TOWN OF HARRIETSTOWN
APPLICATION FOR STREET AND SIDEWALK OPENING PERMIT

Permit Number: _____

Property Owner's Name: _____ Date: _____

Address: _____

Location of Work (if different from above): _____

Contractor's Name & Address: _____

Insurance Co. Name & Address: _____

Date and time work to commence: _____

Date and time work ready for inspection: _____

General plans and specifications detailing work to be performed: Please attach
(Sketches and drawings may be attached when applicable)

NOTE: There is a minimum charge for all Street and Sidewalk Openings: **$25.00** for dirt/**$175.00** for macadam, concrete and brick. The minimum charge is collected at the time that the permit is issued. After the work is complete the area will be inspected, measured and any additional charges will be billed at the rate of $3.50 per square foot for macadam/$7.00 per square foot for concrete and brick. There is no additional charge for dirt streets.

All digging and excavating in Town streets and sidewalks shall be done in accordance with Town Code (attached) of the Town Code. All precautions necessary for public safety and convenience are to be taken by the applicant and/or his agent.

The applicant assumes all responsibility from accidents or damage that occur by reason of the work done under this permit, and agrees to hold harmless and indemnify the Town of Harrietstown against any and all claims, suits, or liability resulting from the permittee's acts by reason of this permit.

Two working days before you dig, drill or blast call Dig Safely New York 1-800-962-7962 and Dan Martin, Town of Harrietstown, Superintendent of Highways 518-891-4100.

SIGNATURE OF APPLICANT: _____

FOR OFFICE USE

Inspected by Highway Superintendent:_____
Date:_____

Square footage of street or sidewalk opening:
_____

Payment Received: _____ Receipt No.:_____
Date:_____

ALL APPLICABLE FEES ARE NON-REFUNDABLE

TOWN OF HARRIETSTOWN
LOCAL LAW NO. 2 OF THE YEAR 1988

A LOCAL LAW REGULATING THE ISSUANCE OF PERMITS FOR HIGHWAY WORK

Be it enacted by the Town Board of the Town of Harrietstown as follows:

The rules, regulations and conditions concerning permit procedures; conditions and restrictions; method of performing work; application for highway permit work; and permit fee shall be as follows and shall apply to all applications for permits for highway work in the Town of Harrietstown issued to any applicant.

I. PERMIT PROCEDURES:

A permit is required, and shall be obtained before any person excavates in a Town highway, road or street. The permit shall be obtained under the permit procedures set forth in this local law.

A) **Application:**

Applications for permits shall be filed at the Town Hall, Town of Harrietstown, 30 Main St., Saranac Lake NY 12983. Highway work permits shall be issued by the Town Highway Supervisor.

B) **Regulations:**

1) The applicant is responsible for contacting all the operators of underground facilities and locating any such facilities in the work area.

2) The applicant and contractor or person responsible for the excavation must have public liability insurance in the amount of at least $500,000.00/$1,000,000.00 at the time of filing an application for a highway work permit. Proof of the insurance shall be required, and the Town of Harrietstown shall be named insured. A copy of the insurance policy shall be presented to the Town Highway Superintendent before any excavation is commenced.

3) All work and material is subject to inspection and approval by the Town Highway Superintendent. Anyone who fails to obtain a permit before opening a highway, road or street shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine not to exceed $500.00 and/or imprisonment not to exceed sixty (60) days or by both such fine imprisonment.

C) **Permit Fee:**

The amount payable to the Town of Harrietstown for the issuance of a highway work permit shall be the amount established by the Town Board of the Town of Harrietstown by separate resolution adopted from time to time.

II. CONDITIONS, REGULATIONS AND RESTRICTIONS

The following conditions, regulations and restrictions form a part of the highway work permit:

A) The permit shall not be assigned or transferred without the written consent of the Town Superintendent of Highways, Town of Harrietstown.

B) The Town of Harrietstown and the Town Highway Superintendent reserve the right at any time to revoke or annul the permit in the event the applicant fails to comply with the terms and conditions upon which the permit is granted.

C) The work authorized by this permit shall be performed under the supervision of, and to the satisfaction of, the Town Superintendent of Highways of the Town of Harrietstown. The Superintendent of Highways shall approve the location of the work and excavation before work is commenced.

D) The Town Highway Superintendent of Highways shall be given at lease one week's advance written notice by the applicant of his intention to begin the work authorized by the permit. Prompt notice shall also be given of the completion of work. The notice shall contain the date and time when the work authorized by this permit shall commence.

E) The applicant shall be responsible for all damages, including bodily injury, death and/or property damage due to or caused by the work performed pursuant to the permit or the installation, maintenance, use or existence of any facility of the applicant or which may arise out of the activities of the applicant, his contractors, subcontractors, agents, servants or employees, in connection with any act or omission hereunder. The applicant agrees to indemnify and save harmless the Town of Harrietstown and its Superintendent of Highways, and their representatives and employees, from any claims, suits, actions damages and costs of every name and description arising out of or resulting from any act or omission hereunder. The applicant does hereby further expressly agree to pay any damages caused by injury to, or destruction of, part or all of any bridge owned by the Town of Harrietstown and caused by the negligence of the applicant, his contractors, subcontractors, agents, servants or employees.

