

Midland County Road Commission
 2334 N. Meridian Rd.
 Sanford, MI 48657
 Phone 989.687.9060 / Fax 989.687.9121

Application No. _____
 Permit No. _____
 Issue Date _____

**APPLICATION AND PERMIT TO CONSTRUCT, OPERATE, USE AND/OR MAINTAIN
 WITHIN THE RIGHT-OF-WAY OF; OR TO CLOSE, A COUNTY ROAD.**

APPLICATION

An applicant is defined as an owner of property adjacent to the right-of-way, the property owner's authorized representative; or an authorized representative of a private or public utility who applies for a permit to construct, operate, use, and/or maintain a facility within the right-of-way for the purpose outlined within the application. A contractor who makes application on behalf of a property owner or utility must provide documentation of authority to apply for a permit.

APPLICANT	Name:	CONTRACTOR	Company:
	Address:		Address:
	Phone No: Cell No:		Phone No: Cell No:
	Fax No:		Fax No:
	Email Address:		Email Address:

Applicant/Contractor request a permit for the following work within the right of way of a county road:

LOCATION: County Road _____ Between _____ And _____
 Township _____ Section ____ T ____ R ____ Side of Road N S E W Property ID _____

DATE: Work to begin on _____; Work to be completed by _____

I certify and acknowledge that (1) the information contained in this application is true and correct, (2) the commencement of the work described in this application shall constitute acceptance of the permit as issued, including all terms and conditions thereof and, (3) if this permit is for commercial or residential driveway work, I am the legal owner of the property that this driveway will serve, or I am the authorized representative.

Applicant's Signature: _____	Contractor's Signature: _____
Title: _____ Date: _____	Title: _____ Date: _____

PERMIT

The term "Permit Holder" in the terms and conditions set forth on the reverse side hereof, refers to the applicant and the contractor, where applicable. By performing work under this permit, the Permit Holder acknowledges and agrees that this permit is subject to all the rules, regulations, terms and conditions set forth herein, including on the reverse side hereof. Failure to comply with any of said rules, regulations, terms and conditions shall render this permit NULL AND VOID.

REQUIREMENTS	FEE TYPE	AMOUNT	RECEIPT NO	DATE			
	Application Fee				Letter of Credit \$ _____	<input type="checkbox"/> Y	<input type="checkbox"/> N
	Permit Fee				Surety Bond \$ _____	<input type="checkbox"/> Y	<input type="checkbox"/> N
	Inspection Fee				Retainer Letter	<input type="checkbox"/> Y	<input type="checkbox"/> N
	Bond				Approved Plans on File	<input type="checkbox"/> Y	<input type="checkbox"/> N
	Deposit				Certificate of Insurance	<input type="checkbox"/> Y	<input type="checkbox"/> N
	Other				Attachments/Supplemental Specifications	<input type="checkbox"/> Y	<input type="checkbox"/> N
	To Be Billed						

