

ENCROACHMENT PERMIT APPLICATION

Permit Number (For Office Use):		SR Number:	
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APPLICANT CONTACT INFORMATION:

Name:	
If Numbered Company, Please Provide Name of Principal Contact Person:	
Address (Including Postal Code):	
Telephone Number:	
Fax Number:	
Email:	

APPLICATION FOR:

Commercial:		Residential:	
Municipal:		Recreational:	
Public Utility:		Other:	

APPLICATION TO:

Construct:		Maintain:		Repair:		Move Existing:		Landscape:	
Remove:		Classification Change:		Change In Ownership:		Alter:		Other:	

Date of Service:	
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DESCRIPTION OF WORKS:

The following Works are within the limits of a Municipal Road. The Works will be in place until removal or relocation is requested by the Municipality of Powassan. If removal or relocation is requested, such removal/relocation shall be at the sole expense of the Applicant, unless covered under the *Public Service Works on Highways Act*.

WORKSITE LOCATION:

Property Owner Name:		Property Owner Telephone Number:	
Municipal Road Number or Road Name:		Located on Which Side of Road: (N/E/S/W)	
Distance From Nearest Intersecting Road:		Name of Nearest Intersecting Road:	
Nearest Civic Address:		Amalgamated Municipality:	
Concession Number:		Lot Number:	
Former Township:		City/Town:	

WORK CROSSES:

OVER the Municipal Road:		UNDER the Municipal Road:		The Municipal Road at GRADE LEVEL:	
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Work is on the Right-Of-Way for a Distance of _____ feet/metres.

Distance of Works from Center Line _____ feet/metres.

From Property Line _____ feet/metres.

Depth of Works Below Grade of Municipal Center Line _____ feet/metres.

Length and Diameter of Pipe/Culvert, if any _____ feet/metres.

If Application is for a water line or sewer approved by or subject to the approval of the Ministry of the Environment or for a water pipeline or sewer in which this Ministry is involved in any way:

Approval Received:		Approval Not Received:		Not Applicable:	
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Please provide a copy of approval with Application.

Indicate which, if any, of the following will be affected:

Road Drainage:		Trees, Shrubs, Plantings:		Guide Rail:		Signs:		Nil:	
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Four (4) copies of a detailed plan and profile, drawn to scale and the specifications of the encroachment showing the proposed work, location, materials, reinstatement of Municipal property and how the work will be conducted, must accompany each application.

ENCROACHMENT PERMIT APPLICATION

CONDITIONS

The Applicant understands that:

1. Each Encroachment Permit Application shall be subject to the payment of a fee. The fee shall be submitted with the application. The fee amount is set by the Municipality of Powassan from time to time and is available for viewing at the Municipal office or on the Municipal website.
2. Failure to pay the prescribed fee shall result in the cancellation of the permit.
3. Municipalities are exempt from the Encroachment Permit Fee but are still responsible for applying for an Encroachment Permit.
4. The encroachment for which this permit is issued must be completed within six (6) months of the date that the permit is issued, or the permit shall be void and cancelled by the Municipality of Powassan.
5. An extension of the expiry date may be approved, approved with or without additional conditions, or denied by the Municipality of Powassan.
6. If this permit expires and is not renewed, all works constructed, maintained or operated under this permit, if the Municipality of Powassan so requests, shall be removed in the timeframe given, at no cost to the Municipality.
7. In addition to the conditions of this permit, the Applicant must meet all requirements of the Municipality of Powassan and any other agency having jurisdiction.
8. An Encroachment Permit may be cancelled at any time for breach of the regulations or conditions of this permit or for such other reasons as the Municipality of Powassan in its sole discretion deems proper.
9. All work authorized by this permit shall be carried out in accordance with approved plans, specifications and any relevant agreement(s), and subject to the approval of the Municipality of Powassan. The Applicant must bear all expenses related to the permit.
10. The Applicant shall complete and provide a Notification of Field Work Form to the Public Works Supervisor or Designate, 48 hours in advance of the commencement of the approved works.
11. All lane closures shall confirm to *Ontario Traffic Manual Book 7*. Prior to the approved works beginning, the layout shall be provided in writing to the Municipality of Powassan.
12. Vegetation on the right-of-way must not be cut or trimmed without the written permission of the Municipality of Powassan. Any cutting or trimming permitted must be carried out in compliance with requirements specified by the Municipality of Powassan or its authorized agent and at the expense of the Applicant.
13. During the works of the encroachment, the Applicant shall ensure that the operation of the Municipal Road is not interfered with, and that the right-of-way remains free of debris, earth, or other material.
14. All work shall conform to the *Occupational Health and Safety Act*.

