

**TOWN OF SANFORD HIGHWAY DEPARTMENT
HIGHWAY WORK PERMIT APPLICATION**

Instructions: Complete and submit two original applications, along with the application fee, to the Town Highway Superintendent, 192 Front St., Deposit, NY 13754. If any application information changes during your project, you must provide the changes to the Highway Superintendent immediately.

Application is hereby made for a highway work permit:

Applicant Name: _____ Authorized Representative: _____

Address: _____ Applicant Phone: _____

City: _____ State: _____ Zip: _____ Applicant Email Address: _____

Anticipated duration of work: From: _____ To: _____

General description of proposed work: _____

NOTE: PERMIT IS ISSUED CONTINGENT UPON COMPLIANCE WITH AND SATISFACTION OF ALL TOWN LOCAL LAW REQUIREMENTS, INCLUDING BUT NOT LIMITED TO, THE HIGHWAY EXCAVATION LOCAL LAW (ATTACHED). PERMITTEE ALSO AGREES TO COMPLY WITH ANY AND ALL OTHER STATE OR FEDERAL LAWS, REGULATIONS AND APPROVALS.

Checklist (all must be checked and included as part of application):

- Map and plans that provide the route, roads to be crossed/excavated, location of crossing/excavation, and description of the work to be performed for each Town road.
- Certificates of insurance
- Maintenance bond
- Letter of Credit
- Application Fee (\$100.00)

ACKNOWLEDGMENT: ON BEHALF OF THE APPLICANT, I HEREBY REQUEST A HIGHWAY WORK PERMIT, AND DO ACKNOWLEDGE AND AGREE TO THE RESPONSIBILITIES OF PERMITTEE AND THE OTHER OBLIGATIONS SET FORTH IN THIS PERMIT AND THE LOCAL LAWS OF THE TOWN OF SANFORD AND WARRANT COMPLIANCE THEREWITH.

Applicant Signature: _____ Date: _____

Title: _____

TOWN USE ONLY

Date Received: _____ Determination: Approved: _____ Denied: _____
Conditions to Approval: _____

Signature: _____ Date Returned to Applicant: _____ Permit No: 20__ - __
Town Highway Superintendent

Local Law No. 2 of the year 2008
A Local Law of the Town of Sanford Regulating Excavations in
Streets and Highways Within the Town and Prohibiting Certain
Types of Vehicles

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

SECTION 1. Definitions.

As used herein, the words "street" or "highway" shall mean any public street or highway owned and controlled by the Town of Sanford.

SECTION 2. Obstructions.

No person, persons, firm or corporation shall remove from or deposit on any public street, highway, public land, or sidewalk, any dirt, gravel, stone or other material, without having first obtained a written permit from the Superintendent of Highways.

SECTION 3. Excavations.

No person, persons, firm or corporation shall intentionally injure any pavement, road or highway surface, sidewalk, grass plot within the bounds of any such road, sewer, catch basin, crosswalk, drain, gutter or other public ground, or equipment imbedded in or placed in the ground or cause to be dug or made any hole or excavation in or under any public street or highway, or cause to be erected any sign, signpost, billboard, structure, barrier, pole or similar object, either affixed or unaffixed to the ground, without having or first applied for and received a written permit from the Superintendent of Highways.

SECTION 4. Damages

The person to whom such permit is issued shall be responsible for all damages caused to public utilities in the street, and any cracked or damaged sewer and water pipe shall be replaced with new pipe, under the supervision of the Sewer and Water Inspector. Damaged ditches, curbs, sidewalks, or other improvements shall be repaired or replaced in as good condition as before the excavation.

SECTION 5. Restoration.

Any such excavation in any public street or highway shall be restored within the time granted in the permit, with approved bank run gravel and shall be kept and maintained level with the unexcavated portion thereof, for a period of one year from the date of the permit, so that said excavated portion shall be left in as good, substantial and permanent condition as before the excavation; and if not so restored and maintained, the work shall be done under the direction of the Superintendent of Highways and the cost thereof shall be a lawful charge against the person to whom the permit was issued and it shall be the duty of the Superintendent of Highways to sue for and recover such costs.

