



Phone: (518) 946-7170

TOWN OF JAY

Office of DPW
Director / Superintendent of Highways
168 Valley Road
Jay, NY 12941
email: jayhwydept@charterinternet.net
"Home of the Covered Bridge"



Fax (518) 946-1259

Right of Way Permit

| Applicant | Property Owner | Permit to Install or Repair | |
|---------------|----------------|--|-----------|
| Name: | | Driveway Waterline Sewer Tel/Elec. Cable Order | |
| Company: | | Location: | |
| Address: | | CR: | |
| Town: | | Road Name: | |
| Phone Number: | | Town: | |
| Contractor | | Description: | |
| Name: | | | |
| Company: | | | |
| Address: | | | |
| Town: | | | |
| Phone Number: | | Project Begin Date: | End Date: |

Conditions

Under Section 136 of the New York State Highway Law, an entity, whether public or private, desiring to work in the Town Road right of way, must secure a permit. This permit shall be issued based upon the approval of the Superintendent of Highways prior to commencing the project. Conditions for this approval will be following:

1. General Conditions:

- a. All work done in the Town Road right of way shall be performed in a manner that is satisfactory to the Town of Jay Highway Superintendent.
- b. The location of the new or replaced installation is to be approved by the Superintendent prior to construction. Its placement shall be located to minimize its impact on the traveling public and not be a hazard to them.
- c. The applicant is to contact the Underground Facilities Protective Organization (UFPO) at 1-800-962-7962. Before commencing work, as mandated by New York State Law, Code Rule 753. Advanced notice of two full working days is required for this service.

2. Hold Harmless Clause: The applicant is to keep in good repair all pipes, hydrants and all other appurtenances which may be placed within the bounds of the highway under terms of this permit. He shall also indemnify and hold harmless the Town of Jay from all damages which may accrue due to their installation and location in the Highway. Upon notice of the Town Superintendent, he agrees to make any repairs required for the protection and preservation of the Highway and further consents that upon the failure of the applicant to make such repairs, they may be made by the Town Superintendent at the expense of the applicant. Such expense shall be a prior lien upon land benefitted by the use of the Highway for such pipes, hydrants or appurtenances.

3. Traffic: While working in the Town Road right of way, at least one lane of traffic is to remain open at all times, unless an exception is made by the Highway Superintendent ahead of time. Proper use of flagmen, cones, barricades and construction zone signs, ect. Must be maintained at all times while working in the right of way.

4. Driveway Entrances: The installation of new driveway entrances will be evaluated by the Town of Jay Highway staff prior to commencing work, for adequate sizing, proper grade and location and if a culvert is necessary. Although providing access to a property may be obligatory, there might be restrictions placed on the entrance due to unusual circumstances. If it is determined that a culvert is not warranted, the applicant is to backfill the driveway with a minimum of 6" of suitable compacted item #4 gravel. Paving of the driveway apron may be necessary as conditions dictate. The Highway Staff will determine if this is necessary.

