

THE CITY OF COLUMBIA CITY
1840 SECOND STREET, P.O. BOX 189
COLUMBIA CITY, OREGON 97018
PHONE: 503-397-4010

PERMIT FOR RIGHT-OF-WAY EXCAVATION

Date _____

Name of Applicant/Permittee Address City/State/Zip

Applicant/Permittee Phone Number Fax Number E-Mail Address

Name of Contractor Address City/State/Zip

Contractor Phone Number Fax Number State CCB License Number

Right-of-Way area to be excavated

This permit is hereby issued to the above applicant for excavating and installing facilities within the right-of-way of a Columbia City street in strict conformity to the terms, conditions, agreements, stipulations, and provisions contained in the application and this issued permit. Permittee must comply with the rules and regulations governing facilities to be permitted upon the City's street rights-of-way as set forth by the City ordinances and applicable regulations, laws or orders.

A performance security in a form acceptable by the City in an amount approved by the City Administrator/Recorder may be required. From this security shall be deducted the expense, if any, incurred by the City in cleaning up and removing material and debris and restoring the public right-of-way to the condition it was in prior to the excavation. The balance, if any, shall be returned to the person posting the security after excavation is complete and the right-of-way has been restored to as good order and condition as the property was in immediately prior to the time excavation was undertaken.

In addition, the contractor shall provide the City with proof of workers' compensation and general liability insurance with an aggregate coverage of \$1,500,000 for personal injury/death and \$500,000 for property damage, naming the City as an additional insured.

Purpose of the Excavation: _____

Anticipated Size of the Excavation: _____

Location of the Excavation: _____

Completion of the Excavation: _____

1. Manner of Excavation.

A. Permittee performing excavation shall excavate in such a manner so as to avoid unnecessary inconvenience or annoyance to the general public and occupants of neighboring properties. The Permittee shall take appropriate measures to reduce, to the fullest practicable extent, noise, dust and unsightly debris. Between the hours of 6:00 p.m. and 7:00 a.m., the Permittee shall not, except in case of emergency, use any tool, appliance or other equipment producing noise.

B. No Permittee shall make any excavation at variance with, or in any way contrary to, the terms of the Excavation Permit issued therefore. Proper bracing shall be maintained to prevent the collapse of adjoining ground.

C. No unnecessary damage or injury shall be done to any tree or shrub or the roots thereof.

D. After excavation commences, the person performing the excavation shall proceed with diligence and promptly complete the work on or before the completion date.

E. The permittee shall adequately barricade the area being excavated, and shall install warning devices including sufficient warning signs and/or lights, to protect the public.

2. Inspection of Work. All excavation shall be inspected by the City. The Public Works Superintendent shall be notified before any work commences. The Permittee shall not proceed until the Permittee has received authorization from the City at each step of the project as identified on the Excavation Permit, and the excavation shall not be filled or covered prior to receiving such authorization.

3. Clean Up. From time to time as may be ordered by the Public Works Superintendent, and immediately after completion of the work, the Permittee shall, at the Permittee's sole expense, clean up and remove from the site all refuse and unused material of any kind resulting from the excavation, and upon the Permittee's failure to do so, the City may cause the clean up and removal to be made, and assess the cost to the Permittee.

4. Resurfacing. Unless otherwise provided for in the permit, all pavement resurfacing shall be inspected and approved by the City, and completed solely at the cost of the Permittee. If the work fails inspection, the Permittee shall rectify the problem within the time specified by the Public Works Superintendent. If the Permittee fails to rectify the problem, the Public Works Superintendent may cause the resurfacing to be done, and the costs therefore assessed against the Permittee.

5. Emergency Excavation. When traffic conditions, safety or convenience of the public require excavation be performed on an emergency basis, the Public Works Superintendent shall have the authority to order, at the time the excavation permit is issued, that a crew and adequate facilities be employed by the Permittee on a twenty-four hour basis such that the excavation may be completed as soon as practicable.

The destruction, movement, replacement etc. of any existing survey monument (i.e. benchmarks and centerline right-of-way monument(s) or property corner(s) while working within or on the City right-of-way are the responsibility of the Permittee. The cost of replacing said monuments by a licensed land surveyor shall be paid by the Permittee.

6. Indemnification. Permittee and Contractor shall fully indemnify, save harmless and defend the City from and against all liability, claims, demands, costs and expenses, including attorney fees at trial or upon appeal, based upon or arising out of damages, death or injuries to third parties, their property or to any public facilities or employees caused by the fault or negligence in whole or in part of the Permittee or Contractor, or their employees, subcontractors, invitees or licensees in the performance of the work. At the sole discretion of the City, either the Permittee or Contractor shall immediately repair the damage at Permittee's or Contractor's expense or the City shall make the repairs and obtain reimbursement for the cost of repairs from Permittee or Contractor.

7. Validity. This permit is not valid unless signed by the Public Works Superintendent or City Administrator/Recorder of the City of Columbia City.

In signing this application, the Applicant/Permittee certifies that the person performing the excavation will comply with the requirements of Ordinance No. 05-604-O and all other rules and regulations governing facilities to be permitted upon the City's street rights-of-way are set forth by the City ordinances and applicable regulations, laws and orders, and any conditions imposed upon this excavation.

Applicant/Permittee Signature Date

Contractor Date

Approval by City Representative/Title Issue Date

_____ A certificate of insurance has been received.

_____ Performance assurance in the amount of _____ has been approved and received.

_____ Street Access \$15.00 fee collected (Ordinance No. 521), if applicable.

Receipt #: _____ Date paid _____

Locates called in on _____