

Permit Number: _____



City of Palmetto Public Works Department
RIGHT OF WAY USE APPLICATION/PERMIT

Applicant: _____

Address: _____ Phone: _____

_____ FAX: _____

_____ Email: _____

Project Name: _____

Project Location: _____

- Directional Drilling or Jack & Bore
- Soil Borings or Monitoring Well Wells
- Excavate in Pavement
- Excavate in Right of Way but NOT in Pavement
- Road Closure
Street or Avenue _____ from: _____ to: _____
- Other (Description of Work): _____

INSTRUCTIONS

1. All construction and restoration must meet City of Palmetto ("City") standards as set forth in the General and Special Provisions noted herein.
2. A plan view is required to show all locations of underground and overhead utilities, underdrains, catch basins or other structures in the right of way. A typical cross section is required showing the location and depth of existing utilities. (Three sets of drawings required.)
3. List all affected utilities that were notified prior to this application:

Company Name	Contact	Phone
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

4. The City Public Works Department MUST be notified a minimum of 48 hours prior to commencement of construction operations. (Commencement must begin within 60 days of issue date.)
5. The PERMITTEE is responsible for protection of all existing utilities and for any damage thereto. Should any damage to existing utilities occur during the permitted installation, the damaged utility owner must be immediately notified.

Permit Number: _____

Permit Number: _____

6. **Upon completion of work, the PERMITTEE must sign the below Acknowledgement of Completion and Restoration and return this permit to the City Public Works Department. The City Department of Public Works will perform a final inspection and approve or disapprove the completed work and restoration.** As-built for approved work must be completed and returned to the City within 30 days of final inspection. If the work and/or restoration are not approved, PERMITTEE shall perform further work and/or restoration until approval is granted.

GENERAL AND SPECIAL PROVISIONS

1. Utility installation must be per approved plans. The City Public Works Department must approve any significant variance in writing.
2. **The PERMITTEE must provide accurate record drawings depicting location and depth of underground utilities placed by the PERMITTEE. Record drawings shall be prepared by the permittee and certified complete and correct as to the location of the new utilities.**
3. Underground utilities shall be installed in as straight and as direct a route between structures as is practical, as determined in the sole discretion of the City.
4. Underground utilities shall maintain the following minimum clearances from City Utilities:
Vertical - 1'-0"
Horizontal - 2'-6"
(Deviations may be approved where necessary)
5. All City property and rights-of way shall be restored to original condition in keeping with City standards for construction in a manner acceptable to the City.
6. All work shall be subject to inspection by City Public Works Department.
7. **The PERMITTEE shall commence work on the permitted installation within 60 days of permit issuance and all work shall be completed within 30 days. If work begins more than 60 days after the issuance of this permit the proposed work must be resubmitted for review by the City Public Works staff.**
8. Activities in a City right-of-way shall not interfere with the property and rights of a prior permittee. It is expressly stipulated that this permit is a license for permissive use only and that the placing of facilities upon public property pursuant to this permit shall not operate to create or vest any property right in said holder.
9. PERMITTEE declares that prior to filling out this permit application he has ascertained the location of all known existing utilities, both aerial and underground. The specific names of the entities that have been notified must be typed or printed in the space provided, for the specific type of utility.
10. It is understood and agreed that the rights and privileges granted in this right-of-way use permit are granted only to the extent of the City's right, title and interest in the land to be entered upon and used by the PERMITTEE, and that the placing of facilities upon public property pursuant to this permit shall not operate to create or vest any property right in said property.
11. The holder of this permit shall take such safety measures, including the placing and display of caution signs and signals as are required by the Florida Department of Transportation Manual or Uniform Traffic Control Devices for Streets and Highways.
12. **Within 15 days of completion PERMITTEE shall sign the Permittee's Acknowledgement of Completion and return to the City for inspection.**

INDEMNITY & WARRANTY

AS A MAJOR INDUCEMENT AND IN CONSIDERATION OF THE PERMIT AND PERMISSION HEREIN GRANTED, PERMITTEE AGREES TO INDEMNIFY AND HOLD HARMLESS THE CITY, ITS OFFICIALS AND EMPLOYEES FROM ANY LOSS, DAMAGE, COST, EXPENSE, CLAIM OR JUDGMENT WHICH IS DUE TO OR ARISES FROM: (1) THE PROSECUTION OF ANY WORK CONTEMPLATED BY THIS AGREEMENT INCLUDING THE INSTALLATION, CONSTRUCTION, MAINTENANCE, REPAIR, RENEWAL, MODIFICATION, RECONSTRUCTION, RELOCATION, OR REMOVAL OF ANY FACILITIES OR MATERIALS; OR (2) THE PRESENCE, OPERATION USE OF ANY FACILITIES OR MATERIALS, OR THE CONTENTS ESCAPING THEREFROM, EXCEPT TO THE EXTENT THAT THE LOSS IS CAUSED BY THE SOLE AND DIRECT NEGLIGENCE OF THE CITY.

PERMITTEE EXPRESSLY WARRANTS THAT ALL WORK PERFORMED PURSUANT TO OR IN CONNECTION WITH THIS RIGHT-OF-WAY USE PERMIT, INCLUDING THE INSTALLATION,

Permit Number: _____

Page 2 of 3

Permit Number: _____

CONSTRUCTION, MAINTENANCE, REPAIR, RENEWAL, MODIFICATION, RECONSTRUCTION, RELOCATION, OR REMOVAL OF ANY FACILITIES OR MATERIALS, AND THE RESTORATION OF PUBLIC PROPERTY WAS COMPLETED IN A WORKMANLIKE MANNER, IN ACCORDANCE WITH STANDARD PRACTICES, AND IN COMPLIANCE WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL RULES AND REGULATIONS. PERMITTEE UNDERSTANDS AND AGREES THAT THIS WARRANTY SHALL REMAIN IN EFFECT FOR A PERIOD OF TWENTY-FIVE (25) YEARS FOLLOWING THE DATE ON WHICH PERMITTEE ACKNOWLEDGES COMPLETION IN THE SPACE PROVIDED FOR HEREIN. UPON THE CITY PROVIDING PERMITTEE WITH WRITTEN NOTICE OF A BREACH OF THIS WARRANTY, PERMITTEE AGREES TO REMEDY THE BREACH WITHIN A REASONABLE TIME. IF PERMITTEE FAILS TO REMEDY THE BREACH WITHIN A REASONABLE TIME, THE CITY SHALL HAVE THE RIGHT TO TAKE APPROPRIATE REMEDIAL ACTION AND PERMITTEE AGREES TO INDEMNIFY THE CITY FOR ALL COSTS WHATSOEVER RELATED TO SUCH ACTION.

I HEREBY AGREE TO ALL THE TERMS UNDER WHICH THIS PERMIT IS ISSUED.

Signed this _____ day of _____, 20__

Signature

Printed Name

REVIEWED BY: Palmetto Public Works

Signed this _____ day of _____, 20__

Signature

PERMIT ISSUED BY: Director of Public Works or Designee

Signed this _____ day of _____, 20__

Signature

PERMITTEE'S ACKNOWLEDGEMENT OF COMPLETION

I have examined the site of the work for which this permit was issued and report the work completed and the site of the work and all property occupied or affected restored to the condition existing prior to construction or better.

SUBMITTED BY: _____ on this _____ day of _____, 20__
Signature

Printed Name

APPROVED BY: _____ on this _____ day of _____, 20__
Director of Public Works or Designee

Printed Name

Permit Number: _____