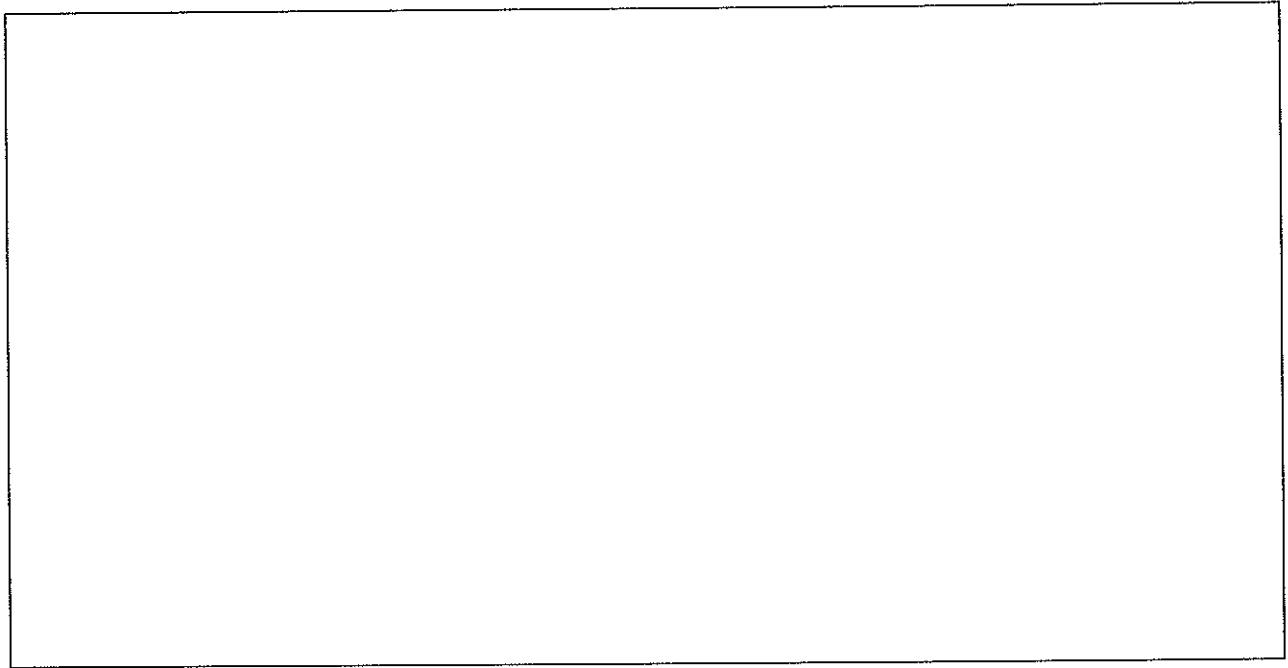
When a new culvert is required the property owner shall be responsible for its installation. The Highway staff will specify the diameter, length and type of pipe to be used. The standard residential driveway entrance will consist of one, 20-foot pipe, in exceptional cases, longer pipes may be allowed. Suitable compacted backfill will be required over the culvert. If conditions are favorable, a larger diameter pipe that what was recommended may be used provided that there will be enough cover material over the culvert.

After installation by the applicants, maintenance of the pipe shall be the Town Highway Department's responsibility.

5. **Installation by Boring:** When feasible the applicant shall install the new facility by the use of boring machine and pushing the structure under the roadway.
6. **Installation by Trenching:** When boring is not possible and with approval of the Highway Superintendent, trenching in the Town Road will be allowed. Proper minimum depths are to be achieved.
7. **Depth of Installation:** Proper depth of installation of new wires, pipes, ect. is critical for the future highway work. Unless specified elsewhere in this permit, the following minimum depths are to be achieved.
 - a. Telephone and Electric Cables-24"; Sewer Pipes and Services-36"; Water Pipes and Services-60"
8. **Site Restoration:** Upon completion of the installation, the work area is to be left in a t least the same condition as prior to the work being done. If the Town of Jay has to repair the site, the property owner shall be charged for all costs associated with the restoration work.
9. **Insurance:** The applicant is to carry a general liability insurance policy in the event that an injury or damage to property results from the installation covered by this permit. Contractors hired to do the work shall have a minimum of \$1,000,000 coverage per occurrence. \$ 2,000,000 containing a minimum of \$250,000 for general liability insurance. If such a policy does not currently exist, coverage for the construction must be secured. In either case, one should check with his insurance agent on this matter.
10. **Violations; Penalties:** Any violations of the terms of this permit and/or Highway Las 136, the applicant shall be liable for a fine of not less than \$25.00 nor more than \$1,000 for each day of the violation. Such penalties shall be recovered by the Town Roads in accordance with the provisions of the Highway Law.

11. Additional Comments/Conditions: _____

Project Sketch



Applicant's Signature

Date

Superintendent's Signature

Date