



Van Buren County Road Commission

325 W. James Street | P.O. Box 156

Lawrence, MI 49064

T: (269) 674-8011 F: (269) 674-3770 E: vbcrc@vbcrc.org

Office Use Only

Insurance Exp.: _____

Fee: \$ _____

Check No.: _____

Permit No.: _____

Permit Expiration: _____

ANNUAL APPLICATION AND PERMIT FOR WORKING WITHIN THE COUNTY ROAD RIGHT-OF-WAY (to maintain, monitor, survey, or work within the county road right-of-way)

*If Applicant hires a Contractor to perform the work, **both** must complete and sign this form, and **both** assume responsibility. By signing this Permit Application, the Applicant and Contractor, if applicable, acknowledge that they have read the attached Rules and Requirements for Working within the County Road Right-of-Way, understand, and intend to be bound by the same.

Note: The Applicant is required to give **24 hour notification** of each site where maintenance is being performed under this Annual Permit. A **Site Notification** containing specific information regarding the location and the work being completed must be submitted.

Applicant

Name: _____

Address: _____

Telephone: _____

Email/Fax: _____

*Signature: _____

Date: _____

Contractor

Name: _____

Address: _____

Telephone: _____

Email/Fax: _____

*Signature: _____

Date: _____

I, the applicant, understand that this Permit is valid for one (1) year from issued date of the Van Buren County Road Commission and that it is only valid if the Certificate of Insurance (COI) on file at the Road Commission is up to date.

Public or Private Utility Applicant and/or Contractor requests an Annual Permit to maintain or monitor utilities and/or work within the County Road Right of Way as follows: _____

Must be included with application:

- Insurance (see attached requirements)
- Bond, if applicable (see attached requirements)
- Fees (as per Fee Schedule, as may be amended)

Applications can be submitted by:

- **Email: vbcrc@vbcrc.org**
- Fax: (269) 674-3770
- Mail: P.O. Box 156 Lawrence, MI 49064
- In-Person: 325 W. James St., Lawrence, MI 49064

Office Use Only

This Permit is granted in accordance with the foregoing application for the period stated below, subject to the attached Rules and Requirements for Working within the County Road Right-Of-Way as attached hereto.

Additional Specifications of Permit: _____

Approved: _____ Denied: _____

Reason for Denial: _____

Method of Notification: Email Fax Mailed In-Person

Permit Officer Issued: _____

Notified By: _____

Date: _____

Date: _____



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RULES & REQUIREMENTS FOR WORKING WITHIN THE COUNTY ROAD RIGHT-OF-WAY

1. The statutory authority of the Van Buren County Road Commission (a/k/a VBCRC) to ensure compliance with permit rules and requirements is predicated upon its jurisdictional authority and is set forth in various statutes including, without limitation and in no particular order, MCL 247.321 et seq, MCL 224.19b, MCL 560.101 et seq, and MCL 247.171 et seq., and as amended.
2. All work performed under this permit must be done in accordance with the application, plans, specifications, maps, and statements filed with the VBCRC and must comply with the VBCRC's Procedures and Regulations on file at its offices, as amended, and the current Michigan Department of Transportation (MDOT) Standard Specifications for Construction, if applicable.
3. No agent or employee of the Permit Applicant shall be deemed to be an employee or agent of the Board of County Road Commissioners of the County of Van Buren (a/k/a the Van Buren County Road Commission or VBCRC) for any reason. The Permit Applicant is solely and entirely responsible for their own acts and the acts of its agents and employees, during the performance of the activities authorized by this permit.
4. The Permit Applicant shall indemnify, defend, and hold harmless the VBCRC and its agents or employees from liability, including all claims and losses, and all related costs and expenses (including reasonable attorneys' fees and costs of investigation, litigation, settlement, judgments, interest, and penalties), accruing or resulting to any person or entity that may be injured arising from the permitted activity.
5. The VBCRC may require the Permit Holder to provide a cash deposit, letter of credit or bond in a form and amount acceptable to the VBCRC at the time the permit is issued.
6. The VBCRC requires that at the time of Application, **Applicant provide proof of insurance as follows:**