15. The Applicant agrees that it shall, at its own expense, procure and carry, or cause to be procured and carried and paid for, full *WSIB* coverage for itself and all workers, employees, and others engaged in carrying out the approved works or, if the Applicant is exempt from the requirement to carry workers' compensation coverage, the Applicant shall provide written confirmation of such exemption to the Municipality of Powassan.
16. At all times, both during construction and throughout the entire period of existence of the approved encroachment, the Applicant is always responsible for any and all maintenance and repairs necessary to be made to the encroachment work and all parts thereof.
17. If during the life of this permit any Acts are passed or regulations adopted which affect the rights herein granted, the said Acts and regulations shall be applicable to this permit from the date on which they come into force.
18. The Applicant shall indemnify and hold harmless the Municipality of Powassan, its officers, members of Council, agents, servants, employees, invitees or licensees from and against any liabilities, claims, expenses, demands, loss, cost, damages, actions, suits or other proceedings by whomsoever made, directly or indirectly arising out of this permit attributable to bodily injury, sickness, disease or death or to damage to or destructions of tangible property including loss of revenue or incurred expense resulting from disruption of service; and/or caused by any acts or omissions of the Applicant, its officer, agents, employees, with respect to activities, undertaken arising out of this permit and/or by the existence of the approved encroachment.
19. The Applicant shall, at their expense, obtain and keep in force insurance coverage in amounts acceptable to the Municipality. Specific requirements shall be determined by the Municipality on a case-by-case basis, based on Municipal policy and procedures. No work shall commence without providing the appropriate proof of coverage to the Municipality of Powassan in relation to the carrying out of the approved Works.
20. The Applicant shall be responsible for all damage caused to Municipality of Powassan property in relation to the carrying out of the approved works.
21. Throughout the installation period, the Applicant shall immediately notify the Municipality of Powassan of any occurrence, incident or event which may reasonably be expected to expose either party to material liability of any kind in relation to the road and/or the encroachment.
22. The Applicant agrees to protect all survey markers and monuments in the vicinity of the work and agrees to replace all markers and monuments if damaged.

ENCROACHMENT PERMIT APPLICATION

CHECK LIST

Please ensure all necessary parts of the Application are included:

- The Required Fee of \$ _____ is enclosed.
- The Required Fee is Waived:
 - The Municipality is exempt from the Encroachment Permit Fee but is still responsible for applying for an Encroachment Permit.
 - Utility providers that pay property tax to the Municipality on their respective in-ground infrastructure are exempt from the Encroachment Permit Fee but are still responsible for applying for an Encroachment Permit.
- The Required Insurance Documentation is enclosed.
- The Required Detailed Plan and Profile is enclosed.

I hereby acknowledge that I have read and understand the Municipality of Powassan Encroachment Permit Policy and Procedure, the terms of this Encroachment Permit Application and further wish to apply for an Encroachment Permit based on these terms, by which I will abide.

I, the undersigned, have the authority to bind this Permit.

Applicant's Name

Company Name

Applicant's Signature

Date

OFFICE USE ONLY

Patrol:	<input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D
Inspectors' Recommendations:	<input type="checkbox"/> Approval Recommended <input type="checkbox"/> Approval Not Recommended <input type="checkbox"/> Referred To Public Works Supervisor
Name of Inspector:	
Signature of Inspector:	
Date:	
Comments:	

APPROVED

This Encroachment Permit Application has been approved. The Permit will expire six (6) months from the date of execution by the Municipality as indicated below. **Please submit a completed Notification of Field Work Form to the office 48 hours prior to initiating work.**

NOT APPROVED

This Encroachment Permit Application does not conform to Municipality of Powassan requirements and therefore will not receive approval. The following outlines the issues preventing approval:

Public Works Supervisor or Designate

Date

Six (6) Month Expiry Date:	
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Upon completion of the works as noted in this Encroachment Permit Application, the Permit Holder shall submit a Final Inspection Request Form to the Municipality.

