

JEFFERSON COUNTY

APPLICATION FOR AN ENCROACHMENT PERMIT

To be filled in by the applicant -Incomplete applications will not be processed.

Name: _____
Contact Person: _____
Address: _____ Phone: _____

Site Location -Exact distance and direction from the nearest County road intersection:

_____ Section _____ Township _____ Range _____

Nature of Construction Project (Attach drawings, plans/specifications):

Completion Date: _____

IN ORDER TO PROMOTE PUBLIC SAFETY AND PROTECT LIFE AND PROPERTY IT IS NECESSARY FOR EVERY PERSON, PARTY, OPERATION, BUSINESS OR UTILITY DESIRING TO PERFORM CONSTRUCTION WORK OF ANY NATURE IN ANY COUNTY ROAD, STREET, ALLEY OR THOROUGHFARE TO OBTAIN A WORK PERMIT PRIOR TO STARTING SUCH WORK AND POST BOND AS MAY BE REQUIRED INSURING PROPER COMPLETION OF THE PROJECT.

**FEDERAL LAW REQUIRES ALL PARTIES TO CONTACT "ONE CALL" BEFORE DIGGING
1-800-424-5555**

APPLICANT HEREBY AGREES TO THE FOLLOWING CONDITIONS:

- 1. To perform all work in compliance with Jefferson County Specifications, a copy of which is available at the County Road Dept.
- 2. To notify the County Road Dept. Office prior to starting any work within the County right-of-way covered by this permit.
- 3. Applicant will be responsible for any damage to other installations already in place before digging.
- 4. To provide proof of insurance, indemnify and save harmless Jefferson County, it's officers and employees, from responsibility, damage, or liability arising from the exercise of the privileges granted herein .
- 5. To meet all requirements for warning signs, traffic control and public safety (Manual on Uniform Traffic Control Devices).
- 6. Abide by Federal Law requirements to contact "One Call Hotline" before digging 1-800-424-5555.

IT IS FURTHER AGREED:

- 1. Applicant shall furnish bond as required based on the type and scope of work covered by this application for a one year period.
- 2. Above named applicant doing or authorizing said work will pay a fee as required, said fee to be retained by Jefferson County
- 3. Applicant shall not exceed or modify the scope of this project without prior approval form the County Road Dept. Office.
- 4. Applicants shall be responsible for their excavations, locations, placements of lines, poles, pipes, etc., within the public rights of way in accordance with Jefferson County Road Dept. standards.
- 5. When requested by the County Road Dept, due to public safety, county road maintenance, construction, or rebuilding, relocation shall be the responsibility of the owner of said facilities; all costs associated with any future relocation of any improvement constructed under this project permit shall be borne by the current owner(s) at the time of the requested relocation.
- 6. All work shall be inspected upon completion as arranged for by both parties, the Applicant and the County Road Dept. or his representative.
- 7. Permittee shall maintain, at its/his sole expense, the installation and/or structures for which this permit is granted, in a condition satisfactory to the County.
- 8. Should the work fail to meet standards, or if a defect in said work creates a situation affecting public health, welfare or safety, the applicant is solely responsible for correction of the deficiency. If applicant, upon notification by the County Road Dept. fails to correct said deficiency, the Jefferson County Road Dept. may make or authorize such repairs as necessary. All costs incurred in said repair shall be charged against the Applicant, the Applicants heirs, assigns, or his bond. Emergency situations, as determined by the Road Dept. Office, shall be corrected within 24 hours, all other situations shall be corrected within 30 days.
- 9. The applicant agrees to hold Jefferson County harmless for any damage to their facilities occurring during normal road maintenance operation now and in the future.
- 10. Nothing contained in this permit shall relieve Applicant of responsibility for the work performed under any permit granted.
- 11. In consideration of Jefferson County, Montana granting an encroachment permit to access land from a County road, applicant agrees to secure any and all necessary permits from the appropriate State and Federal agencies (e.g. Montana DEQ, Army Corps of Engineers, U.S. Fish and Wildlife Service) which may be required to construct an approach, including any bridges or culverts which may be required. Applicant agrees to hold harmless Jefferson County, Montana from any and all claims and causes of actions (including regulatory enforcement actions), which may arise out of the applicant's construction of an encroachment accessing a County road. Applicant further agrees to defend and indemnify Jefferson County, Montana from any and all claims and causes of actions (including regulatory enforcement actions), which may arise out of the applicant's construction of an encroachment accessing a County road.

The terms of this permit application are accepted and agreed to by:

Signature of Applicant (s) Date

Send the completed application form along with applicable fees, drawings, plans/specifications, proof of insurance, and bond to the address below.

**Jefferson County Road Department
111 Odyssey Lane
P O Box H
Boulder, MT 59632
Phone: 406-225-4170**



REVIEW OF APPLICATION FOR ENCROACHMENT PERMIT

To be filled in by Jefferson County Road Supervisor

COMPLETE APPLICATION RECEIVED? Yes _____ No _____
INSPECTION FEE PAID? Yes _____ No _____ Amount _____
PLANS/SPECIFICATIONS SUBMITTED? Yes _____ No _____
PROOF OF INSURANCE PROVIDED? Yes _____ No _____ Company _____
BOND PROVIDED? Yes _____ No _____ Amount _____

PRELIMINARY INSPECTION OF APPLICATION RECOMMENDED FOR:

APPROVAL _____ CONDITIONAL APPROVAL _____ DISAPPROVAL _____

County Road & Bridge Supervisor

Date

List conditions of approval or disapproval, if any:

Three horizontal lines for listing conditions of approval or disapproval.

DECISION ON APPLICATION FOR ENCROACHMENT PERMIT

To be filled in by Jefferson County Commissioners

The Board of County Commissioners of Jefferson County, Montana, does hereby;

APPROVE _____ CONDITIONAL APPROVAL _____ DISAPPROVE _____
the permit application for an Encroachment Permit.

Chairman, Board of County Commissioners

Date

FINAL INSPECTION OF WORK COMPLETED

To be filled in by Jefferson County Road Supervisor

Inspected by _____ Inspection Date _____

Completed project: _____ meets requirements of the preliminary application
_____ does not meet approval for the following reasons _____

Notice: Approval of the foregoing application shall not grant authority to the permittee to burden or otherwise impair or infringe on any third party property interests which may exist or injure to the benefit of third parties relative to the county property right-of-way which is referenced in this application. It shall be the responsibility of the permittee to ascertain all such interests, if any, and to make suitable arrangements with all third parties whose property interests may be impaired by the construction work proposed in this application.

Routing table with columns for Initial and Course of Action. Course of Action includes: Application received with fees, Road & Bridge preliminary inspection and recommendation to the Board of Commissioners, Commission action - letter and copy of application to applicant advising action taken, Road & Bridge final inspection and approval.