

City of Livingston  
Public Works Department  
330 Bennett St.  
Livingston, MT 59047  
Phone: 406-222-5667



Date Received:	Permit Number:
Received By:	Date \$100 Fee Paid:

Return completed applications with all attachments to the Public Works Department **a minimum of one (1) week prior to the proposed work start date.** Email completed applications with required attachments to [aballegu@livingstonmontana.org](mailto:aballegu@livingstonmontana.org) or deliver to the above address.

## **PUBLIC RIGHT-OF-WAY UTILITY OCCUPANCY PERMIT APPLICATION**

<b>APPLICANT/UTILITY INFORMATION</b>	
Utility Name:	
Mailing Address:	
Contact Person:	
Phone:	Email:
Contractor:	
Contact Person:	
Phone:	Email:
<b>LOCATION &amp; TYPE OF WORK</b>	
Location (Identify in detail the streets, alleys or public easement where the installation is proposed):	
Project Description Including Utility Type and Size:	
Proposed Installation: <input type="checkbox"/> Overhead Facilities <input type="checkbox"/> Trenched Underground Facilities <input type="checkbox"/> Bored, Pushed, Trenchless <input type="checkbox"/> Other: _____	
Notes:	

PERMIT # \_\_\_\_\_

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

Street Cut Permit Required: ☐ No ☐ Yes

If the proposed installation will require the closing of one or more lanes of traffic, a Closure Permit with a detailed Traffic Control Plan is required to be obtained prior to commencing work.

Street Closure Required: ☐ No ☐ Yes

Proposed Start Date: \_\_\_\_\_

Proposed Finish Date: \_\_\_\_\_

#### REQUIRED ATTACHMENTS

Location Map and/or Construction Plan(s)	<input type="checkbox"/> Attached	
Street Cut Permit Application (if applicable)	<input type="checkbox"/> Attached	<input type="checkbox"/> N/A
Closure Permit Application (if applicable)	<input type="checkbox"/> Attached	<input type="checkbox"/> N/A
Insurance Documentation (Exhibit B)	<input type="checkbox"/> Attached	<input type="checkbox"/> On File
City of Livingston Business License # _____	<input type="checkbox"/> Attached	<input type="checkbox"/> On File

#### PERMITTEE AGREEMENT

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 terms and conditions of this permit in Exhibit A, 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.

**I hereby certify that the information included in this application is true and accurate.**

Permittee Signature: \_\_\_\_\_

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

#### PERMIT APPLICATION APPROVAL

Public Works Administration - ☐ Approved ☐ Disapproved

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

Signature: \_\_\_\_\_

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

## **EXHIBIT A – TERMS & CONDITIONS**

**UTILITY OCCUPANCY PERMIT SUBJECT** to the following terms and conditions, the permit applied for on the previous pages hereof is hereby granted:

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

- 1. Attach construction drawings 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.**
2. 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.
3. 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.
4. 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.
5. **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-of-way, all at the permittee's expense.
6. The Permittee shall obtain the necessary insurance coverages for the proposed work specified in Exhibit B – Insurance Requirements.

## **EXHIBIT B – INSURANCE REQUIREMENTS**

Any person requesting permission to work in any City 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:	\$1,500,000
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.**