



BOARD OF COUNTY ROAD COMMISSIONERS
BOARD OF PUBLIC WORKS

COMMISSIONERS:

W.C. Askew, Sr., Reginald D. Boze, Doug Burleson, Gregory H. Kinney, Wayne Nelson

MANAGING DIRECTOR:

Bret Witkowski

MEMO

TO: All Permit Applicants and Contractors
FROM: AJ Brucks, Permit Officer-Weighmaster
SUBJECT: Residential or Other Than Commercial Driveway Permit Application

Since the efficiency and safety of a highway depends to a large degree upon the amount and type of roadside interference with moving traffic, reasonable standards for the location and design of driveways must be prescribed. It is the responsibility of the highway authority to regulate and control the design location of access driveways in an endeavor to reconcile the needs and rights of both abutter and traveler. Restrictions as to the design, location and number of driveways is based on the conclusion that the abutter is not entitled to access at all points of his or her property along a public highway and that government has the right to regulate the use of the highway to provide for health, safety and welfare of all its citizens.

The purpose of these rules is to enumerate and describe the driveway regulations adopted by the Van Buren County Road Commission and explain the procedures to ensure efficient and safe driveway connections onto public highways.

Permits for driveways shall be required in conformity with the hereinafter published rules which are consistent with the public safety and requirements in the public interest.

It is mandatory that you:

1. Submit a sketch showing the proposed driveway's location, width and dimensions.
2. Provide the name of any contractor assisting with installing the driveway culvert, paving, etc., and that the contractor sign the permit application.
3. Provide the date the driveway will be staked or otherwise marked.
4. Any other required information pertaining to the issuance of the permit.

If said information is not provided, **the permit will be returned.**

Please be advised that the driveway permit only covers the installation of the driveway culvert. No additional work within the county road right-of-way will be allowed without proper permits, i.e., ditch work, retaining walls, etc.

After the completed application is received, an inspection will take place to determine if a pipe is necessary at the location indicated and, if so, what size it will require. Be certain to submit a sketch showing the proposed driveway's location, width and dimensions, and supply the exact directions to said location in the spaces provided on the application. Also, place stakes or other



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markers (using 3' tall, or taller, stakes painted brightly or marked with colorful marker ribbons attached) on both sides of the proposed driveway location.

The length of time necessary for the permit processing and inspection varies and is dependent upon workload of this department at the time your application is received. It is suggested that you allow at least 7-10 business days for this process.

If issued, the permit will be returned to you by mail, email, or fax, as indicated. The permit will indicate whether a pipe is required and, if so, the pipe size, cost, etc. *If you choose to purchase the culvert from the Road Commission and/or have the Road Commission install the culvert you must make your payment to the Township in which your driveway is located, NOT the Road Commission.* Please call the Township Office to make arrangements for payment AFTER you receive the approved permit from the Road Commission. The Township contact information will be shown on the pricing sheet you receive from the Road Commission.

Please feel free to contact our office should you have any questions or concerns. We can be reached at (269) 674-8011 between the hours of 7:00 a.m. and 3:30 p.m., Monday through Friday. (Summer Hours 6:00 a.m. to 4:30 p.m., Monday through Thursday).

Thank you for your cooperation.

VAN BUREN COUNTY ROAD COMMISSION

**RESIDENTIAL or OTHER THAN COMMERCIAL
DRIVEWAY APPLICATION AND PERMIT**

*If applicant hires a Contractor to perform the work, both must complete 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 Pertaining to Driveway Permits, understand the Rules, and intend to be bound by the same.

Applicant

(Deed holder to the property)

Name: _____
Current Mailing Address: _____

Telephone: _____
Fax or Email: _____
*Signature: _____

Contractor

(Company/individual installing pipe and/or driveway)

Name: _____
Current Address: _____

Telephone: _____
Fax or Email : _____
*Signature: _____

Note: Contractor must have a valid permit to work in the county right-of-way in place for this permit to be issued.

