

Bargersville Town Council

Bruce Morris
Gayle Allard
R. Dustin Doyle
Larry Gates
Kenneth Zumstein



Clerk-Treasurer
Nancy Kehl

UTILITY/APPURTENANCE PERMIT APPLICATION

Note: This permit application is for the installation of utilities, field tile and other appurtenances within the Town of Bargersville right-of-way. (For construction of driveways, approaches, and culverts see Driveway/Access Permit Application.)

Permit Applicant Name: _____
(Utility or property owner)

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone: (____) _____ - _____ Fax: (____) _____ - _____ Email: _____

Location/Road: _____ Township: _____

Distance: _____ (feet)

Circle one: N - S - E - W of nearest intersecting roadway _____

Application is hereby made for permission to construct, operate and maintain the following described work: _____

Give brief description of type, size, length and material, i.e. 1800' of 6" PVC water main, 650' of 300 pr. Cable, 1863' of 4"pl. gas, etc.)

Name of Subdivision (if applicable): _____

Length(s) and/or number of crossings (within Town's R.O.W)

Total feet of line installed _____ Total number of road cuts _____

Total number of road bores _____ Total number of bridge attachments _____

Note: Do not include cuts and bores of private drives. All cuts of Town roads must be brought before and approved by the Town Council prior to permit issuance. Contact the office at 317-422-5115 to be placed on the agenda. Applicant must also attach a completed "Affected Property Notification Form" with each permit applications.

Name of Contractor performing work (if known): _____

Phone: (____) _____ - _____ Fax: (____) _____ - _____

Email: _____

Special Conditions: _____

UTILITY/APPURTENANCE PERMIT APPLICATION

RESPONSIBILITY:

In accordance with Bargersville Ordinance No. 2012-19 the applicant agrees to pay the permit and inspection fee (Section 3), post the financial guarantee (bond, letter of credit or indemnifying agreement as in Section 3.E) and the following:

- 1) The satisfactory repair of any and all excavated areas and maintenance of same for one (1) year after the installation, for any permitted work within Town right-of-way.
- 2) Installation and maintenance of all traffic control (barricades, signs, lights, flagmen, etc.) in accordance with the latest edition of the Indiana Manual on Uniform Traffic Control Devices (IMUTCD).
- 3) Indemnify and save harmless the Town, its agents and employees for any and all claims for damages or actions arising out of the work performed under this Permit and the continuing uses by the Permittee, including but not limited to constructing, reconstructing, maintaining and using said utility lines approved under this permit.
- 4) The Permittee and/or authorized representative, agent, contractor, etc. shall have the Permit or a legible copy of Permit, drawings, provisions, etc. in their possession on the job site at all times and will make same available, on request to any police officer of authorized Department employee.
- 5) Notify, in addition to the Town of Bargersville, all law enforcement and emergency agencies (police, fire, ambulance, etc.) in the event that any road closures or inaccessibilities are required for the work performed under this Permit.
- 6) Remove and/or relocate any facilities covered by this Permit when required by the Town of Bargersville for performance of construction or maintenance activities on Town's right-of-way. Removal and/or relocation of facilities in the Town's right-of-way shall be at the sole expense of the Permittee except as provided for by applicable statutes.
- 7) Attach to this application the "Affected Property Notification Form" which provides for notification of property owners adjacent to the right-of-way where work is to be performed.
- 8) Attach to this application drawings or sketches showing the work to be done and its location. Reference "Drawings Information and Requirements for Utility, Field tile, and other Appurtenances Permits" sheet for additional details.

