

APPLICATION FOR ENCROACHMENT PERMIT

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YORK COUNTY PUBLIC WORKS DEPARTMENT

PO BOX 120 • 220 PUBLIC WORKS ROAD • YORK, SOUTH CAROLINA 29745-0120 • 803.628.3200

APPLICANT	ROAD
NAME : _____	
ADDRESS : _____	NAME : _____
CITY : _____ STATE : _____ ZIP : _____	
PHONE : () _____	NUMBER : _____ - _____
EMAIL : _____	

The undersigned applicant hereby applies to the York County Public Works Department (YCPWD) for a permit, for encroachment on County Road Right of Way as shown and described below:

1. Type of Encroachment:
2. Description of location:

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

3. The undersigned applicant hereby requests the YCPWD to permit encroachment on the County Right of Way as described herein. It is expressly understood that the encroachment, if and when constructed, 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, both publication of the South Carolina Department of Transportation, and "A Guide for Accommodating Utilities Within Highway Right of Way" by AASHTO, "A Policy for Accommodating Utilities on Highway Rights of Way" and "Standard Specification for Highway Construction" (made part hereof by reference) on file in the Office of the County Engineer, and all general provisions on the reverse hereof and special provisions below or attached hereto during the installation, operation and maintenance of said encroachment within the County Right of Way.
4. INDEMNIFICATION. In consideration and exchange for the privilege and right to enter the County Right of Way for the purposes contemplated in this permit, the sufficiency of which is hereby acknowledged, the Applicant does hereby bind successors, assigns, and/or heirs, as may be applicable, and agrees to protect, defend, indemnify, and save and forever hold harmless the County and its respective personnel, officers, management, employees, servants, agents and assigns from and against all liabilities, damages, costs, expenses (including all attorneys' fees and expenses incurred by the County or any of its personnel, officers, management, employees, servants, agents and assigns), causes of action, suits, demands, judgments and claims of any nature (including, but not limited to, claims for personal injury, damage, disability, property damage, or death) whatsoever, which may arise at any time from alleged negligence, gross negligence, or other acts, however termed, as may result from the design, construction, installation, placement, maintenance, use, moving or removing, of the physical appurtenances contemplated herein, or otherwise related thereto, without regard to the source, nature or validity of the claim or action.

APPLICANT NAME: _____
(PLEASE PRINT OR TYPE)

DATE REQUESTED: _____

APPLICANT SIGNATURE: _____

TITLE: _____

In compliance with your request and subject to all the provisions, terms, conditions, and restrictions stated in the application, general provisions on the reverse hereof, and special provisions below or attached hereto, the County approves the request. This permit shall become null and void unless the work contemplated herein shall have been completed prior to _____.

SPECIAL PROVISIONS:

CONTACT THE PUBLIC WORKS DEPARTMENT FOR FINAL INSPECTION UPON COMPLETION.

APPROVED BY: _____

DATE: _____

ALL ORIGINAL MATERIALS TO BE RETAINED BY YORK COUNTY

GENERAL PROVISIONS

1. **NOTICE PRIOR TO STARTING WORK:** Before starting the work contemplated within the limits of the road right of way, the York County Road Maintenance Supervisor shall be notified 24 hours in advance so that he or she may be present while the work is under way and to determine if this permit is subject to any further restriction.
2. **PERMIT SUBJECT TO INSPECTION:** This permit shall be kept at the site of the work at all times while said work is under way and must be shown to any representative of the County or law enforcement officer on demand.
3. **PROTECTION OF ROAD TRAFFIC:** Adequate provision shall be made for the protection of the road traffic at all times. Necessary detours, barricades, warning signs and flagmen shall be provided by and at the expense of the permittee and shall be in accordance with the South Carolina 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 permittee agrees to observe all rules and regulations of the County while carrying on the work contemplated herein and take all other precautions that circumstances warrant.
4. **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 County.
5. **FUTURE MOVING OF PHYSICAL APPURTENANCES:** If, in the opinion of the County Engineer, 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 County at the expense of the permittee.
6. **RESTORATION OF ROAD FACILITIES UPON REMOVING OF PHYSICAL APPURTENANCES:** If, and when, the physical appurtenances contemplated herein shall be moved or removed, either on the demand of the County or at the option of the permittee, the road and facilities shall immediately be restored to their original condition at the expense of the permittee.
7. **COSTS:** All work in connection with the construction, repair, maintenance, moving or removing of the physical appurtenances contemplated herein shall be done by and at the expense of the permittee.
8. **PERMITTEE:** The work "Permittee" used herein shall mean the name of their person, firm, or corporation to whom this permit is addressed, his/her, it's, heirs, successors and assigns.
9. **PERMISSION OF ABUTTING PROPERTY OWNERS:** It is distinctly understood that this permit does not in any way grant or release any right lawfully possessed by the abutting property owners. Any such rights necessary shall be secured from said abutting property owners by the permittee.
10. **WORK PERFORMANCE:**
 - (a) Poles shall be placed at the distance from the centerline of the road as specifically stipulated herein.
 - (b) All crossing over the road shall be constructed in accordance with Specifications for Overhead Crossings of Light and Power Transmission Lines and Telephone and Telegraph 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 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) Underground facilities will be located at minimum depths as defined in the Utility Accommodations Manual for the transmission, generally as follows: (1) Bury under pavement-4 feet minimum for hazardous or dangerous transmission, 3 feet for all other lines. (2) 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.
 - (g) Service and other small diameter pipes shall be jacked, driven, or otherwise forced, underneath the pavement 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.
 - (h) Work shall be performed in accordance with the South Carolina Department of Transportation "A Policy for Accommodating Utilities on Highway Rights-of-Way" and "Standard Specifications for Highway Construction", and AASHTO's "A Guide for Accommodating Utilities Within Highway Right-of-Way".
11. For the purpose of this permit, the word "County" shall mean York County, South Carolina.
12. The permittee shall be responsible for obtaining any of the approvals or permits necessary for installation.
13. Permittee is responsible for maintaining reasonable access to private driveways during construction.
14. **DRIVEWAYS AND APPROACHES:**
 - (a) The existing crown of the highway shall be continued to the outside shoulder line of the highway.
 - (b) 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 ¾ inches in thickness, places between the highway paving and the paving of the approach for the full width of the latter.
15. **RAILROAD TRACKS:**
 - (a) The rails of railroad tracks crossing the highway at grade shall conform to the grade of the highway.
 - (b) The provisions of the Code of Laws for South Carolina as amended regarding the construction and maintenance of railroad and highway grade crossings shall be compiled with in all respects.
 - (c) Unless specifically authorized herein, all engines, trains or cars operating over the tracks across the highway, flagmen carrying a red flag by day and a lantern by night shall be stationed on each side of the train to warn approaching highway traffic. Should the permittee fail to consistently operate the railroad in accordance with this section, after having received written notice from the County of such failure, this permit shall automatically become null and void insofar as the continuance of the railroad is concerned.
 - (d) The railroad tract contemplated herein and its appurtenances shall be completely removed from the highway right of way within 60 days, if, when, and after operations across the highway on the railroad shall have been abandoned, and the highway replaced in at least as good condition as the adjacent sections of the highway may be at the time of abandonment of said operations. The cost of same shall be borne by the permittee.
16. **BEAUTIFICATION WORK:**
 - (a) All trees, plants, flowers, etc., shall be placed in accordance with the provisions specifically stipulated herein.
 - (b) All trees, plants, flowers, etc., shall be taken care of by and at the expense of the permittee and the provisions of this permit shall become null and void if and when said permittee 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 County after an opportunity to be heard is given the owner of such line or appurtenant facility.