Check all that apply:

- | | |
|---|---|
| <input type="checkbox"/> Farm-Field Drive | <input type="checkbox"/> Will purchase culvert elsewhere |
| <input type="checkbox"/> Existing Driveway | <input type="checkbox"/> Driveway/Culvert to be installed by Contractor |
| <input type="checkbox"/> Request installation of culvert by Road Commission | <input type="checkbox"/> Driveway/Culvert to be installed by Homeowner |
| <input type="checkbox"/> Will pick up culvert at Road Commission | <input type="checkbox"/> Paving driveway (Concrete ___ or Asphalt ___) |
| <input type="checkbox"/> Request delivery of culvert by Road Commission | (See: Rule #21) |

Specify date driveway will be staked or otherwise marked: _____

Township: _____ Address: _____

Nearest cross-street(s): _____ Directions to this location: _____

A SKETCH MUST BE SUBMITTED SHOWING THE DRIVEWAY'S PROPOSED LOCATION, WIDTH AND DIMENSIONS AS PER THE ATTACHED RULES.

PERMIT TO INSTALL DRIVEWAY and/or CULVERT WITHIN A COUNTY ROAD RIGHT-OF-WAY

This Permit is granted in accordance with the foregoing application for a period of **60 days**, subject to the attached Rules agreed to by the Permit Holder. When Applicant hires a contractor, then **both** are considered the Permit Holder and **both** assume responsibility. This is a single use permit. Any additional changes to this driveway must be re-permitted.

Corrugated Metal Pipe: _____ Other: _____
Pipe Size: _____
Date: _____
Approved for Sight Distance: Yes ___ No ___
Inspector: _____

Permit Number: _____
Date: _____
Permit Officer: _____
Permit Denied: _____

***Permit Issued for sole purpose of Land
Division/Split:** _____

***Permit Issued for sole purpose of obtaining
a Building Permit:** _____

*Must re-apply at the time of construction.

**RULES FOR RESIDENTIAL OR OTHER THAN COMMERCIAL
DRIVEWAY PERMIT APPLICATION**

1. This Permit is required pursuant to Public Act 200 of 1969, Driveways, Banners, Events and Parades, as amended and codified at MCL 247.321, et seq. Pursuant to Public Act 200 of 1969, no driveway is lawful except pursuant to a permit issued in accordance with this Act. As used in this Act, a "Driveway" is defined as a lane, road or any other way providing vehicular access to or from the highway, from or to a property adjoining the highway, but does not mean a city or village street. Permits for driveways shall be granted in conformity with rules promulgated by the highway authority which shall be consistent with the public safety and based upon the traffic volumes, drainage requirements and the character of the use of land adjoining the highway and other requirements in the public interest.
2. A sketch must be submitted with the application showing the proposed driveway's location, width and dimensions. All work performed under this Permit must be done in accordance with the sketch, plans, or specifications and statements filed with the Road Commission.
3. A Permit Application must be submitted in the manner described on forms supplied by the Board.
4. There is no application fee associated with a Residential Driveway Permit Application.
5. There is a \$25.00 application fee associated with a Farm-Field Driveway Permit Application.
6. Insurance requirement for Residential, or other than Commercial Driveway Permits **performed by Homeowners/Property Owners:**

Homeowners Policy with Binder on primary residence and the worksite property:

Bodily Injury	\$500,000 per person
Property Damage	\$500,000 per person

AND/OR

"OWNER'S PROTECTIVE POLICY" with completed Operations Coverage Language for short-term installation of culvert and/or driveway construction.

In the alternative, the Permit Applicant may voluntarily sign a Hold Harmless Agreement provided by the Van Buren County Road Commission.

7. Insurance requirement for Residential, or other than Commercial Driveway Permits **performed by Contractor:** As set forth in Application for a Permit to Work in the County Road Right-of-Way.
8. The Permit Holder shall indemnify, defend and hold harmless the Board of County Road Commissioners of the County of Van Buren (a/k/a the Van Buren County Road Commission) and its agents, employees or servants 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. For good cause shown, this requirement may be waived at the discretion of the Engineer-Manager of the Board, or his or her designee.

