.

\_\_\_\_\_  
Applicant's Name

\_\_\_\_\_  
Contractor's Name

\_\_\_\_\_  
Applicant's Address

\_\_\_\_\_  
Contractor's Address

\_\_\_\_\_  
Applicant's Phone #

\_\_\_\_\_  
Applicant's Email

\_\_\_\_\_  
Applicant's Fax #

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Contractor's Signature

The above named applicant hereby makes application for a permit to construct, operate, use, and/or maintain; or close a city street within the following right-of-way:

\_\_\_\_\_  
Street One                      Address Range      From: \_\_\_\_\_      To: \_\_\_\_\_

Date Range                      From: \_\_\_/\_\_\_/\_\_\_      To: \_\_\_/\_\_\_/\_\_\_

\_\_\_\_\_  
Street Two                      Address Range      From: \_\_\_\_\_      To: \_\_\_\_\_

Date Range                      From: \_\_\_/\_\_\_/\_\_\_      To: \_\_\_/\_\_\_/\_\_\_

\_\_\_\_\_ Address Range From:\_\_\_\_\_ To:\_\_\_\_\_

Street Three

Date Range From:\_\_\_/\_\_\_/\_\_\_ To:\_\_\_/\_\_\_/\_\_\_

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\_\_\_\_\_ Address Range From:\_\_\_\_\_ To:\_\_\_\_\_

Street Four

Date Range From:\_\_\_/\_\_\_/\_\_\_ To:\_\_\_/\_\_\_/\_\_\_

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A detailed description of the desired facility and/or activity is as follows (Include size, length, type of facility. If crossing under roadbed, describe method. If buried, indicate depth from top of facility to surface. If facility to run parallel to street, indicate distance from inside edge of facility to pavement edge. If driveway approach, state if residential or commercial; if commercial, state type of establishment it will service.)

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The above stated intentions will be carried out in the manner applied for and in accordance with plans, specifications, maps and statements filed with the City Manager as part of this application and if said permit is granted, the above named applicant and contractor agrees to do the following:

1. Give written notice to the City Manager in which said work is to be performed at least one (1) day (24 hrs.) prior to commencement of operations covered by this permit .
2. Any and all operations under this permit meet all requirements of Ordinance No. 38, or other City or State regulations.
3. Take, provide, and maintain all necessary precautions to prevent injury or damage to persons and property from operations covered by this permit and use safety devices which are approved by the City of Swartz Creek.
4. To defend, pay on behalf of, indemnify, and hold harmless the City, its elected and appointed officials, employees and volunteers and others working on behalf of the

City against any and all claims, demands, suits, or loss, including all costs connected therewith, and for any damages which may be asserted, claimed or recovered against or from the City, its elected and appointed officials, employees, volunteers or others working on behalf of the City, by reason of personal injury, including bodily injury or death and/or property damage including loss of use thereof, which may arise as a result of his act, omissions, faults and negligence or any of his employees, agents and representative in performance of this Agreement.

5. Procure and provide evidence of insurance required under this section. All coverage's shall be placed with insurance companies licensed and admitted to do business in the State of Michigan unless otherwise approved by the City. Policies shall be reviewed by the City for completeness and limits of coverage. All coverage's shall be with insurance carriers acceptable to the City. The Provider shall maintain the following insurance coverage's for the duration of the Agreement.
  - A. Commercial General Liability coverage of not less than one million dollars (\$1,000,000) per person and two million dollars (\$2,000,000) per occurrence combined single limit with the City, and including all elected and appointed officials, all employees and volunteers, all boards, commissions and/or authorities and their board members, employees and volunteers, named as Additional Insured. The coverage shall be primary as to the Additional Insured's, and not contributing with any other insurance or similar protections available to the Additional Insured's, whether said other available coverage be primary, contributing or excess.
  - B. Workers Compensation Insurance in accordance with Michigan statutory requirements including Employer's Liability Coverage.
  - C. Commercial Automobile-Vehicle Insurance in the amount of not less than one million dollars (\$1,000,000 per person and \$5,000,000 (five million dollars) per occurrence combined single limit per accident with the City, including all elected and appointed officials, all employees and volunteers, named as an Additional Insured.
6. Surrender the permit herein applied for, cease operations, and surrender all rights thereunder whenever notified to do so by the City Manager because of his need for the area covered by the permit or because of a default in any of the conditions of the permit.
7. Immediately remove, alter, or relocate at applicant's own expense the facility for which this permit is granted if requested by the City of Swartz Creek to do so. Upon failure to remove, alter, relocate or surrender the facility pursuant to the request of the City of Swartz Creek, reimburse the City of Swartz Creek for its cost in doing same.

