

<p>APPLICATION FOR PERMIT FOR UTILITY CONSTRUCTION</p>	<p style="text-align: center;">OFFICE USE ONLY</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

Hereafter referred to as "Applicant" or "Permittee", is proposing to place a:

Utility Type/Product: _____

Nominal Size: _____

Material: _____

Installation Method and Type:

- () Temporary - 30 days or less () Permanent () Bore () Open Trench
- () Right-of-Way Crossing () Parallel Installation

in or across an existing Bourbon County Public right-of-way with a buried utility designated to carry or conduct natural gas, water, electricity, communications, temporary equipment or any other substance or service whatsoever for distribution, and Bourbon County having considered the request does grant consent to cross the following described existing County Public right-of-way, upon the terms and conditions herein stated:

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 the permit issued by Bourbon County.
2. Application shall be made in triplicate and be accompanied by triplicate drawings (1) to a working scale, (2) showing position and location of work, (3) names, numbers and width of roads and the location in plats, or subdivisions and by section, township, and range, and (4) 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 specify the type of construction proposed with the submitted plans showing the class of material and manner in which work is to be accomplished. All materials and equipment shall be of the highest quality and the manner of excavation, fills, construction, installation, erection of temporary structures, road obstructions and barricades, etc. shall meet the requirements set forth in the Bourbon County Public Right-of-Way Use Guide, as now or hereafter amended, and shall require approval of Bourbon County.
5. Bourbon County reserves the right to prohibit the use or occupation of specific portions and/or all of the County Public right-of-way and may deny the permit on grounds that the proposed work would compromise the integrity or safety of the County Public right-of-way. If County denies proposed work, they must notify Applicant within seven (7) days after they receive the *Application for Permit for Utility Pipeline Construction*.
6. The Applicant shall submit with the application a certificate of insurance showing that the Applicant has secured the appropriate insurance as required in the Bonds and Insurance section of the Bourbon County Right-of-way Use, Maintenance and Design Policy.
7. The Applicant shall post a bond or other financial assurance as required in the Bonds and Insurance section of the Bourbon County Right-of-Way Use, Maintenance and Design Policy 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.

PERMIT TERMS AND 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 to 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 (MUTCD), 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. 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.

8. Before commencing the work, the Permittee shall locate all utility installation 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**.
9. The buried utility lines to be installed by the Permittee in crossing or paralleling any existing Bourbon County Public right-of-way shall at a minimum comply with the following engineering standards:
 - a. Utility crossings shall be installed in casing as noted in the attached details and shall be buried a minimum of sixty inches (60") deep from the crown of the road, or thirty-six inches (36") below the bottom of the ditch, whichever is deeper.
 - b. All parallel installations must be minimum fifteen feet (15') from road centerline or five foot (5') from edge of roadway whichever is greater.
 - c. Underground utility lines crossing the right-of-way which are less than twelve inches (12") in diameter shall be bored and twelve inches (12") or greater in diameter shall be open trenched in accordance with the approved construction details in Part B: Bourbon County Right-of-Way Use for Utility Infrastructure.
 - d. As-built GPS location every fifty feet (50') or measured references is required on all underground utilities.
 - e. Tracer wire and line markers (2 minimum) are required in all underground utilities within the County Public right-of-way.
 - f. Vent pipes, if applicable, shall be located on the existing County right-of-way line.
 - g. 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 Part A: Bourbon County Public Right-of-Way Use, Repair and Maintenance Guide.
10. 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: _____

11. An approved signed copy of this permit shall be on the premises before and during the period any work is performed.
12. **BY ACCEPTING THIS PERMIT AND COMMENCING THE WORK, THE PERMITTEE AGREES TO INDEMNIFY AND HOLD HARMLESS BOURBON COUNTY 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 BOURBON COUNTY 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 AND 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 County Public Right-of-Way Use, Maintenance and Repair Policy.

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