\$2,000,000 General Liability, each occurrence

-OR-

\$1,000,000 General Liability, each occurrence

\$1,000,000 Umbrella Coverage, each occurrence

Insurance as set forth herein shall be in effect for a period of not less than the term of any permit and shall provide evidence that it cannot be canceled without 10 days advance written notice by certified mail with return receipt requested to the Managing Director of the VBCRC.

For good cause shown, this requirement may be waived at the discretion of the Managing Director of the VBCRC, or his or her designee.

7. For any work performed within the county road right-of-way (ROW) under contract with the VBCRC, the following language must appear in the "Additional Insured" area of the Insurance Certificate, without any changes or deviations from this specific language:

"The Board of County Commissioners of Van Buren County, The Board of County Road Commissioners of Van Buren County (a/k/a the Van Buren County Road Commission) and their officers and employees for claims arising out of, under, or by reason of operations covered by the permit issued to the permittee, as their interests may appear."

and/or the Applicant must provide the Additional Insured Endorsement of the current policy and provide a Form CG 20 37 for Additional Insured Completed Operations.



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8. Qualified **Annual Permit** Applicants for working within the county road ROW are as follows, but not necessarily limited to utility maintenance and monitoring, surveying, tree removal/trimming, dust control, well monitoring, maintenance of sidewalk or pathway, installation of new driveway and/or placing concrete or asphalt of a permitted driveway and/or driveway culvert installation. Maintenance and repair of isolated locations for existing facilities and emergency work will be covered under an Annual Permit. An Annual Permit for Working within the County Road ROW shall be obtained by:
 - A. Private or public utility company's owning poles, cables, gas lines, etc. within the county road ROW to maintain those items.
 - B. Contractors installing commercial and/or residential driveways on a regular basis in Van Buren County.
9. An Annual Permit Applicant is required to give a **24 hour notification** of each site whereat maintenance of work is being performed under the Annual Permit by providing a **Site Notification** containing specific information regarding the location and the work being performed. *Surveyors must complete a Site Notification if they will be occupying any point in the ROW longer than 30 minutes.
10. All other work performed within the county road ROW must be permitted through a **Single Site Permit**. Construction of new installations requires plans and a separate permit for each project. Examples are as follows, but not necessarily limited to aerial cable/overhead installation/removal, utility poles and anchor installation/removal, buried cable, conduit, gas main, and/or fiber installation/removal, oil, gas, and/or fuel pipeline installation/removal, well, water, and/or sewer main installation/removal, roadway crossing bore/jack, open cut, lateral hookups, soil boring, seismic testing, sign installation, ditching, storm water discharge, sidewalk or pathway installation/removal, etc. Permission from the property owner is a responsibility of the permit applicant, if applicable.
11. All above ground structures (poles, guy wires, etc.) should be placed at 31 to 33 feet from the centerline of the roadway. A Plan Detail Sheet showing the proposed structure(s) must be submitted with the permit application.
12. Utilities or other installations placed on private easements or acquired ROW and work related to the use of the public ROW will require plans and a permit for working within the public ROW.
13. Permits may be revoked when the utility or contractor does not display proper traffic control devices and/or flag persons when necessary and as determined by the VBCRC's Inspector.
14. Open cuts will require plans, specifications, and a separate review and authorization by the VBCRC's Engineer. The Permit Holder must notify the VBCRC of open cuts on any roadway a minimum of 48 hours in advance of commencement of the project, and when the work has been completed. Open cuts will **not** be allowed during the winter season; specifically, during seasonal weight restrictions when Frost Laws are enforced, unless under an emergency circumstance.
15. Construction drawings/prints as well as a traffic control plan and detour routes, if applicable, must accompany the permit application. At a minimum, prints will show location of all permanent structures (poles, cables, gas lines, stations, valves, etc.) in relation to centerline, edge of metal, or section line. Other data or dimensions as may be required by the VBCRC's Engineer will be submitted by the Applicant.
16. When trees are removed, stumps within eight (8) feet of the traveled roadway must be ground out and the area restored.
17. It is the responsibility of the Utilities to assure that the Contractors/Subcontractors who work under their permits have sufficient equipment to handle large trees, stumps, wood, etc., and remove them from the ROW at the time the work is done. Overnight hazards will be properly marked with lighted devices.
18. The Permit Holder shall be responsible for all costs incurred by the VBCRC in connection with this permit and shall deposit estimated fees and costs as may be determined by the VBCRC. In the alternative, and at the VBCRC's sole discretion, the VBCRC may invoice the Applicant at the time the permit is issued.