F) The enumeration in this permit of kind and amount of insurance shall not diminish the applicant's legal responsibilities or the consequences of accidents resulting from the operations of the applicant under this permit.

G) The Town Superintendent of Highways reserves the right to revoke or annul the permit at any time should the applicant or his contractor or subcontractor, agents servants or employees fail to comply with the terms and conditions upon which the permit is granted.

H) The applicant certifies that it has secured compensation for the benefit of, and will keep insured during the performance of the above-described work, such employees as are required to be insured by the provisions of the Worker's Compensation Law.

I) Work authorized under this permit shall be performed in a workman like manner without unreasonable interference with public travel. The applicant shall provide suitable safeguards against conditions hazardous to like, limb or property. The applicant shall erect and maintain for the protection of the public suitable guardrails or barricades around all trenches while work is in progress. The barricades and guardrails shall be suitably lighted at night. The work shall be carried on in such manner that not more than 100 feet of trench in the earth remains open at the end of a day's work. All work shall be performed and completed to the satisfaction of the Town Highway Superintendent.

J) By accepting and signing the permit, the applicant agrees to conform to all of the conditions set forth therein.

K) Satisfactory compliance with the terms of the permit, as well as the inspection and approval of the work authorized, is a pre-requisite to the issuance of subsequent permits.

L) The applicant agrees to pay all necessary expenses incident to the supervision, inspection and repaving of the road section by the Highway Department of the Town of Harrietstown by reason of the granting of this permit, such payment to be made within 10 days from the billing thereof to the applicant by the Town Highway Superintendent.

M) An original or copy of this permit must be furnished upon demand by the Town Highway Superintendent or his representative.

N) Pavement must be cut with a jackhammer or other suitable device before excavation starts. All pavement edge cuts must be clean and vertical to the satisfaction of the Town Highway Superintendent.

O) Compensation for any pavement which is replaced by the Town of Harrietstown Highway Department shall be at a rate per square yard established and approved by the Town Board of the Town of Harrietstown. Compensation for pavement replaced shall be made to the Town Highway Department within 10 days after the applicant has been billed therefore.

III METHOD OF PERFORMING WORK

A) All work performed shall conform to current New York State Department of Transportation specifications as indicated by the Town Highway Superintendent.

B) The applicant shall prepare and submit to the Town Highway Superintendent, a map and plan of the work to be performed and its location, in such form as is satisfactory to the Highway Superintendent.

C) The applicant agrees that in consideration of the issuance of this permit, any present or future injury to, or disturbance, of the highway, its slopes or gutters caused by placing mains or service pipes by the applicant shall be repaired by the applicant at his own expense and in accordance with the instructions of the Town of Harrietstown Highway Superintendent. All surplus earth and rubbish shall be cleaned up and removed from the highway upon completion of the work, and the highway shall be left in a neat and orderly condition to the satisfaction of the Town Highway Superintendent. All pipes, conduits and utilities crossing the highway pavement shall be driven beneath the roadway without disturbance to the payment. Such crossover pipes shall be enclosed in sleeves or large pipes so that repairs or replacements may be made without further disturbance to the pavement. Open cuts of pavement will not be allowed until all efforts to bore or drive beneath pavement are exhausted.

D) Work under this permit shall be commenced within 30 days from the date of the permit's issuance unless an extension of this period is approved by the Town Highway Superintendent, and all work shall be conducted in an expeditious manner.

E) Backfill shall be of selected material thoroughly sluiced, and the roadway shall be left in as neat and orderly a condition as it was when the work was commenced.

F) Where service connections are made, the trench shall be backfilled within two days from the time of opening, and suitable barricades shall be maintained during this time. Suitable lights shall be displayed at night. Manhole frames and covers shall be of an approved weight and set in a workman like manner flush with the surface of the highway.

G) The applicant must excavate and backfill the trench at the expense of the applicant, and must replace broken sidewalk and curb according to the specifications of the Town Highway Superintendent. The applicant must pay for the cost of replacing the pavement by the Town Highway Department at a cost per square yard to be established by the Town Board.

H) All excavated pavement shall be removed from the site and shall not be used as backfill in the ditch.

I) Trenches shall be backfilled and compacted to at least twelve (12) inches above the top of piping with clean earth, sand or screened gravel, which shall not contain boulders, cinders or other substances which may damage or break piping or cause corrosive action.

J) Holes dug in pavement shall be filled with sand or gravel with at twelve (12) inches of gravel on top. Holes shall be patched with cold patch after filling with gravel. Cold patch shall be replaced with at least four (4) inches of 1-A fine bituminous concrete after ditches settle.

K) Holes or ditches dug in the shoulder of the road shall be filled back to their original condition.

L) A certified check for $_____ shall be delivered by the applicant to the Town of Harrietstown and shall be made payable to the Town as security that the work will be performed in a workmanlike manner and that the road will be restored to its original condition at the expense of the applicant. When the work is completed, the Town of Harrietstown Highway Superintendent shall be authorized to expend all or so much of such money as may be necessary for that purpose, should the applicant neglect or refuse to perform the work, as specified by the Town Highway Superintendent. The Town Highway Superintendent may retain a portion or all of said security for any future work to be performed, or which, in the judgment of the Highway Superintendent is likely to be required to be performed.