

<p><b>APPLICATION FOR PERMIT FOR ACCESS ENTRANCE TO A COUNTY PUBLIC RIGHT-OF-WAY</b></p>	<p style="text-align: center;"><b>OFFICE USE ONLY</b></p> <p>Permit No.: _____</p> <p>Date Received _____</p> <p>Received By _____</p> <p>Application Fee \$ _____</p> <p><input type="checkbox"/> Cash    <input type="checkbox"/> Check No. _____</p>
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\_\_\_\_\_ of  
Name of Applicant

\_\_\_\_\_  
Applicant's Address

**APPROACH USE:** (please check one)

- Residential – Single Family (SF):**  
Moderate use. Access to a single family home or farm.
- Residential – Multi Family (MF):**  
High use. Access to multiple homes, farms, temporary housing including work camps.
- Farm / Field Access (FF):**  
Moderate use. Access to a farm land or a field.
- Commerical (CM):**  
High truck use. Access to a commercial / industrial installation.
- Well Site (WS):** Site Name: \_\_\_\_\_  
Moderate truck use. Access to an oil or gas well site.
- Temporary**
- Utility/Pipeline ROW**

(\*\*Attach Maps and Construction Plans\*\*)

**For drainage areas 30 acres or larger: at a minimum, acceptable plans will include the location of the access entrance; width of access entrance, culvert size, if required; signage, if required; and runoff area, if required.**

**For drainage areas smaller than 30 acres: applicant shall refer to the standard engineering details and access entrance plan provided with permit .**

#### **INSTRUCTIONS FOR APPLICANTS:**

1. The Applicant submitting for a permit to occupy and perform work within the Bourbon County Public right-of-way or property shall not perform such work except under authority of a permit issued by Bourbon County.
2. Application shall be made in triplicate and be accompanied by triplicate drawings (1) showing position and location of proposed access entrance, (2) names, numbers and width of roads and the location in plats, or subdivisions and by section, township, and range, and (3) showing relative position of the proposed work to existing utilities within such County Public right-of-way or property.
3. Applicant must submit applications to the Bourbon County's Road and Bridge Supervisor or County's Representative for review prior to consideration by the Board of Commissioner's at least fourteen (14) days prior to the commencement of the project.
4. The Applicant shall post a bond or other financial assurance to ensure compliance with all permit conditions. The bond shall remain in full force and effect for a period of one (1) year following completion of the authorized work.
5. See refer to the Bourbon County Culvert Fee Schedule for calculation of Total Cost of Culvert.

#### **GENERAL PERMIT CONDITIONS:**

1. This permit is a license and shall not be deemed to grant a franchise, nor an easement or other interest in real property. This permit authorizes the Permittee to enter and occupy Bourbon County Public right-of-way or property at the designated location to perform only the work approved by the County Road and Bridge Supervisor or County's Representative. The permit may be revoked, annulled, or terminated by Bourbon County at any time if the Permittee willfully or negligently fails to comply with any permit provision or a county notice, or if work is not performed in conformity with permit requirements.
2. The term "Permittee" shall mean the permittee, permittee's principals, partners, agents, contractors, successors and assigns to whom the Permit has been granted by Bourbon County.
3. Bourbon County reserves the right to make such alterations or improvements to its Public right-of-way and/or property at any time the County Board of Commissioners deems necessary. The Permittee shall, upon written notice and at Permittee's sole cost and expense, remove or relocate or alter the Permittee's installation(s) to accommodate the County work. If Permittee fails to timely comply with this condition, Bourbon County, may do, order, or have done such work at the Permittee's sole cost and expense.
4. The Permittee shall at Permittee's sole cost and expense promptly repair all Permittee's damage to the County Public right-of-way and/or property and restore the County Public right-of-way and/or County property to a condition at least in as good and a safe condition as it existed before Permittee's work commenced. If Permittee fails to fully comply with this condition within a reasonable time, the County may do, order, or have done any work necessary to restore the good and safe condition of the County Public right-of-way and/or property, and the Permittee, by acceptance of this Permit, agrees that, upon demand by the County, the Permittee shall reimburse the County for all costs of repair and restoration work.
5. The Bourbon County Board of Commissioners reserves the right, at any time, to change, amend, modify, or terminate any condition of this Permit to conform to federal, state, or county laws, regulations, or codes enacted subsequently to the permit issuance date. The Board of Commissioners or County Road and Bridge Supervisor may revoke this permit if the Permittee fails to comply too such changes.
6. The Permittee is responsible to be familiar with and abide industry standards and federal, state, and county laws, regulations, and codes applicable to the work. Signage, barricades, and traffic control in the vicinity of the work shall strictly conform to provisions of the Manual on Uniform Traffic Control Devices, 2009 Edition with Revisions 1 and 2. The Applicant is solely responsible for all environmental permitting and mitigation associated with the Applicant's approach to the County Public right-of-way.