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19. Soil Erosion and Sediment Control (SESC) requirements must be followed. Silt fencing must be installed along the ROW line between the construction site and the roadway. This is to prevent any excavated material from eroding into the drainage area and will also serve to discourage any construction vehicles from accessing the site or roadway through the ROW area.
20. The Permit Holder must comply with the requirements of Act 53 of Public Acts of 1974, as amended. **Call Miss Dig at 811 or (800) 482-7171** at least three (3) working days, but no more than 21 calendar days before you start work. The Permit Holder assumes all responsibility for damage to, or interruption of underground utilities.
21. The Permit Holder must notify the VBCRC at least **48 hours** before starting work, **24 hours** before placing concrete or asphalt and must notify the VBCRC when the work is completed. For work that requires lane closures or full road closures, Applicant must contact the Sheriff's Department / Van Buren County Central Dispatch, at (269) 657-3101, the local Township in which the project takes place, the local school system to notify the transportation department of interrupted bus routes, and the local United States Postal Service, in addition to notifying the VBCRC at (269) 674-8011.
22. All work shall be performed Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m., unless written approval is obtained from the VBCRC.
23. The Permit Holder agrees to work under this permit in a safe manner and to keep the area affected by this permit in a safe condition until the work is completed. All work site conditions must comply with the Michigan Manual of Uniform Traffic Control Devices (MMUTCD), including, but not limited to Part 6, Temporary Traffic Control.
24. The Permit Holder agrees to restore the road and ROW to a condition equal to or better than its condition before work began and to repair any damage to the road ROW which is the result of the permitted work whenever it occurs or appears.
25. The granting of this Permit does not relieve the Permit Holder from meeting other applicable laws, regulations, and ordinances of other agencies. The Permit Holder is responsible for obtaining additional permits or releases which may be required in connection with this work from other Federal, State, and local governmental agencies, public utilities, corporations, and individuals, including property owners. Permission may be required to find an acceptable alternative.
26. This Permit may be suspended or revoked at will of the VBCRC, and the Permit Holder shall halt any activity until such time that adequate compliance is made. In addition, if any work has occurred that is not according to specification, the VBCRC may require (a) the work to be removed; (b) restoration of the area to its previous condition; and/or (c) the Permit Holder to work with VBCRC to find an acceptable alternative.
27. This Permit may not be assigned without the prior written approval of the VBCRC. If approval is granted, the assignor shall remain liable, and the assignee shall be bound by all the terms of this Permit.
28. If the Applicant or Contractor(s) are found to be in violation of the Rules and Requirements for Working within the County Road ROW, or are found to be working without proper permits, the VBCRC may require immediate removal of the facilities, or the VBCRC may remove them without notice at the property owner, contractor and/or applicant's expense.

In addition, the VBCRC may suspend or revoke any issued permit, or halt such activity until such time that adequate compliance is made, including, but not limited to:

- Obtain the necessary permit(s);
- Pay all associated permit fees; and,
- Pay a \$100 penalty fee.