OTHER REQUIREMENTS: _____

Recommended For Issuance By: _____
 Title: _____ Date: _____

Approved By: _____
 Title: _____ Date: _____

TERMS AND CONDITIONS

1. **Specifications.** All work performed under this permit must be done in accordance with the application, plans, specifications, maps and statements filed with the County Road Commission ("Road Commission") and must comply with the Road Commission's current procedures and regulations on file at its offices and the current MDOT Standard Specifications for Construction, if applicable.
2. **Fees and Costs.** The Permit Holder shall be responsible for all costs incurred by the Road Commission in connection with this permit and shall deposit estimated fees and costs as determined by the Road Commission, at the time the permit is issued.
3. **Bond.** The Permit Holder shall provide a cash deposit, irrevocable letter of credit or bond in a form and amount acceptable to the Road Commission at the time permit is issued.
4. **Insurance.** The Permit Holder shall furnish proof of general liability insurance in amounts not less than \$1,000,000 each occurrence and general aggregate, proof of automobile liability in amounts not less than \$1,000,000 combined single limit for each accident, bodily injury per accident, and property damage per accident, and in an amount not less than \$500,000 for bodily injury per person. Such proof of insurance shall include a valid certificate of insurance demonstrating that the Road Commission is an additional insured party on the policy. Such insurance shall cover a period not less than the term of this permit and shall provide that it cannot be cancelled without 30 days advance written notice to the Road Commission, by certified mail, first-class, return receipt requested. This permit is invalid if insurance expires during the authorized period of work described herein.
5. **Indemnification.** In addition to any liability or obligation of the Permit Holder that may otherwise exist, Permit Holder shall, to the fullest extent permitted by law, indemnify and hold harmless the Road Commission and its commissioners, officers, agents, and employees from and against any and all claims, actions, proceedings, liabilities, losses, and damages thereof, and any and all costs and expenses, including legal fees, associated therewith which the Road Commission may sustain by reason of claims for or allegations of the negligence or violation of the terms and conditions of this permit by the Permit Holder, its officers, agents, or employees, arising out of the work which is the subject of this permit, or arising out of work not authorized by this permit, or arising out of the continued existence of the operation or facility, which is the subject of this permit.
6. **Miss Dig.** The Permit Holder must comply with the requirements of Act 53 of Public Acts of 1974, as amended. CALL MISS DIG AT (800) 482-7171 or www.missdig.org AT LEAST THREE (3) FULL WORKING DAYS, BUT NOT MORE THAN FOURTEEN (14) CALENDAR DAYS, BEFORE YOU START WORK. The Permit Holder assumes all responsibility for damage to or interruption of underground utilities.
7. **Notification of Start and Completion of Work.** The Permit Holder must notify the Road Commission at least 48 hours before starting work, when work is completed, and additionally as directed by the Road Commission.
8. **Time Restrictions.** All work shall be performed Mondays through Fridays between 8:00 a.m. and 5:00 p.m. unless written approval is obtained from the Road Commission, and work shall be performed only during the period set forth in this permit. Perform no work except emergency work, unless authorized by the Road Commission on Saturdays, Sundays, or from 3:00 p.m. on the day proceeding until the normal starting time the day after the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
9. **Safety.** Furnish, install and maintain all necessary traffic controls and protection during Permit Holder's operations in accordance with the *Michigan Manual of Uniform Traffic Control Devices, Part 6* and any supplemental specifications set forth herein.
10. **Restoration and Repair of Road.** The construction, operation and maintenance of the activity covered by this permit shall be performed by the Permit Holder without cost to the Road Commission unless specified herein. The Permit Holder shall also be responsible for the cost of restoration and repair of the right-of-way determined by the Road Commission to be damaged as a result of the activity which is the subject of this permit. Restoration shall meet or exceed conditions when work is commenced and be in accordance with specifications. The Permit Holder shall be responsible for costs incurred by the Road Commission for emergency repairs performed by or on behalf of the Road Commission for the safety of the motoring public. Said repairs shall be performed with or without notice to the Permit Holder if immediate action is required. This determination shall be in the sole and reasonable opinion of the Road Commission.
11. **Limitation of Permit.** Issuance of this permit does not relieve Permit Holder from meeting any and all requirements of law, or of other public bodies or agencies. The Permit Holder shall be responsible for securing and shall secure any other permits or permission necessary or required by law from cities, villages, townships, corporations, property owners, or individuals for the activities hereby permitted. Any work not described by the application, including the time and place thereof, is strictly prohibited in the absence of the application for and issuance of an additional permit or amendment to this permit.
12. **Revocation of Permit.** This permit may be suspended or revoked at will, and the Permit Holder shall surrender this permit and alter, relocate or remove its facilities at its expense at the request of the Road Commission. It is understood that the rights granted herein are revocable at the will of the Road Commission and that the Permit Holder acquires no rights in the right-of-way and expressly waives any right to claim damages or compensation in case this permit is revoked.
13. **Assignability.** This permit is not assignable and not transferable unless specifically agreed to by the Road Commission.
14. **Authority.** The statutory authority of the Road Commission to require compliance with permit requirements is predicated upon its jurisdictional authority and is set forth in various statutes including, without limitation and in no particular order, MCL §247.321 et seq; MCL §224.19b; MCL §560.101 et seq; and MCL §247.171 et seq.