CONDITIONS:

The following conditions apply to granting of this Permit:

- 1) This Permit is valid for one (1) year from the issue date. If work is not completed within the allotted time, the Permit is automatically cancelled unless an extension is requested, in writing, prior to the expiration date and said request is approved by the Town. The time extension shall not be more than one (1) year beyond the original expiration date unless otherwise approved by the Town. If a Permit is cancelled or expires a new application package must be submitted and approved before the proposed work can be continued. The new application will include payment of Permit fees currently in effect at time of re-application. Once construction, authorized by an approved Permit, is initiated it must be completed within thirty (30) days, unless otherwise approved by the Town.
- 2) This Permit is valid only for work with in the Town of Bargersville right-of-way. Permittee shall obtain approval from appropriate agencies for work inside incorporated areas of the Town and secure consent by easement or other legal document from abutting property owners for work performed outside the Town's right-of-way.
- 3) This Permit in no way relieves the Permittee from meeting all applicable federal, state and local laws. This Permit may be revoked at any time by the Town for non-compliance with any and/or all provisions of said Permit.
- 4) All lines crossing beneath the Town's roads shall be bored unless special permission is granted in Special Conditions by the Town of Bargersville. All cuts of Town roads must be approved by the Town of Bargersville Town Council prior to Permit issuance. Contact the Town of Bargersville office at (317) 422-5115 to be placed on the agenda.
- 5) All lines crossing beneath County roads shall be bored unless special permission is granted in Special Conditions. All cuts of County roads must be approved by the Board of County Commissioners prior to Permit issuance. Contact Johnson County Commissioners office at (317) 346-4300 to be placed on the agenda.
- 6) Installation of cable or pipes by plowing is prohibited unless special permission is granted in Special Conditions. **All road bores and road cuts installations require a minimum of 48" cover below roadway. All burials at culverts shall have a minimum of 36" cover below culvert invert or ditch bottom. All other burials within right-of-way shall have a minimum of 36" cover, unless specified otherwise.**
- 7) All work described in and/or relating to the Permit shall be subject to the inspection of the Town and the Permittee shall adjust or stop operations upon direction of any police officer or authorized Town employee.
- 8) Any operations authorized by the Permit shall not interfere with any existing structure on the Town right-of-way without specific permission in writing from the Town. In the event that any buildings, railings, traffic control devices, or other structures are damaged, the cost of the removal and/or repair of said damage shall be borne by the Permittee.
- 9) The Permittee shall notify the Town a minimum of twenty-four (24) hours prior to beginning of any work activity associated with the Permit. Please call (317) 422-5115 and give the Permit number, date of beginning work, your name and phone number.

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Application Fee Schedule: (For a project where multiple installations occur only the larger of the fees applies, plus any additional per foot charge for installations over 1000 L.F., i.e., (2) road cuts, (3) bores, and 500 L.F. (parallel)= $\$100.00$; for same example with 1500 L.F.= $\$115.00$). Schedule also applies to field tile installations.

<u>Description</u>	<u>Fee</u>
Road Cut(s) (do NOT include driveways)	\$100.00
Road Bore(s) (do NOT include driveways or railroad crossings)	\$100.00
Line(s) parallel to Town R.O.W. (for projects totaling less than or equal to 1000 L.F.)	\$100.00
Line(s) parallel to Town R.O.W. Above fee plus additional fee per lineal foot: (For projects greater than 1000 L.F.)	\$ 0.03

Performance Bond Schedule: (The bond costs shall be multiplied by the number of each and totaled, including projects with multiple installations, i.e. (2) road cuts, (3) bores, and 500 L.F. (parallel) = $\$9,947.00$). Schedule also applies to field tile installations.

<u>Description</u>	<u>Bond</u>
Road Cut(s) (including dig, excavations or tunnel which crosses R.O.W)	\$3,000.00 per cut
Road Bore(s)	\$1,000.00 per bore
Installations parallel to R.O.W.	\$10,000.00 per mile or prorated share

A single bond or undertaking, or a single irrevocable letter of credit may be filed for multiple cuts, digs, excavations, tunnels or bores, or for multiple wires, pipes or conduits in such amounts described above multiplied by the number of each. In lieu of said performance bond or irrevocable letter of credit, public utilities whose rates are regulated by the Indiana Utility Regulatory Commission may submit an indemnifying agreement. (See Bargersville Ordinance No. 2012-19 for further information). For companies with no Indemnifying Agreement a separate "Maintenance Bond" will be required once the work is completed. This bond is to cover any required maintenance or road/right-of-way repairs resulting from the permitted work and shall be kept in effect for one (1) year from the date of installation, not the permit issue date.

