Ontario County Department of Public Works
2962 County Road 48, Canandaiuga, NY 14424
(585) 396-4000

Permit Number_____

WORK PERMIT UNDER SECTION 136 OF THE HIGHWAY LAW

Section 136 of the Highway Law states, in part: "No person, firm, corporation or municipality shall construct or improve, within the county road right-of-way an entrance or connection to such road, or construct within the county road right of way any works, structure or obstruction, or any overhead or underground crossing thereof, or lay or maintain therein underground wires, or conduits or drainage, sewer or water pipes except in accordance with terms and conditions of a work permit issued by the County Superintendent…"

Please Print:

NAME: _____

MAILING ADDRESS: _____

PHONE: (primary) _____ (emergency) _____

REQUESTS PERMISSION TO (DESCRIBE WORK)

ON COUNTY ROAD NUMBER _____ **AT (PROJECT ADDRESS)** _____

BEGINNING (DATE) _____ ***APPLICANT SHALL NOTIFY THE DEPARTMENT 48 HOURS BEFORE ACTUALLY STARTING WORK**

Contractor Info (If Applicable)

Contractor:	Contractor Name/Contact:

The undersigned further agrees that this work permit does not constitute permission to occupy this property. Occupancy can only be granted by the underlying property owner. This permit certifies that planned work does not conflict with the County's highway use at the time permit was granted.

The undersigned and its successors in interest agrees to accept all conditions described on the front and rear of this form and pay all reasonable costs of any inspections required to ensure compliance with this permit.

Applicant's Signature: _____ **Date:** _____

***Please attach any sketches/drawings with application, if contractor is completing job see fee worksheet for insurance details**

Permission is hereby granted to the Applicant to perform said work upon the following conditions:

Insurance Certificates Approved _____

_____
County Commissioner of Public Works **Date**

CONDITIONS AND RESTRICTIONS

1. The County Commissioner of Public Works reserves the right to revoke or annul this permit at any time should the Permit Holder and its successors in interest fail to comply with terms and conditions upon which it is granted.
2. This permit shall not be assigned or transferred without the written consent of the County Commissioner of Public Works.
3. The County Commissioner of Public Works reserves the right to inspect and approve the work authorized by this permit and to require the correction to their satisfaction, or any and all deficiencies.
4. The Permit Holder and its successors in interest herby agrees (a) that except for the amount, if any, of damage contributed to, caused by, or resulting from the negligence of the County, the Permittee and its successors in interest shall indemnify and hold harmless the County, its officers, employees and agents from and against any and all liability, damage, claims, demands, costs, judgements, fees, attorney's fees or loss arising directly or indirectly out of the acts or omissions hereunder by the permittee and its successors in interest or third parties under the direction or control of the Permittee and its successors in interest; and (b) to provide defense for and defend, at its sole expense, any and all claims, demands, or causes of action directly or indirectly arising out of this Permit and to bear all other costs and expenses related thereto.
5. The Permit Holder and its successors in interest agrees that if the work authorized by this permit interferes with necessary changes to the highway in the future, the Permit Holder and its successors in interest shall, on reasonable notice from the County Commissioner of Public Works, make such necessary changes at their own expense within the time so specified in the notice.
6. The flow of traffic shall be maintained by the Permit Holder on this section of the highway while the work is in progress and until its final completion.
7. The Permit Holder shall be responsible for location all underground utilities and proving such notification as may be required by said utilizes before beginning work. Permittee shall contact all other occupants in the ROW during the project design phase to assure accurate facility mapping.
8. The Permit Holder shall provide insurance according to the provisions of Schedule "B" attached hereto and made part of this permit
9. The Permit Holder shall restore to original condition all surfaces disturbed at the construction site.
10. Restoration of disturbed areas consist of clean-up and maintenance during construction, resurfacing paved areas, restoring lawn areas, restoring drainage areas and repair any damaged structures such as manholes, drop inlets, mail boxes, fences, signs, etc. and maintaining that work in the future.
11. Any County traffic control signs disturbed by the Permittee must be replaced in the EXACT location(s) of removal.
12. Backfill must consist of bank run gravel or a crusher run type of limestone thoroughly compacted in one (1) foot lifts unless otherwise noted on this form.
13. Whenever work authorized by this permit takes place within the shoulder or traffic lane of the road or whenever equipment being utilized to perform work authorized by this permit is parked or being used within the shoulder or traffic lane of the road, the Permit Holder and its successors in interest shall have adequate traffic control in place at all times.
14. Care must be taken not to interfere with drainage ditches or structures.
15. Equipment with chains, steel tracks, armored tires, lugs, etc. will not be permitted on the pavement area.
16. The permittee must notify the Underground Facilities Protective Organization (U.F.P.O.), at 1-800-962-7962 and any affected agencies not covered by U.F.P.O. at least 48 hours before the start of any work.
17. It is required that the owner (utility company, town, village, sewer district, water district, developer, homeowner) of the facility to be installed within the right-of-way of the county highway must sign the permit as the applicant. Contractors will not be allowed to sign the permit as applicant except when permitted by the County Commissioner of Public Works.
18. Materials, equipment, and vehicles shall not be stored or parked within the County Highway Right-of-Way.
19. <u>This permit is valid for a one-year period from the date of issuance. The applicant may request additional time by reapplying at the end of the year term. A fee will be assessed as outlined in the Ontario County DPW Fee Worksheet.</u>

NEW YORK LABOR LAW 224-F

Pursuant to Chapter 278 of the Laws of 2023 – If the permittee is a Utility Company, the Utility and its contractors must follow all provisions in the Roadway Excavation Quality Assurance Act which amends section 224-F of the Labor Law. The provisions include having a contract in place to pay prevailing wages and maintaining certified payrolls during the period of work.