ENCROACHMENT PERMIT

SCHEDULE A

INSURANCE REQUIREMENTS:

Staff will select one of the two following insurance requirement options to be applied to an Encroachment Permit, based on the type and scope of the encroachment. Further, based on the potential risks to the Municipality of Powassan posed by an encroachment, staff will have discretion to increase the limits and types of coverage required for an Encroachment Permit under Option 2.

Option 1

The Permit Holder shall, at its expense, obtain and keep in force during the term of this Agreement, insurance satisfactory to the Municipality, including the following and underwritten by an insurer licensed to conduct business in the Province of Ontario:

- a) Commercial General Liability, including:
 - The Owner shall be named as an additional insured, including a provision for cross liability;
 - Property Owner Liability Insurance required for the Permit Holder completing the work of not less than \$2,000,000/occurrence;
 - If the Permit Holder has a Contractor completing the work, the Contractor shall supply a limit of liability of not less than \$5,000,000/occurrence;
- b) If the Permit Holder is the Contractor, Automobile Liability Insurance under a standard Automobile policy with limits of not less than \$2,000,000/occurrence in respect of each owned or leased vehicle;
- c) That 30 days prior notice of an alteration, cancellation or material change in policy terms which reduces coverage's shall be given in writing to the Municipality of Powassan.

The Permit Holder shall provide a certificate of insurance to the Municipality of Powassan prior to approval of any and all works being performed under the approved encroachment permit.

Option 2

The Permit Holder shall, at its expense, obtain and keep in force during the term of this Agreement, insurance satisfactory to the Municipality of Powassan including the following and underwritten by an insurer licensed to conduct business in the Province of Ontario:

- a) Commercial General Liability with a limit of liability of not less than \$10,000,000/occurrence, including:
 - The Owner shall be named as an additional insured, including a provision for cross liability;
 - Non-owned automobile coverage of not less than \$5,000,000/occurrence;
 - Products and completed operation coverage of not less than \$10,000,000/occurrence.
- b) Environmental Liability coverage with a limit not less than \$2,000,000/occurrence;
- c) Automobile Liability Insurance under a standard Automobile policy with limits of not less than \$5,000,000/occurrence in respect of each owned or leased vehicle;
- d) That 30 days' prior notice of an alteration, cancellation or material change in policy terms which reduces coverages shall be given in writing to the Municipality of Powassan.

That Permit Holder shall provide a certificate of insurance to the Municipality of Powassan prior to approval of all works being performed under the approved Encroachment Permit.

NOTIFICATION OF FIELD WORK

PERMIT NUMBER:	
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This completed notification must be submitted at least 48 hours prior to commencing work on Municipality of Powassan rights-of-way by:

- Fax to (705) 724-5533 Attention Public Works Supervisor or Designate
- Email to office@powassan.net

Company Name Work Is For: _____

Contractor Performing Work: _____

Location of Work – Name of Municipal Road: _____

Closest Civic Address (if available): _____

Township/Municipality: _____

Date of Work: _____

Description of Work: _____

Duration of Work: _____

Typical Layout (TL) Figure Number: TL- _____

Type of Operation:

Ploughing Off Road Cut Entrance Trenching Pole Work

Lane Closure Road Closure Sign Installation Directional Drilling

Signature

Print Name

Date

Notes: _____

ENCROACHMENT PERMIT

FINAL INSPECTION REQUEST FORM

Permit Number:	
Property Owner / Permit Holder Name:	
Civic Address Number:	
Street Name:	
Former Township/Municipality:	

I hereby request a final inspection on my encroachment, located at the above noted address, as per the permit number indicated. All requirements have been met as per the applicable Municipality of Powassan Policy/Procedure, and all related work has been completed.

Signature of Permit Holder

Date

OFFICE USE ONLY:

Signature of Inspector

Date

APPROVED

This Encroachment Permit has been inspected and deemed satisfactory by Municipality of Powassan Staff.

NOT APPROVED (if not approved, please see comments below)

This Encroachment Permit has been inspected and does not conform to Municipality of Powassan requirements at this time. Further work is required. The following outlines the issues preventing approval:

Public Works Supervisor or Designate

Date