8. Upon request, file a bond in the sum of \$5,000 acceptable to the City of Swartz Creek and conditioned upon performance of the conditions of the permit and compliance with all requirements of law.

A permit as requested in the foregoing application subject to the conditions to which applicant therein agrees, is hereby granted for the period commencing \_\_\_\_/\_\_\_\_/\_\_\_\_ and ending \_\_\_\_/\_\_\_\_/\_\_\_\_.

The period applied for and granted in this application and permit covers activities within the right-of-way. This obligation to operate, use, and/or maintain the facility to the satisfaction of the City of Swartz Creek remains in force as long as the facility exists and is within an area under the jurisdiction of the City.

\_\_\_\_\_  
Street Administrator

\_\_\_\_\_  
Date:

Or

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Date:

NOTE: Contractor must follow the City of Swartz Creek's Engineering Standards Manual guidelines unless otherwise directed, in writing, to do otherwise by the City's Engineer or Street Administrator. This permit does not relieve applicant from meeting any applicable requirements of law or of other public bodies or agencies.

1. PERMIT - The foreman in charge of the work shall have the permit and the approved plan or sketches in his possession on the job at all times.
2. EXCAVATION AND DISPOSAL OF EXCAVATED MATERIALS - The City Engineer shall specify if trenches or excavations under or adjacent to the road surface shall be sheeted, shored, and/or braced in such a manner as to prevent caving, loss, or settlement of foundation material supporting the pavements. Excavated material shall be stocked in such locations that it does not obstruct vision on the traveled portion of the street and in such a manner that it will interfere as little as possible with the flow of traffic. Sod and top soil shall be stocked separately from other excavated material. The applicant shall dispose of all surplus and unsuitable material outside of the limits of the street unless the permit provides for disposal at approved locations within the

right-of-way. In the latter case, the material shall be leveled and trimmed in an approved manner.

3. **BACKFILLING AND COMPACTING BACKFILL** - All trenches, holes, and pits shall be filled with sound earth or with sand-gravel if so provided, placed in successive layers not more than six (6) inches in depth, loose measure, and each layer shall be thoroughly compacted by tamping and all backfill subject to check by the Controlled Density Method. Sod and top soil shall be replaced and necessary seeding done under the direction of the City of Swartz Creek. Sand-gravel backfill material shall consist of approved bank—run sand or gravel or a mixture of approved sand or stone screenings with gravel or crushed stone, provided that there shall be a substantial excess of sand or stone screenings in the mixture. All of the material shall be of such size that it will pass through a screen having 2½ inch square openings, unless otherwise authorized.
4. **CROSSING ROAD-BED BY TUNNELING** - When the pipe is installed by tunneling, boring, or jacking without cutting the existing pavement, the backfill shall be made by tamping a dry mix of lean concrete into place so as to completely fill any voids remaining around the installation. The concrete shall be composed of one part of Portland Cement and ten (10) parts of sand—gravel by volume. Sand-gravel shall conform to the requirements given in paragraph 3.
5. **CROSSING BY CUTTING PAVEMENT AND TRENCHING** - When this method is used, the pavement shall be cut back so that the opening is at least six (6) inches wider on each side than the width of the trench. In all concrete surfaces or bases, edges of trenches shall be formed by the use of concrete saw. The pavement shall be broken in such a manner as to allow the reinforcing steel to protrude a sufficient distance for lapping or tying with similar reinforcement in the pavement patch. Backfill shall be made with sand—gravel as specified in paragraph 3. After the backfill has been thoroughly compacted, the pavement shall be replaced with new pavement of the original type and quality, unless at a season of the year when it is not feasible to replace pavement in kind, in which case a temporary surface of bituminous material shall be placed, and later replaced with pavement of original type at the applicant's expense.
6. **DEPTH OF COVER MATERIAL** - Pipes shall be placed to a depth that will provide not less than four (4) feet of cover between the top of roadway surface and the pipe.
7. Full compliance is required with any regulations of the City of Swartz Creek.

THE FOLLOWING MUST BE ATTACHED TO APPLICATION WHEN APPLICABLE:

1. Bond, except for residential driveways and local units of government.
2. Plans, specifications and location of facility.
3. Traffic plan in cases of street closure.
4. Certificates of insurance.

*City of Swartz Creek*