7. If any excavation it to take place the Permittee shall locate all utilities installed in the permit location, and shall notify and coordinate with all utilities and property owners to take all necessary steps to protect persons, utility installations, and real and personal property. The Permittee shall be solely responsible for injury or damage to property or any person arising from the Permittee's work. Permittee is required to contact Kansas One-Call for utility location **BEFORE WORK COMMENCES**.
8. Prior to construction of access entrance the Permittee shall mark the centerline of the proposed entrance in the field for review by the Bourbon County Road and Bridge Supervisor.
9. Bourbon County shall have sole discretion to determine the size of culvert to be installed and will notify Permittee on culvert size upon approval of permit. If required, a culvert sized adequately for a 5 year flood event shall be installed.
10. If the proposed access entrance will be used by the general public (as a section line road), a run off on the opposite side will be required. Signing will be required as shown in the Manual on Uniform Traffic Control Devices (MUTCD), 2009 Edition with Revisions 1 and 2.
11. Any intersection that may constitute a hazard shall require dangerous intersection or other warning signs. These signs may be required after the construction of the access entrance if it proves to be hazard to the public.
12. The work shall be performed using materials, construction methods, and traffic safety practices and devices approved in advance by the Bourbon County Road and Bridge Supervisor or County's Representative and shall be subject to inspection by the County Road and Bridge Supervisor or County's Representative at any time to assure compliance with permit conditions. The Permittee shall maintain the permitted utility installation or structure in good repair while it remains in existence.
13. All disturbed ground within the County Public right-of-way must be rehabilitated by covering with top soil and seeded in accordance with requirements in the Bourbon County Public Right-of-Way Use, Repair and Maintenance Guide.
14. The Permittee shall notify the County or County's Representative fourteen (14) days before work is initiated and again when the work is completed. All work shall be completed within the designated construction timeframe established below by Applicant.

Construction Start Date: \_\_\_\_\_

Construction End Date: \_\_\_\_\_ or No. of Construction Days: \_\_\_\_\_

15. An approved signed copy of this permit shall be on the premises before and during the period any work is performed.
16. **BY ACCEPTING THIS PERMIT AND COMMENCING THE WORK, THE PERMITTEE AGREES TO INDEMNIFY AND HOLD HARMLESS BOURBONCOUNTY FROM ALL CLAIMS, ACTIONS, LAWSUITS OR DAMAGES OF ANY KIND AND DESCRIPTION WHICH MAY ACCRUE TO OR BE SUFFERED BY ANY PERSON, CORPORATIONS, OTHER ENTITY, OR REAL OR PERSONAL PROPERTY BY REASON OF PERFORMANCE OF THE WORK, CHARACTER OF MATERIALS USED OR MANNER OF INSTALLATION OR CONSTRUCTION, OR THE MAINTENANCE OR OPERATION OF THE INSTALLATIONS, OR IMPROPER OCCUPANCY OF THE COUNTY PUBLIC RIGHT-OF-WAY OR PUBLIC OR PRIVATE REAL OR PERSONAL PROPERTY, AND IN THE CASE ANY SUCH CLAIM IS MADE OR AN ACTION OR LAWSUIT IS COMMENCED AGAINST BOURBONCOUNTY FOR DAMAGES ARISING OUT OF ANY OF THE ABOVE CAUSES, THE PERMITTEE SHALL, UPON NOTICE FROM THE COUNTY OF SUCH CLAIM OR COMMENCEMENT OF SUCH ACTION OR LAWSUIT, DEFEND THE SAME AT THE PERMITTEE'S SOLE COSTS AND EXPENSE SHALL FULLY SATISFY ANY JUDGEMENT AFTER SAID LAWSUIT SHALL HAVE BEEN FINALLY DETERMINED ADVERSELY TO THE COUNTY. THIS HOLD HARMLESS AND INDEMNIFICATION SHALL SURVIVE EXPIRATION OF THE PERMIT.**

**PERMITTEE ASSUMES ALL LIABILITY FOR PERMITTEE AN ANY OF ITS RESPECTIVE RELATED ENTITIES' AGENTS, EMPLOYEES, CONTRACTORS, SUBCONTRACTORS, MATERIAL SUPPLIERS, VENDORS, TRANSPORT PROVIDERS, DESIGNEES AND REPRESENTATIVES.**

**AUTHORIZED AGENT OF APPLICANT:**

I, the undersigned, being an authorized agent of the Applicant described in the above, confirms that the foregoing and any attachments are true and correct and requests the foregoing permit and accepts the terms and conditions set forth above:

\_\_\_\_\_  
Signature of Applicant or Authorized Agent                      Printed Name & Title                      Date

\_\_\_\_\_  
Address                      City                      State & Zip                      Email

\_\_\_\_\_  
Contact for this Project                      Phone (Day)                      Phone (Emergency)

**ISSUANCE OF PERMIT:**

This permit shall become void unless, prior to commencement of work the Permittee posts a bond or other financial assurance, in a form and/or with surety satisfactory to the Bourbon County, in the amount of \$\_\_\_\_\_. The bond or other financial assurance shall be posted or deposited with Bourbon County and shall remain in full force until returned or refunded as set for in the Bourbon County Public Right-of-Way Use Guide.

Approved by: \_\_\_\_\_  
Bourbon County Road and Bridge Department Supervisor                      Issuance Date of Permit

\_\_\_\_\_  
Bourbon County Commissioner

\_\_\_\_\_  
Bourbon County Commissioner

\_\_\_\_\_  
Bourbon County Commissioner

**FINAL APPROVAL OF PERMIT:**

Permittee has completed the permitted work and has so notified Bourbon County. The work was thereafter inspected by the County Road and Bridge Supervisor or County's Representative and complies with permit conditions.

Approved by: \_\_\_\_\_  
Bourbon County Road and Bridge Department Supervisor                      Approval Date of Permit

\_\_\_\_\_  
Bourbon County Commissioner

\_\_\_\_\_  
Bourbon County Commissioner

\_\_\_\_\_  
Bourbon County Commissioner

As requested by County

Size of Culvert to be Installed by Applicant: \_\_\_\_\_