

Permit Date: _____

Permit No.: _____

**SUMNER COUNTY HIGHWAY DEPARTMENT
PERMIT REQUEST FORM
WORK DONE ON THE COUNTY ROAD RIGHT-OF-WAY**

COUNTY CONTACT INFORMATION:

Staff Contact: Toby Ellis
Phone Number: 615-452-2632
E-Mail: tellis@sumnercohwy.com

****Applicant shall remit a permit fee in the amount of \$100 made payable to Sumner County Highway Dept. along with the permit request and Letter of Credit in the amount shown page 2. Application must be submitted, approved and all monies paid no less than 10 days prior to expected start date.****

Date and time of permit request: _____

Request is made by (applicant) **(Please provide name, address and contact information):**

Applicant seeks permission to install, maintain, and/or remove the following described utilities within the county right-of-way:

At the Following Described Location: **(Copy of plans detailing scope of work needs to be attached)**

County Road Name: _____

Beginning point: (GPS Location _____ or _____ feet

From closest intersecting road: _____

Amount of Right-of-Way footage: _____

Type of work to be performed:

Expected starting date: _____ **

Expected completion date: _____

Contractor, subcontractor, or party to perform work:

Address and telephone number of company or party to perform work:

Is this an emergency? _____ If yes, why? _____

Name of agent of applicant who made call _____

*If an emergency call is made, the REGULATIONS GOVERNING THE USE OF THE COUNTY RIGHT-OF-WAY still require that certain information be provided to the highway superintendent, using the permit request form, within twenty-four (24) hours of call.

Applicant is to deliver collateral in the form of a surety bond, letter of credit, cashier's check or other accepted form of collateral to the highway superintendent of the Sumner County Highway Department to guarantee that applicant's work within the right-of-way is done in accordance with the construction plan, applicable regulations, and any special conditions specified herein.

The collateral is to be in the amount of \$ _____. Applicant will be informed by the highway superintendent in writing of any other requirements or conditions related to the collateral.

Pursuant to the Competitive Cable and Video Services Act, Tennessee Code Annotated Section 7-59-310, as a condition of the issuance of a permit allowing for open trenching, the applicant shall provide at least fifteen (15) days notice prior to the initiation of any work in the county right-of-way to all providers of cable or video services within the county. The notice shall include the particular dates in which the trenches will be available for such cable or video service providers for the installation of conduit, pedestals, or vaults, and laterals. This requirement is limited to new construction or property development in which utilities will be laid in the county right-of-way.

Has applicant provided the required notice? _____ Yes _____ No _____ N.A.

Applicant in applying for this permit agrees to the following:

1. Applicant agrees to perform all work in accordance with the attached construction plans, the REGULATIONS GOVERNING THE USE OF THE COUNTY RIGHT-OF-WAY, adopted by the Sumner County legislative body and any special conditions set forth herein.

Special Conditions:

In the case of ordinary circumstances, whereby the highway superintendent modifies any provisions of the regulations to address such circumstances, any such approval of a variance from these regulations and any modified conditions or specifications issued by the highway superintendent shall be in writing and incorporated as part of this permit request.

2. Applicant, before commencing any work, shall submit to the highway superintendent detailed construction plans showing the location, type and scope of all work to be done in order that the highway superintendent may review and approve the proposed work. No work other than that specifically described in the construction plans and approved by the highway superintendent is authorized.

3. Applicant agrees that it will be responsible for any damages caused by any negligence on its part, including but not limited to, the improper placing of or failure to display construction signs, danger signs, and other required signing and will bear any expense proximately caused by its operation on the county right-of-way.
4. Applicant shall pay the salary and expenses of any inspector(s) that the highway superintendent may see fit to place upon the work site while such inspector(s) is/are assigned to the work site. The highway superintendent, before incurring any expenses expected to be charged to the applicant, shall advise the applicant in writing of this fact.
5. Applicant shall replace or repair any portion of the pavement, shoulders, bridges, culverts, or any other part of the county right-of-way that may be disturbed or damaged as a result of their work performed in the right-of-way. Replacement and repairs shall be made in accordance with the REGULATIONS GOVERNING THE USE OF THE COUNTY RIGHT-OF-WAY issued by Sumner County and any additional instructions issued by the highway superintendent. In the event that the replacement or repairs made by applicant are not satisfactory to the highway superintendent, applicant agrees that the highway superintendent may either, in his/her sole discretion, execute settlement of the collateral and use the proceeds to accomplish the necessary replacement or repairs or facilitate further replacement or repairs himself, in which event the applicant will reimburse the county highway department for the cost of such other replacement or repairs. Except in cases of emergency, the highway superintendent shall notify the applicant of the nature and extent of such further replacement or repairs to be accomplished prior to undertaking the work.
6. In the event work is abandoned for a period of thirty (30) consecutive days, the highway superintendent shall be authorized to execute settlement of the collateral in his sole discretion. The proceeds from such execution shall be used to finish the project and to pay all other reasonable costs associated with the project. Any leftover proceeds will be returned to the applicant.
7. If, at any future time, it should become necessary in the maintenance, construction, or reconstruction of said highway to have applicant's utilities removed in order that said highway may be properly maintained, constructed, or reconstructed or in the event said utilities should, at any time, interfere with the use of said highway, the applicant agrees upon being requested to do so by the highway superintendent to remove said utilities as promptly as the magnitude of the work to be accomplished will permit, as its own expense and without cost to the highway department, unless any requested removal should be contrary to any law of the State of Tennessee.
8. Applicant shall be responsible for any conflicts with other utilities or appurtenances that are on the county highway right-of-way and shall notify the respective owners(s) of any conflicts and secure the owner's permission for any alterations.
9. Applicant agrees to indemnify and hold harmless the county as well as its employees, officers and agents from and against any and all claims, liabilities, losses and causes of action which may arise, accrue, or result to any person, firm, corporation, or other entity which may be injured or damaged as a result of acts, omissions, or negligence on the part of the applicant, its employees, its contractors, or any person acting for or on its or their behalf in the performance of the work related to this permit. Applicant further agrees it shall be liable for the reasonable cost of attorneys for the county highway department in the event such services are necessitated to enforce the terms of this permit or otherwise enforce the obligations of the applicant to the county highway department. In the event of any such suit or claim, applicant shall give the county highway department immediate notice thereof and shall provide all assistance required by the county highway department in the county highway department's defense. The county highway department shall give applicant written notice of any such claim or suit, and applicant shall have full right and obligation to