9. The Van Buren County Road Commission may require the Permit Holder to provide a cash deposit, letter of credit, or bond in a form and amount acceptable to the Road Commission at the time the permit is issued.
10. Silt fencing shall be installed along the right-of-way 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 right-of-way area.
11. The Permit Holder must comply with the requirements of Act 53 of Public Acts of 1974, as amended. Call Miss Dig at (800) 482-7171 at least three (3) working days, but no more than twenty-one (21) calendar days before you start work. The Permit Holder assumes all responsibility for damage to, or interruption of underground utilities.
12. The permit holder must notify the Road Commission at least forty-eight (48) hours before starting work, (24 hours before pouring concrete or laying asphalt) and must notify the Road Commission when the work is completed. For work that requires lane closures or full road closure, applicant must contact the Sheriff's Department, Van Buren County Central Dispatch, at (269) 657-3101.
13. 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 Road Commission.
14. 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 shall comply with the Michigan Manual of Uniform Traffic Control Devices.
15. The Permit Holder agrees to restore the road and right-of-way to a condition equal to or better than its condition before work began and to repair any damage to the road right-of-way which is the result of the permitted work whenever it occurs or appears.
16. 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 governmental agencies, public utilities, corporations and individuals, including property owners. Permission may be required to find an acceptable alternative.
17. This Permit may be suspended or revoked at will, 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 Van Buren County Road Commission may require the work to be (a) removed; (b) restore the area to its previous condition; and/or (c) work with them to find an acceptable alternative.
18. This Permit may not be assigned without the prior approval of the Road Commission. If approval is granted, the assignor shall remain liable and the assignee shall be bound by all the terms of this Permit.
19. The Road Commission may deny a permit at a requested location if the proposed site does not allow for safe ingress and egress. In such instances, Road Commission staff will work with the applicant to move the location, or make recommendations for tree removal, bank flattening, and/or to work with adjoining property owners to obtain an easement at the applicants expense.

20. In the event of a failure to obtain any appropriate permit, the Van Buren County Road Commission shall have the right to 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

21. **Special Regulations for Concrete or Asphalt Driveways:**

A. Concrete and/or asphalt approaches:

- i. If the applicant desires a concrete or bituminous driveway surface tying into an aggregate roadway, the concrete or bituminous surface of the driveway must stop at the road right-of-way. For informational purposes only, most roadways consist of a 66' right-of-way easement; 33' from the centerline of the roadway in both directions.

