



## APPLICATION FOR ENCROACHMENT PERMIT

Applicant: \_\_\_\_\_

Date: \_\_\_\_\_

Address: \_\_\_\_\_

Road Name: \_\_\_\_\_

Telephone: \_\_\_\_\_

Location: \_\_\_\_\_

1. The undersigned applicant hereby applies to the City of Liberty for a permit for encroachment onto City's Right-of-Way as shown and described below:

2. Type of Encroachment:

3. Description of Location with reference to road:

(Attach sketch indicating roadway features such as: pavement width, shoulder width, sidewalk and curb and gutter location, significant drainage structures, north arrow, right-of-way width, and location of the proposed encroachment roadway centerline and nearest intersecting road.)

The undersigned applicant hereby requests the City of Liberty to permit encroachment on the City's Right-of-Way as described herein. It is expressly understood that the encroachment, if and when considered, shall be installed in accordance with the sketch attached hereto and made a part hereof. The applicant agrees to comply with and be bound by the South Carolina Department of Transportation manual "Standard Specifications for Highway Construction" (made a part hereof by reference) and special provisions below or attached hereto during the installation, operation and maintenance of said encroachment within the City's Right-of-Way. The applicant hereby further agrees, and binds his heirs, successors, assigns, to assume any and all liability the City might otherwise have in connection with accidents or injuries to persons, or damage to property, including the road, that may be caused by the construction, maintenance, use, moving or removing, of the physical appurtenances contemplated



herein and agrees to indemnify the City for any liability incurred or injury or damage sustained by reason of the past, present, or future existence of said appurtenances.

Applicant's Name: \_\_\_\_\_ Date Requested: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_



## **GENERAL PROVISIONS**

1. For the purpose of this permit, the word “City’s” shall mean the City of Liberty, S.C.
2. **APPLICANT:** The word “Applicant” used herein shall mean the name of the person, firm or corporation to whom this permit is addressed, his, her, its, heirs, successors and assigns.
3. **NOTICE PRIOR TO STARTING WORK:** Before starting the work contemplated herein within the limits of the highway right-of- way, the City Administrator shall be notified 24 hours in advance so the City, or their representative, may be present while the work is underway.
4. **PERMIT SUBJECT TO INSPECTION:** This permit shall be kept at the site of the work at all times while said work is underway and must be shown to any representative of the City or law enforcement officer upon request.
5. **PROTECTION OF HIGHWAY TRAFFIC:** Adequate provisions shall be made for the protection of the highway traffic at all times. Necessary detours, barricades, warning signs and flagmen shall be provided by and at the expense of the applicant and shall be in accordance with the current edition of the Federal Highway Administration’s Manual on Uniform Traffic Control Devices. The work shall be planned and carried out so that there will be the least possible inconvenience to the highway traffic. The applicant agrees to observe all rules and regulations of the City while carrying on the work contemplated herein and take all other precautions that circumstances warrant.
6. **STANDARDS OF CONSTRUCTION:** All work shall conform to recognized standards of construction and shall be performed in a workmanlike manner. Adequate provisions shall be made for maintaining the proper drainage of the highway. All work shall be subject to the supervision and satisfaction of the City.
7. **FUTURE MOVING OF PHYSICAL APPURTENANCES:** If, in the opinion of the City, it should ever become necessary to move or remove the physical appurtenances, or any part thereof contemplated herein, on account of change in location of the highway, widening of the highway, or for any other sufficient reason, such moving or removing shall be done on demand of the City at the expense of the applicant.
8. **RESTORATION OF HIGHWAY FACILITIES UPON MOVING OR REMOVING OF PHYSICAL APPURTENANCES:** If, and when, the physical appurtenances contemplated herein shall be moved or removed, either on the demand of the City or at the option of the applicant, the highway and facilities shall immediately be restored to their original condition at the expense of the applicant.
9. **COSTS:** All work in connection with the construction, maintenance, moving or removing of the physical appurtenances contemplated herein shall be done by and at the expense of the applicant.
10. **PERMISSION OF ABUTTING PROPERTY OWNERS:** It is distinctly understood that this permit does not in any wise grant or release any rights lawfully possessed by the abutting property owners. Any such rights necessary shall be secured from said abutting property owners by the applicant.
11. **WORK PERFORMANCE:**

- a. Poles shall be placed at the distance from the centerline of the highway as specifically stipulated herein.
  - b. All crossings over the highway shall be constructed in accordance with Specifications for Overhead Crossings of Light and Power Transmission Lines over each other and over Highway Rights-of-Way in South Carolina, as approved by the Public Service Commission of South Carolina and operative as of the date of this permit.
  - c. All tunneling, boring, or jacking shall be done in such a way as not to disturb the highway surfacing
  - d. No pavement shall be cut unless specifically authorized herein.
  - e. No excavation shall be nearer than three feet to the edge of pavement unless specifically authorized herein.
  - f. Unless otherwise approved by the City, underground facilities will be located at the following minimum depths:
    - i. Bury under pavement – 4 feet minimum for hazardous or dangerous transmittant; 3 feet minimum for other lines.
    - ii. Bury under other surfaces – 30 inches minimum for power and communication lines and 3 feet for all other facilities. Shallower depths may be approved if adequate protection is provided.
    - iii. Service and other small diameter pipes shall be jacked, driven, or otherwise forced underneath the pavements on any surfaced road without disturbing said pavement. The section under the highway pavement and within a distance of two (2) feet on either side shall be continuous without joints.
12. The applicant shall be responsible for obtaining any other approvals or permits necessary for construction.
13. Applicant is responsible for maintaining reasonable access to private driveways during construction.
14. It is expressly provided that with respect to any limited access highway, the applicant shall not have or gain access from the main travel way of said highway or its on or off ramps to any facility authorized by this permit except upon approval by the City.
15. **DRIVEWAYS AND APPROACHES:** The existing crown of the highway shall be continued to the outside shoulder line of the highway. If the driveway or approach is of concrete pavement, the pavement shall be constructed at least 6 inches thick, and of a mix not leaner than 1-2-4. There shall be a bituminous expansion joint, not less than 3/4 inch in thickness, placed between the highway paving and the paving of the approach for the full width of the latter.



16. BEAUTIFICATION WORK: All trees, plants, flowers, etc., shall be taken care of by and at the expense of the applicant and the provisions of this letter shall become null and void if and when said applicant ceases to take care of said trees, plants, flowers, etc.
17. There shall be no excavation of soil nearer than two feet of any public utility line or appurtenant facility except with the consent of the owner thereof, or except upon special permission of the City after an opportunity to be heard is given the owner of such line or appurtenant facility.
18. INSPECTION: A notice of 48 hours minimum is required for a final inspection by the City. The inspection shall be required prior to use by the applicant.
19. Noncompliance of this permit in whole or in part may be subject to a "Stop Work" order being issued by the City and a fine of not less than \$200 per day until compliance has been satisfactorily reestablished.

**CITY APPROVAL**

In compliance with your request and subject to all the provisions, terms, conditions, and restrictions stated in the application, and special provisions below or attached hereto, the City approves the request. This permit shall become null and void unless the work proposed herein shall have been completed prior to \_\_\_\_\_.

SPECIAL PROVISIONS (if applicable):

City Administrator (Print Name): \_\_\_\_\_ Date: \_\_\_\_\_

City Administrator's Signature: \_\_\_\_\_