conduct applicant's own defense thereof. Nothing contained herein shall be deemed to accord to applicant, through its attorney(s), the right to represent the county highway department in any legal matter.

10. The county highway department does not grant applicant any right, title, or claim on any highway right-of-way and in granting this permission to go upon the right-of-way does not, in any way, assume the maintenance of applicant's facility.

11. The permit shall become void if work is not commenced within six (6) months from the date of the permit request.

UNDERGROUND UTILITIES INSTALLATIONS, MAINTENANCE AND REMOVALS MINIMUM GUIDELINES

1. All underground utilities must be placed on the back five (5) feet of the right-of-way of the declared county road except when written permission is granted by the Sumner County highway superintendent.

2. All utilities placed in the county right-of-way are to be placed a minimum of thirty-six (36) inches deep and installed with tracer wire.

3. Utilities placed under paved county-maintained roads will be placed by boring methods a minimum of thirty-six (36) inches deep, cased with tracer wire.

4. All ASPHALT CUTS must have prior written approval by the highway superintendent, utilities installed at a minimum depth of thirty-six (36) inches from existing road center line grade, cased in steel or PVC piping at least 6" in diameter from right-of-way to right-of-way and tracer wire added.

5. Asphalt Cut REPAIRS shall be with all virgin materials; beginning with a minimum twelve (12)-inch lift of ¾"(57's or 67's) rock, followed by six inch lifts compacted, and topped with flowable backfill and/or a minimum of 4" hot mix which should bring the cut to the same grade as the existing road. Each cut is to be overlaid with a 1"-1.5" asphalt for a minimum of fifty (50) feet on either side of the original cut within six months, this should be key joint cut to obtain a smooth transition when overlay is complete. All cuts must be inspected by a highway department representative prior to the backfilling and prior to replacing the road surface. Asphalt material type shall be approved by road superintendent before overlay is begun.

6. Utilities lines shall not be placed in drainage ditches, attached to bridges, culverts, tile, or other road structures, or ran through or over road drainage tile. Any exception shall be on emergency basis only and written approval is required by the road superintendent.

7. Natural Gas utilities: All installation shall be outside the county declared right-of-way. Written permission from the highway superintendent must be obtained prior to installation of natural gas lines in the county right-of-way. If approved by the highway superintendent, installation shall be a minimum of thirty-six (36) inches, cased with tracer wire.

8. All road cuts and subsequent repairs must be inspected and approved by the Superintendent of Roads or their representative prior to the release of any bonds or letters of credit for the job.

ABOVE GROUND UTILITIES

1. Permitting is not required for overhead utility installation and maintenance; however, if excavation is required a county permit must be obtained.

2. All utility markers, location and advertising signage located in the county right-of-way must be maintained free of weed and brush within a ten (10)-foot radius so said facility is easily visible. The county assumes no responsibility for any damage to any facility that is not maintained by the utility provider.

The requesting party (applicant), by the undersigned agent, agrees to comply with the Sumner County regulations, a copy of which I have received, in carrying out the work proposed above.

Signature of Applicant or Applicants Agent and Date

Approval of Permit:

Request **approved** as presented _____ (check if applicable)

Request approved subject to the following conditions:

Request rejected _____ (check if applicable)

Reason for rejection: _____

By _____

Title _____ Date _____

PERMIT NUMBER ASSIGNED: _____

\$100 Permit fee Pd with _____ Cash
_____ Check # _____
_____ Cashier's Check

Bond/Letter of Credit _____ # _____ Amt \$ _____
Or Check _____ # _____ Amt \$ _____