Please make check for Permit fee and bond payable to "Town of Bargersville"

Permit Applicant Signature Title Date

an authorized representative for _____
(Utility, company or property owner)

Permit fee may be tripled if work in Town right-of-way takes place prior to Permit authorization (except for authorized emergency work in which case a permit shall still be submitted after emergency work is done).

OFFICE USE ONLY

Permit Application Fee: \$ _____ Check No: _____ Date Recd: _____
Performance Bond: \$ _____ Bond No: _____ Date Recd: _____

Approval: This Permit application is approved subject to the requirements set out in the Bargersville Ordinance No. 2012-19 and the conditions specified herein.

(Town of Bargersville Representative) Date issued Permit No.

Permittee to submit three (3) sets of application and drawings, along with the applicable fee and bond.

AFFECTED PROPERTY OWNER NOTIFICATION FORM
 (To be attached to “Utility/Appurtenance Permit Application”)

Applicant to complete sections below.

Those signing below acknowledge that they have been contacted by the Utility/Applicant indicated below and informed that a utility/other line will be placed on Town right-of-way in their vicinity. They also acknowledge that the Utility/Applicant has asked them to describe and locate, if possible, any underground facility (field tile, watering system, etc.) that may be encountered by the Utility/Applicant in placing the line. Any facilities damaged by the utility construction must be repaired (restored to pre-construction condition) by the Utility's/Applicant's expense.

Utility/Applicant Name: _____

Type of line to be placed: _____

General location: _____

Name & Signature of Property Owner	Owner (O) or Tenant (T)	Address	Any underground facilities known? (Yes or No) and (Type)

(Insurance Company Name, address and phone number)

License and/or Permit Bond

Bond # _____

KNOW ALL MEN BY THESE PRESENTS:

That we, _____, as Principal, and _____,
(Contractor or developer name) (Insurance Company name)
incorporated under the laws of the State of _____, with principal office _____,
(Insurance Company address)
as Surety, are held and firmly bound unto the Town of Bargersville, as Obligee, in penal sum of
_____ (\$ _____) Dollars, lawful money of the United Sates,
for which payment, well and truly to be made, we bind ourselves, our heirs, executors, administrators,
successors and assigns, jointly and severally, firmly, by these presents.

WHEREAS, the above bounded Principal has obtained or is about to obtain from said Obligee a license
or permit for _____;
(Description or name of project)

and the term of said license or permit is as indicated opposite the block checked below:

- Beginning the _____ day of _____ 201____, and
ending the _____ day of _____ 201____
- Continuous, beginning the _____ day of _____ 201____

WHEREAS, the Principal is required by law to file with the Town of Bargersville a bond for the above indicated term and
conditioned as hereinafter set forth.

NOW, THEREFORE, THE CONDITION OF THE OBLIGATION IS SUCH, That if the above bounded Principal as such
licensee or permittee shall indemnify said Obligee against all loss, costs, expenses or damage to it caused by sad Principal's
non-compliance with or breach of any laws, statutes, ordinances, rules or regulations pertaining to such license or permit
issued to the Principal, which said breach or non-compliance shall occur during the term of this bond, then this obligation
shall be void, otherwise to remain in full force and effect,

PROVIDED, that if this bond if for a fixed term, it may be continued by Certificate executed by the Surety hereon; and

PROVIDED FURTHER, that regardless of the number of years this bond shall continue or be continued in force and of the
number of premiums that shall be payable or paid the Surety shall not be liable hereunder for a larger amount, in the
aggregate, than the amount of this bond, and

PROVIDED FURTHER, that this is a continuous bond and the Surety shall so elect, this bond may be cancelled by the Surety
as to subsequent liability by giving thirty (30) days notice in writing to said Obligee.

Signed, sealed and dated the _____ day of _____ 201____.

Principal

(Insurance Company Name)

By _____
Attorney -in-fact