

Permit No. _____

ONTARIO COUNTY DEPARTMENT OF PUBLIC WORKS
WORK PERMIT UNDER SECTION 136 OF THE HIGHWAY LAW

Section 136 of the Highway Law states, in part: "No person, firm, corporation or municipality shall construct or improve, within the county road right-of-way an entrance or connection to such road, or construct within the county road right of way any works, structure or obstruction, or any overhead or underground crossing thereof, or lay or maintain therein underground wires or conduits or drainage, sewer or water pipes, except in accordance with terms and conditions of a work permit issued by the County Superintendent...."

Please Print

NAME _____

ADDRESS: _____

TELEPHONE (business) _____ (home) _____ (emergency) _____

REQUESTS PERMISSION TO (describe work) _____

ON COUNTY ROAD NUMBER _____ AT (address) _____

BEGINNING (date) _____ (APPLICANT SHALL NOTIFY THE DEPARTMENT 48 HOURS BEFORE ACTUALLY STARTING WORK)

AS PER THE DRAWING ATTACHED.

The undersigned further agrees that this work permit does not constitute permission to occupy this property. Occupancy can only be granted by the underlying property owner. This permit certifies that planned work does not conflict with the County's highway use at the time permit was granted.

The undersigned and its successors in interest agrees to accept all conditions described on the front and rear of this form and to pay all reasonable costs of any inspections required to ensure compliance with this permit.

Applicant Date

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Permission is hereby granted to the Applicant to perform said work upon the following conditions:

Insurance Certificate Approved _____
County Superintendent of Highways Date

CONDITIONS AND RESTRICTIONS

1. The County Superintendent of Highways reserves the right to revoke or annul this permit at any time should the Permit Holder and its successors in interest fail to comply with the terms and conditions upon which it is granted.
2. This permit shall not be assigned or transferred without the written consent of the County Superintendent of Highways.
3. The County Superintendent of Highways reserves the right to inspect and approve the work authorized by this permit and to require the correction, to his satisfaction, of any and all deficiencies.
4. The Permit Holder and its successors in interest hereby agrees (a) that except for the amount, if any, of damage contributed to, caused by or resulting from the negligence of the County, the Permittee and its successors in interest shall indemnify and hold harmless the County, its officers, employees and agents from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorney's fees or loss arising directly or indirectly out of the acts or omissions hereunder by the Permittee and its successors in interest or third parties under the direction or control of the Permittee and its successors in interest; and (b) to provide defense for and defend, at its sole expense, any and all claims, demands, or causes of action directly or indirectly arising out of this Permit and to bear all other costs and expenses related thereto.
5. The Permit Holder and its successors in interest agrees that if the work authorized by this permit interferes with necessary changes to the highway in the future, the Permit Holder and its successors in interest shall, on reasonable notice from the County Superintendent, make such necessary changes at his or its own expense within the time so specified in the notice.
6. The flow of traffic shall be maintained by the Permit Holder on this section of the highway while the work is in progress and until its final completion.
7. The Permit Holder shall be responsible for locating all underground utilities and providing such notification as may be required by said utilities before beginning work. Permittee shall contact all other occupants in the ROW during the project design phase to assure accurate facility mapping.
8. The Permit Holder shall provide insurance according to the provisions of Schedule "B" attached hereto and made part of this permit.

RESTORATION OF DISTURBED AREAS

1. The Permit Holder shall restore to original condition all surfaces disturbed at the construction site.
2. Restoration of disturbed areas consists of clean-up and maintenance during construction, resurfacing paved areas, restoring lawn areas, restoring drainage areas and repair of any damaged structures such as manholes, drop inlets, mail boxes, fences, signs, etc. and maintaining that work in the future.
3. Any County traffic control signs disturbed by the Permittee must be replaced in the EXACT location(s) of removal.
4. Backfill must consist of bank run gravel or a crusher run type of limestone thoroughly compacted in one (1) foot lifts unless otherwise noted on this form.
5. Pavement edges shall be cut back to form a straight uniform edge and bearing shall be provided not less than six (6) inches perpendicular to the trench on undisturbed subgrade. Loose or torn pavement shall be removed. The joints at existing pavement edges shall receive a coating of bituminous material before paving.
6. Asphalt surfaces shall consist of an asphalt concrete binder with an asphalt concrete top conforming to NYSDOT Spec. 401-2 plant mix pavement, Type 3 binder course and Type 6 top course. Required thickness shall match the original or remaining pavement; but, in no case shall be less than three (3) inches compacted thickness of asphalt concrete binder and one (1) inch compacted thickness of asphalt top.
7. Only choice or select materials may be used in areas which may affect the motoring public, such as the area between the pavement edge and bottom of ditch line. These materials must be compacted in one (1) foot lifts to insure against settlement and graded to original conditions.

TRAFFIC CONTROL

1. Whenever work authorized by this permit takes place within the shoulder or traffic lane of the road or whenever equipment being utilized to perform work authorized by this permit is parked or being used within the shoulder or traffic lane of the road, the Permit Holder and its successors in interest shall have adequate traffic control in place at all times.
2. All traffic control called for under this permit shall be in accordance with the New York State Department of Transportation Manual of Uniform Traffic Control Devices (the Manual), including but not limited to the provisions set forth at paragraph #3 below.
3. As a minimum, black on orange "MEN WORKING" signs shall be displayed as called for by the Manual. All employees of the Permit Holder shall wear orange reflective vests. Flaggers shall be on duty as called for by the Manual whenever personnel, material or equipment are placed within the shoulder or traffic lanes of the road.