SECTION 6. Guarding of Excavations.

No person, persons, firm or corporation making or having made any such excavation in or upon any street or highway aforesaid, shall permit such excavation to remain open or uncovered either day or night, without having or causing the same to be properly barricaded by day and night and in addition thereto, shall place at such location, flares, red lanterns or other warning devices, by night, so as to properly warn all persons of the danger of such hole or excavation.

SECTION 7. Certificates of Insurance.

A. The permittee shall present to the Town certificates of insurance evidencing the acquisition of liability insurance coverage naming the Town as an additional insured on a non-contributory basis with the minimum limits of coverage for bodily injury equal to \$1,000,000.00 for each person injured, \$2,000,000.00 for aggregate bodily injury resulting from each occurrence, and \$500,000.00 property damage.

B. Said insurance shall be maintained throughout the term of the permit and the aforementioned certificates shall provide for thirty (30) days' notice to the Town prior to cancellation of coverage.

C. All persons performing work under this permit are to be covered by Workmen's Compensation Insurance and Disability Benefits insurances as required by New York law.

SECTION 8. Maintenance Bond and Letter of Credit

The permittee shall present to the Town a maintenance bond in the amount of \$100,000.00 and a bank letter of credit in the amount of \$10,000.00 in favor of the Town guaranteeing compliance with the provisions of the permit. At such time, if ever, that said letter of credit is expended, the permittee shall replace the same within 5 days written notice of the Town, failing which the permit shall be subject to revocation.

SECTION 9. Indemnity and Save Harmless

The Permittee shall agree to fully indemnify, defend, save and hold harmless the Town of Sanford and all of its departments, bureaus, divisions, boards, officers and employees from and against any and all claims, costs, damages, expenses, charges, risks, losses, lawsuits, judgments, executions, penalties, fines, assessments or any other liability of any type arising out of, occurring in connection with, or resulting from any and all activity to be performed by permittee pursuant to this permit.

SECTION 10. Exceptions.

No permit, liability insurance, surety bond, or treasurer's check or certified check, shall be required in the following instances:

(1) For the erection of posts to hold mailboxes on the grass plot adjoining the used or paved portion of any street provided same is set back at least three feet from the edge of the used or traveled portion thereof.

(2) For the performance of any work pursuant to a contract, franchise or other agreement entered into with the Town Board acting as such or on behalf of any lawfully created District in said Town.

(3) For the construction of line fences where half thereof is situated upon the premises of the owner and half thereof upon the public street provided that the total width thereof does not exceed six inches.

SECTION 11. Uses Prohibited.

No vehicle shall be operated, driven, pushed, or towed upon any such street or highway, having lugs or other metal treads, which will destroy, break, dig, injure, cut, mark or mar the surface thereof.

SECTION 12. Title.

This local law shall be known and cited as the "Highway Excavation Local Law".

SECTION 13. Separability.

Should any section, paragraph, sentence, clause or phrase of this Local Law be declared unconstitutional or unjust for any reason by a Court of competent jurisdiction, the remainder of this Local Law shall not be affected thereby.

SECTION 14. Inconsistency.

All Resolutions or Ordinances or Local Laws or portions thereof of the Town of Sanford not consistent with this Local Law in whole or in part shall be repealed.

SECTION 15. Penalties.

A. A violation of this local law is an offense, punishable by a fine not exceeding two hundred fifty dollars or imprisonment for not more than fifteen days, or both.

B. In addition to the above prescribed penalties, the Town Board may in its discretion revoke any permit previously issued after a public hearing at which the applicant shall have an opportunity to be heard, or in the alternative, may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with this ordinance by injunction, abatement or otherwise compel cessation of each violation, and obtain restitution to the Town for costs incurred by the Town in remedying each violation, including but not limited to reasonable attorney's fees.

SECTION 16. Effective Date.

This local law shall take effective immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.