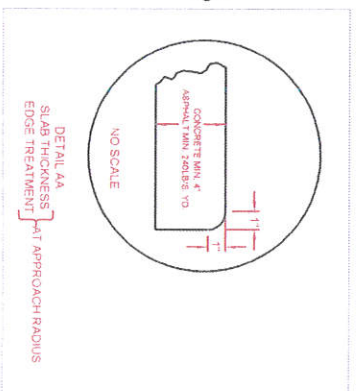
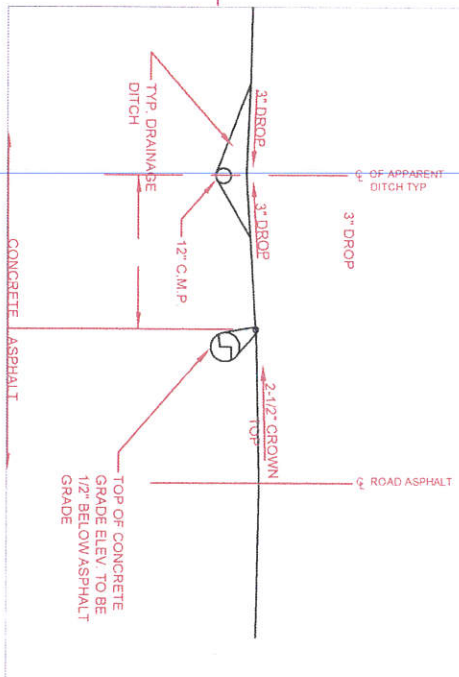
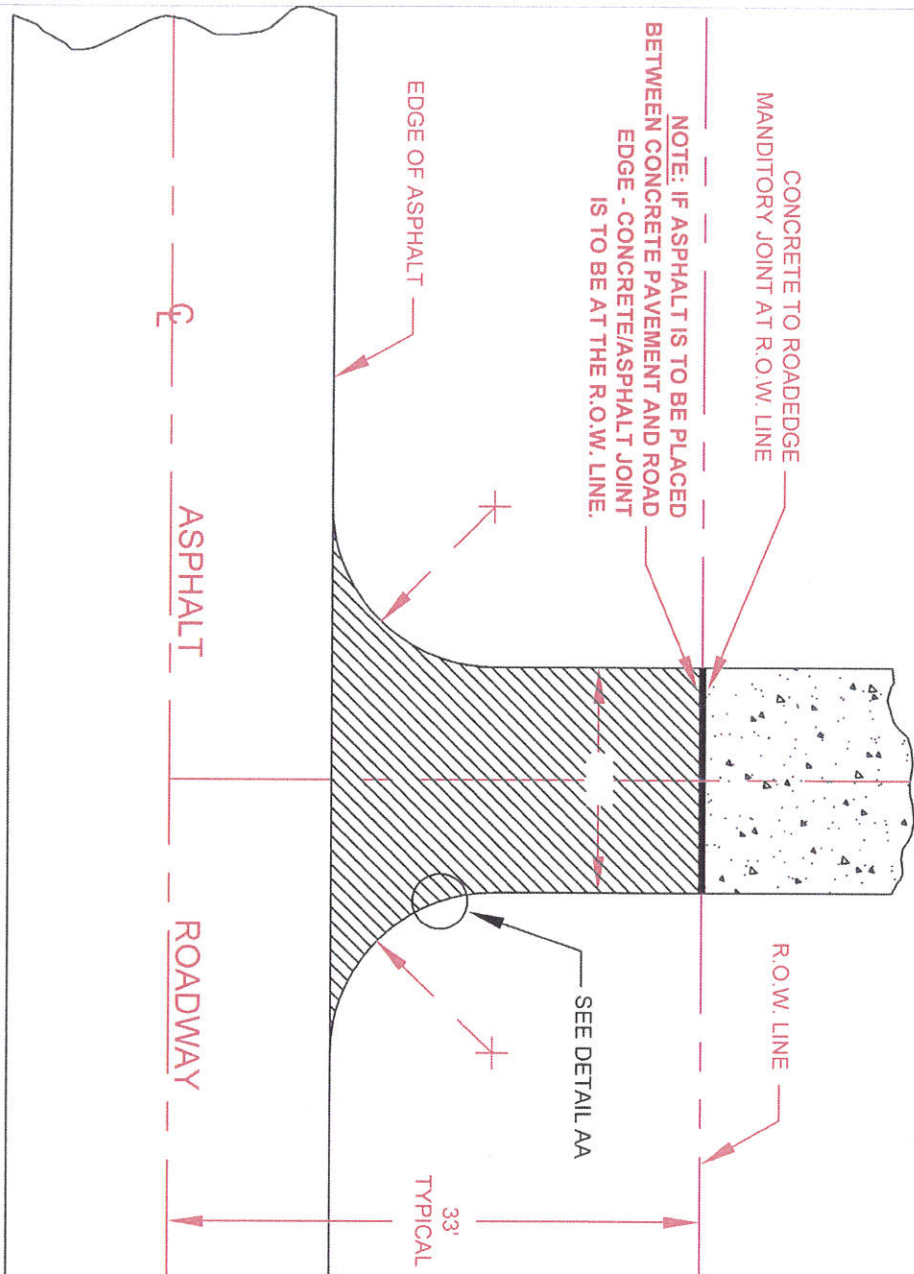
B. Concrete and/or asphalt approaches and ties to the existing bituminous roadway:

- i. The permit applicant is to provide a drawing showing the profile tie in, radii and the tie into pavement. The drawing is to show the cross section of the driveway with a minimum of a one inch radius on the exposed edge, on radii and shoulder approach. (See attached typical drawing).
- ii. You must notify the Road Commission 24 hours before pouring concrete or laying asphalt.
- iii. Should it become necessary to remove the concrete or asphalt approach due to Road Commission maintenance or construction operations, the applicant agrees to replace the concrete or asphalt from the road right-of-way line to the roadway at their cost, at the Road Commission's discretion.
- iv. A minimum shoulder width of five feet from existing bituminous roadway, with a 4-6% slope, is required. Wider shoulders to maintain minimum slope or special slope may be determined by the Road Commission's staff.
- v. Either a cold joint, saw cut, or insulated joint, is to be made at the right-of-way line, or as directed by the Road Commission staff to facilitate removal, if necessary.
- vi. If any work has occurred that is not according to specification, the Van Buren County Road Commission may require the work to be (a) removed; (b) restore the area to its previous condition; and/or (c) work with them to find an acceptable alternative.

NOTE: DRIVEWAY PAVEMENT WIDTH VARIES
 TYPICALLY 12 FT. TO 16 FT.
 RADIUS MAY VARY TO F.T.
 TYPICALLY 10 FT. TO 15 FT.

CONCRETE TO ROADEDGE
 MANDITORY JOINT AT R.O.W. LINE

**NOTE: IF ASPHALT IS TO BE PLACED
 BETWEEN CONCRETE PAVEMENT AND ROAD
 EDGE - CONCRETE/ASPHALT JOINT
 IS TO BE AT THE R.O.W. LINE.**



CONTRACTOR NAME: _____
 ADDRESS: _____
 CITY: _____ STATE: _____ ZIP CODE: _____
 CONTRACTOR'S SIGNATURE: _____

PLAN VIEW
 SCALE: 1/8"=1'-0"

**NOTE: MIN SLAB THICKNESS CONCRETE 4 INCHES
 MIN. ASPHALT IS TO BE 240LB./S. YD.**

VAN BUREN COUNTY ROAD COMMISSION
 P.O. BOX 156
 LAWRENCE, MICHIGAN 49654

**TYPICAL DRAWING FOR CONCRETE DRIVE PERMIT
 (TO BE SUBMITTED WITH PERMIT)**

DATE: _____ DWG NO: _____ SCALE NOTED: _____ SHEET _____ OF _____



BOARD OF COUNTY ROAD COMMISSIONERS
BOARD OF COUNTY PARK TRUSTEES
BOARD OF PUBLIC WORKS

COMMISSIONERS:

W.C. Askew, Sr., Reginald D. Boze, Doug Burleson, Gregory H. Kinney, Geoff Moffat

MANAGING DIRECTOR:

Daniel F. Bishop

HOLD HARMLESS AGREEMENT

_____ (Print Name), the Permit Applicant as set forth on the attached Application, shall indemnify, defend and hold harmless the Board of County Road Commissioners of the County of Van Buren (a/k/a the Van Buren County Road Commission) and its agents, employees or servants 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 damaged in the performance of the activities authorized by this permit described as follows: **Installation of a driveway/driveway culvert located at** _____.

No agent, employee or servant of the Permit Applicant shall be deemed to be an employee, agent or servant of the Board of County Road Commissioners of the County of Van Buren (a/k/a the Van Buren County Road Commission) for any reason. The Permit Applicant is solely and entirely responsible for its acts and the acts of its agents, employees and servants during the performance of the activities authorized by this permit.

In signing this Agreement I acknowledge and represent that I have read this Hold Harmless Agreement, understand it and sign it voluntarily as my own free act and deed; no oral representations, statements, or inducements, apart from the foregoing written agreement, have been made; I am fully competent; and I execute this Agreement for full, adequate and complete consideration fully intending to be bound by same.

WITNESS:

Print Name: _____
Dated: _____

Print Name: _____
Dated: _____

Documents\Forms\Permits\Hold Harmless Agreement.Permit Applicant
jb 10-02-2014