

**THE PERMIT IS ISSUED SUBJECT TO THE FOLLOWING
TERMS, AGREEMENTS, COVENANTS AND CONDITIONS**

- 1) The term "Commissioner" shall mean the Commissioner of Public Works of the County of Westchester or his authorized representative.
- 2) The term "Permittee" shall mean the applicant obtaining the permit, or his or its duly authorized agents or representatives.
- 3) The Commissioner, by issuing the permit, assumes no liability or responsibility on his part or on the part of the County of Westchester of any kind or nature for this sufficiency of the design or the operations covered by the Permit.
- 4) The Permittee assumes all risks in the operations covered by the permit and shall be solely responsible and answerable in damages for all accidents or injuries to persons or property.
- 5) The Permittee shall indemnify and save harmless the County of Westchester and the Commissioner of Public Works from any and all claims, suits, losses, damage to property or injury to persons of whatsoever kind and nature, whether direct or indirect, arising out of the Permittee's operations under the permit, and the Permittee agrees to reimburse the County of Westchester and the Commissioner of Public Works for all expenses, costs of judgments to which they may be put arising from such operation.
- 6) No changes in the plans or in the nature and extent of the work shall be made without the Commissioner's written consent. The project shall be subject at all times to inspection by the Commissioner.
- 7) The Permittee agrees that, during the performance of the work, the Permittee will not cause or allow in any way or manner any unreasonable interference with the free flow of the stream, and that the Permittee will not place, store or dump any materials, equipment or debris in or about the stream or channel in any way which may cause interference with the free flow of water.
- 8) The Permittee, upon completion of the work, shall cause to be removed from within the channel lines and within 100 feet therefrom all equipment, surplus materials, debris and structures not shown on the approved plans.
- 9) Within 30 days after completion, the Permittee shall certify that the work has been completed in accordance with the permit and the approved plans and that all unauthorized channel obstructions have been removed.
- 10) Final inspection of all work authorized by the permit will be made by the Commissioner to determine that the work has been performed in compliance with the permit.
- 11) Completed work shall be diligently maintained by the owner of the land to prevent any danger of obstruction of the stream, water course, easement or right-of-way bounded by channel lines by reason of erosion or the collapse or other impairment of the completed work.
- 12) The permit shall be subject to all applicable zoning regulations of the municipality within which the land to which the permit applies is located, to Workmen's Compensation Law, Disability Benefits Law and to all other regulations thereof applying to the construction of buildings and other structures. Every building permit or certificate of occupancy issued by any municipality shall be subject to the limitations and requirements imposed by or pursuant to the Westchester County Stream Control Law, with respect to any work covered by such permit or certificate. In event of any conflict, the more restrictive provision shall prevail.
- 13) The Commissioner reserves the right to revoke or cancel the permit at any time should the Permittee fail to comply with any of the terms, agreements, covenants and conditions of the permit.
- 14) The permit does not give any property rights, either in real property or material, or any exclusive privileges. It does not authorize any injury to public or private property, any invasion of property rights, any occupation of riparian or County property, or any infringement of State or local laws or regulations. Local and State permits and consents must be obtained when necessary.
- 15) The work must be completed on or before the stated completion date and shall be under the direction of a licensed professional engineer or licensed architect until it is completed.
- 16) The Permit is not in force and effect until the executed acceptance form is received by the Commissioner.
- 17) SPECIAL CONDITIONS for this Permit are set forth on the attached sheet.
- 18) The application, the Special conditions and the following approved plans are part of the permit: