

PUBLIC RIGHT-OF-WAY UTILITY OCCUPANCY PERMIT
CITY OF LIVINGSTON, MONTANA

Applicant/Utility: _____ Telephone: _____
Mailing Address: _____
Contact Person: _____ Telephone: _____
Contractor: _____ Telephone: _____
Proposed Installation: (describe)
Overhead Facilities: _____
Trenched Underground Facilities: _____
Bored, Pushed, Trenchless: _____
Other: _____

Location (identify in detail the streets, alleys or public easement where this installation is proposed): _____

Project Description: _____

Attach construction drawings (2 copies) which are to be incorporated with this permit. Distances from right-of-way line, centerline, and existing utilities, to the proposed installation **must be provided**. All above-ground structures must be clearly identified on the drawings.

Street Cut Permit: If the proposed installation will require trenching, potholing, or any other disruption of the traveled roadway (street or alley), roadway shoulders, or pedestrian or bikeway facilities, a Street Cut Permit must be obtained prior to commencing work.

Traffic Impacts: If the proposed installation will require the closing of one or more lanes of traffic, a detailed Traffic Control Plan must be attached and incorporated with this permit. All construction zones shall be signed in accordance with the Manual of Uniform Traffic Control Devices.

Permit Conditions: This installation is subject to compliance with the City of Livingston's Utility Occupancy Guidelines and the following requirements:

1. The Applicant/Utility will notify the Public Works Department at least 48 hours in advance of initiation of any work detailed in this permit, except for emergency situations.
2. The City of Livingston shall not be liable to the general public for any injury to or death of any person whomsoever belonging when such injury, death, loss or damage arises out of or results from the construction, maintenance, or repair of existing or future utility facilities located within public right-of-way, or the installation or operation of such utility facilities within the public right-of-way, regardless of whether or not the City of Livingston has expressed or implied approval of the construction, maintenance, repair, installation or

operation of such facilities within the public right-of-way. In accepting this permit, the Permittee, its/his/her successors or assigns, agrees to indemnify the City and hold it harmless from all claims, actions, liability, and damage of every kind including attorney fees and costs and description which may accrue to, or be suffered by, any person or persons, corporations or property by reason of the performance of any such work, character of materials used, or manner of installations, maintenance and operation, or by the improper occupancy of said roadway right-of-way, and in case any suit or action is brought against the City and arising out of, or by or by reason of, any of the above causes, the Permittee, its/his/her successors or assigns, will upon notice to it/him/her of the commencement of such action, defend the same at its/his/her sole cost and expense and satisfy any judgment which may be rendered against the City in any such suit or action. City includes its officers, employees, agents and assigns.

3. This approval is granted with the understanding the installation will be made according to the plans as submitted. Field revision may only be made with the approval of the City Public Works Director or designee. If the installation is not made as shown on the plans or approved amendment, the City of Livingston, at its discretion, may require the removal of the installation.

4. CONSTRUCTION, MAINTENANCE, REMOVAL OF INSTALLATIONS OR STRUCTURES. Permittee, at permittee's sole cost and expense shall construct, maintain, replace, relocate and/or remove the installation, facility, or structure in accordance with the applicable City and industry standards. Furthermore, after completion of any of the aforementioned construction, permittee shall fill in any excavations and restore the right-of-way to its original condition. The City shall have the right at any time to require permittee to maintain, reconstruct, replace, relocate and/or remove its facility from the right-or-way, all at the permittee's expense.

5. The Permittee shall obtain the necessary insurance coverage's for the proposed work specified as follows.

INSURANCE REQUIREMENTS

Any person requesting permission to excavate in any public right-of-way shall be required to provide documentation of the following minimum insurance coverages:

General Liability Insurance This insurance shall include coverage for collapse and underground (CU) hazard, explosions (X) coverage, and contractual liability.

<u>Coverage</u>	<u>Minimum Limits of Liability</u>	
Commercial General Liability	Each Occurrence:	\$1,000,000
	General Aggregate Limit:	\$2,000,000
	Products – Completed Operations Aggregate Limit:	\$2,000,000
	Personal & Advertising Injury:	\$1,000,000
	Fire Damage (any one fire):	\$ 50,000

Automobile Liability Insurance This insurance shall include coverage for owned, non-owned, and hired vehicles.

<u>Coverage</u>	<u>Minimum Limits of Liability</u>	
Business Automobile Liability	Combined Single Limit:	\$1,000,000

Worker's Compensation Insurance

State:	Statutory
Federal:	Statutory
Employer's Liability:	\$500,000

The City of Livingston shall be named as additional insured on all required insurance coverages.

6. Additional Requirements:

Applicant's Declaration: Application is hereby made for this permit as indicated above and shown on the attached drawing. All work will be done under and in accordance with all rules, regulations, and ordinances of the City of Livingston, Montana, so far as said rules are applicable thereto. Applicant understands and agrees to the above terms and conditions of this permit, and further agrees to maintain work in a manner approved by the City, and in compliance with the City of Livingston's Utility Occupancy Guidelines.

Dated _____ Utility _____ By _____
 _____ Title _____

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___ Approved ___ Disapproved By: _____
 Title: _____
 Date: _____

Permit Fee: _____

Permit No. _____