

Permit No. _____

Date: _____

City of Montpelier Encroachment Permit

Name: _____ Phone #: _____

Address: _____

Application of right-of-way encroachment is hereby granted, subject to the Regulations for the Control and Protection of the City Road of Way. Legally required and other general safety requirements the approval plan and any special limitations set forth herein.

Permission is requested for the purpose of

In the following location _____
The work shall commence _____

In the event work is commenced under this permit, the applicant agrees to prosecute the same completion by the date herein above specified. In the event the applicant fails or refuses to complete the work, the City of Montpelier Public Works may, at its election, fill in or otherwise correct any existing impediments and the applicant agrees to forfeit their \$_____ deposit in compensation, therefore.

The applicant shall be required to deposit \$_____ with The City of Montpelier at the time of the application. This deposit will be retained by the City until the applicant completely restores the City right-of-way disturbed by the applicant, to its original condition, as approved by the city. If the right-of-way is not restored to its original condition by the applicant, the City may do so with its own forces and the \$_____ will be retained by the City as compensation for the restoration work. If it cost more than \$_____ to restore the right-of-way, the applicant agrees to pay the balance within 30 days of billing.

An inspection fee of \$50.00 will be required to accompany this application The inspection fee will not be refunded.

Before work permitted herewith is commenced, the applicant must notify Public Works Superintendent @208-847-0824 of commencement of said work and said notification is understood to indicate that the applicant will comply with all instructions and regulations of The City of Montpelier with respect to performance of said work and that they will properly safeguard said work to prevent accident and shall indemnify and hold harmless The City of Montpelier from all damages arising out of any and all operations performed under this permit.

Permittee shall not perform any work on any City right-of-way or easement beyond those areas or operation stipulated on the permit. If, because of future construction, or other causes, for which the city wishes the encroachment removed or relocated, the permittee will do so after 30 days' notice at his expense.

If applicant fails to comply with City regulations, specifications, or instructions pertinent to this permit, the Public Works Superintendent or his duly authorized representative may by verbal order, suspend the work until the violation(s) is corrected. If the applicant fails or refuses to comply promptly, the Public Works Superintendent or his duly authorized representative may issue a written order stopping all or part of the work. When satisfactory corrective action is taken, an order permitting resumption of work can be issued.

In the event the applicant fails to perform any of the conditions of the permit, and it is necessary to resort to any legal actions, the applicant agrees to pay reasonable attorney fees and court costs incurred in said action.

This permit is binding upon the heirs, successors, and assigns of the applicant.

Signature of Applicant

City of Montpelier Corporations
By Public Works Superintendent-Permit Officer

OFFICIAL USE ONLY

Refund clearance for _____ Is hereby given _____
Date: _____

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Chapter 12.12

EXCAVATIONS

Sections:

- 12.12.010** Permit and fee.
- 12.12.020** Cost of repairing and restoring the streets, alleys and highways.
- 12.12.030** Violation—Penalty.

12.12.010 Permit and fee.

It is unlawful for any person, firm, partnership or corporation, or association of such, who desires to dig into, cut, break or otherwise damage the streets, alleys, highways and thoroughfares of the city of Montpelier for the purpose of laying and installing any water, sewer, gas or telephone lines, mains or systems, or additions thereto, or connections to said lines, mains or systems, or additions thereto, without first procuring a permit to do so from the clerk of the city of Montpelier, which permit fee shall be set by resolution of the city council, and in the absence thereof shall be not less than twenty-five dollars (\$25.00). (Ord. 541 § 4(n)(part), 1995; Ord. 395 § 1, 1961)

12.12.020 Cost of repairing and restoring the streets, alleys and highways.

In addition to the permit fee required by this chapter, any person, firm, partnership or corporation, or association of such, who shall dig into, cut, break or damage, or whose actions cause damage to the streets, alleys, highways and thoroughfares of said city, during, or if damage occurs after, the laying of any water, sewer, gas or telephone lines, mains or systems, or additions and connections thereto, or from any other cause

or purpose whatsoever, shall pay to the city of Montpelier, or obtain a performance bond sufficient to cover the estimated cost of restoration which shall be paid or obtained prior to excavation. The cost of repair shall be set by resolution of the city council, and the absence thereof shall be not less than the actual cost to city. (Ord. 541 § 4(n)(part), 1995; Ord. 395 § 2, 1961)

12.12.030 Violation—Penalty.

Any person violating this chapter shall be guilty of a misdemeanor for each day said person shall remain in violation of this chapter. (Ord. 541 § 4(n)(part), 1995; Ord. 395 § 3, 1961)

Criteria for digging across City Streets

1. Must obtain a permit. Can get this at Montpelier City Hall (830 Washington St.)
2. Deposit money depending on the street type: \$2500 for gravel or lawn, \$6500 for paved.
3. Control or monitor traffic, flaggers, or signs.
4. At no time should the road be totally closed for traffic, unless prior authorization from the Public Works Superintendent, or duly authorized representative.
5. Call the dig line as required.
6. When back filling use good dry gravel.
7. Haul wet, muddy debris away, using a waky packer or similar equipment, compacting every eight inches.
8. Use felt to line trench as required.
9. Return road to original or better condition. (Gravel to Gravel, asphalt to asphalt)
10. Call Public Works Superintendent (208)847-0824 to inspect work or if you have any questions. He will sign off if completed correctly and return check.