This permit is subject to supplemental specifications on file with the Road Commission and Act 200 of Public Ads of 1969

SUPPLEMENTAL SPECIFICATIONS:

1. **PERMIT** - The individual in charge of the work shall have the permit and the approved plans or sketches in his possession on the job at all times.
2. **EXCAVATING AND DISPOSAL OF EXCAVATED MATERIAL** - The Contractor and/or the Utility Company shall provide and place the necessary sheeting, shoring and bracing required to prevent caving, loss or settlement of foundation material supporting the pavement, or any other highway installation such as sewers, culverts, etc. The Contractor and/or Utility Company shall assume the full responsibility for this protection and shall not proceed in these areas before approval of methods by the Commission. Excavated Material shall be stocked in such locations that it does not obstruct vision on the traveled portion of the highway 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 materials. The applicant shall dispose of all surplus and unsuitable material outside of the limits of the highway 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 9 inches in depth, loose measure, and each layer shall be thoroughly compacted by tamping and all backfill compaction will be subject to check by the Controlled Density Method. Restoration shall be such that it will provide a condition equal to or better than the original condition and in accordance with the Michigan Department of State Highways and Transportation Standard Specifications.
Sand-gravel backfill material shall consist of approved bank-run sand or gravel or a mixture of approved sand or stone screenings with gravel of 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 2 1/2 inch square openings, unless otherwise authorized
4. **CROSSING BY CUTTING GRAVEL AND TRENCHING** - All trenches shall be backfilled with sand-gravel as specified in paragraph 3, or material acceptable to the Commission, to within 6 inches of surface of traveled portion of road. Place 8 inches of 22 A gravel in trench on traveled portion of road.
5. **CROSSING ROADBED BY BORING OR JACKING** - When the pipe is installed by 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 10 parts of sand-gravel by volume. Sand-gravel shall conform to the requirements given in paragraph 3.
6. **CROSSING BY CUTTING PAVEMENT AND TRENCHING** - When this method is approved by the Commission, the pavement shall be cut back so that the opening is at least one foot 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 a 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. In all asphalt surfaces or bases, the material shall be cut in a straight line. Backfill shall be made with crushed stone or sand-gravel as specified in Item 3. After the backfill has been placed by the controlled density method, 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.
7. **DEPTH OF COVER MATERIAL** - Pipes shall be placed to a depth that will provide not less than 4 feet of cover between the top of roadway surface and the top of the pipe, and not less than 3 feet below bottom of ditches to the top of the pipe, unless otherwise authorized by the Commission.
8. **TREE TRIMMING OR TREE REMOVAL** - (a) Contact and secure permission of the abutting property owner where necessary (b) Dispose of all limbs, logs, stumps, and litter in a manner acceptable to the Commission. (c) Comply with any additional supplemental provisions deemed necessary to protect the interests of the Commission.
9. **INSPECTION** - In all cases the applicant or contractor shall notify the Commission 48 hours in advance of when the work will commence so, if necessary, arrangements may be made to have an inspector present while the work is in progress. The applicant or contractor may be billed for the necessary expenses of the inspector.
10. Any operation in the right-of-way not covered by the above specifications, submitted with this permit, shall be done in accordance with Commission requirements.
11. Full compliance is required with any regulations of the Public Service Commission and Municipal or County Regulations.

THE FOLLOWING MUST BE ATTACHED TO APPLICATION WHEN APPLICABLE: 1. Deposit-except for residential driveways and local units of government. 2. Plans, specifications and location of facility. 3. Copy of resolutions - for local units of government. 4. Traffic plan in case of street closures. 5. In cases of banner applications, legend must be shown.

Applicant signature

Contractor signature

Title

Date