

- (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 party obtaining the permit or his or its duly authorized agents or representatives, and must be the person, firm, corporation, district, or municipality actually performing the work.
- (3) The permit shall not be assigned or transferred except upon the written consent of the Commissioner.
- (4) The work authorized by the permit shall be done to the complete satisfaction of the Commissioner. In replacement of pavements, the Standard County Specifications therefor shall be followed as more particularly set forth in Section 4 hereof.
- (5) Written notice except in emergencies shall be given by said Permittee to the Commissioner at least forty-eight (48) hours in advance of the date when the work of construction is to commence.
- (6) The Permittee shall indemnify and save harmless the County, local municipality and improvement district from all claims, liens, suits, loss or damage of every kind whatsoever, whether direct or indirect, which may arise by reason of the granting of this permit.
- (7) The Permittee agrees, in consideration of the granting of the permit, that any present or future damage, injury to or disturbance of the highway, its pavements, slopes or gutters, caused by placing of any structures pursuant to the terms of the permit, shall be immediately repaired by the Permittee at his or its own expense and to the satisfaction of the Commissioner.
- (8) The Permittee agrees to pay all necessary expenses that may be incurred by the County in connection with the work to be done under the permit, which payment shall be made within ten (10) days after the sending of a statement of expenses as certified by the Commissioner and, if not paid by the Permittee, the said expenses shall be deducted from the deposit as herein otherwise provided for. Where work of an extensive or difficult nature is involved, the Permittee may be required to pay the costs of a full or part time Inspector to be designated by the Commissioner to inspect the work for the purpose of protecting the County's interest.
- (9) In case the final pavement has not been placed when opening is made, where the road improvement is under contract, the Permittee agrees to reimburse the road contractor for such additional costs of reinforcing steel in pavement, when placed, as are required by the Commissioner.
- (10) 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 thereof.
- (11) A fully executed copy of this permit must be in possession of the parties actually doing the work. It must be exhibited on demand to the Commissioner or his representative.
- (12) The permit does not grant permission for connections to water or sewer mains, etc. Such permits must be obtained from the local municipality or improvement district prior to and in addition to permit for street openings applied for herewith.
- (13) Vehicular traffic shall be maintained on any section of the road disturbed by the Permittee at all times during the term of this permit.
- (14) The contractor assumes all risks in the operation covered by the permit and shall be solely responsible and answerable in damages for all accidents or injuries to person or property of whatsoever kind and nature, whether direct or indirect, arising out of any operations under the permit, even though said accidents or injuries to person or property are or may be due, in whole or in part, to the County of Westchester, its agents, servants or employees.

SECTION 4. THE WORK TO BE DONE AND PERFORMED PURSUANT TO THE PERMIT SHALL BE DONE ACCORDING TO THE FOLLOWING SPECIFICATIONS AND CONDITIONS:

- (1) All locations and time of performing the work shall be approved by the Commissioner.
- (2) The Permittee shall arrange his or its work so as to cause a minimum of inconvenience and delay to vehicular traffic. The Commissioner reserves the right to order the removal of any and/or all obstructions to traffic on Saturdays, Sundays, Holidays and other periods of unusually heavy traffic volumes. The permittee shall erect and maintain suitable barricades to adequately delineate and protect the site during and in which his or its work is in progress. Warning flags, signs, flashing yellow lights and watchmen shall be provided as necessary. Excavated material should be stored in neat piles, so placed as to cause the least interference with the use of the roadway or sidewalks. Where the free flow of traffic is interfered with, the permittee shall place and maintain traffic control devices pursuant to provisions of sections 1680 and 1682 of the New York State Vehicle and Traffic Law. All traffic control associated with maintenance, repair, and construction, within the highway limits, shall be carried out in accordance with standards set forth in the New York State Manual of Uniform Traffic Control Devices, latest revision. The Commissioner reserves the right to order the correction of any unsafe condition and the installation of additional signs, lights or other traffic control devices.
- (3) Unless otherwise permitted, tight sheathing at least two (2) inches in thickness shall be placed in all trenches having a depth in excess of four (4) feet and within three (3) feet of any pavement or other highway structure which is proposed to remain in place except where excavation is in rock. Sheathing shall be securely fastened in place with walers and braces during all operations and shall be driven to a depth one (1) foot below the lowest part of the structure proposed to be installed as the excavation progresses. In all such excavations having a depth in excess of six (6) feet, such sheathing shall be left in place with a cutoff line eighteen (18) inches below ground surface. In the trenches having a depth of more than three (3) feet and less than six (6) feet the sheathing shall be left in place if ordered by the Commissioner of Public Works. Sheathing may be omitted when permitted by the Commissioner if the edge of the proposed trench is offset from the nearest edge of the pavement or other structure by a distance at least equal to the vertical depth of the trench as measured from the highest point of the adjacent pavement or structure.
- (4) Backfilling around completed structures shall be made of selected material, free from loose stones, as soon as the structure has attained sufficient strength to preclude injury and shall be made in successive horizontal layers not exceeding six (6) inches in depth. Each layer shall be thoroughly compacted by tamping to the satisfaction of the Commissioner. No frozen material shall be used in the backfill. Special care shall be taken to thoroughly compact the portion directly under the haunches, around the sides and for a depth of one (1) foot over pipes or ducts. No rock shall be placed in the backfill within twelve (12) inches of a pipe or duct. If permitted by the Commissioner, the backfilling of trenches may be thoroughly puddled by depositing the earth in water. No backfilling of trenches by scrapers or other machinery will be allowed except that on longitudinal trenches outside the pavement limits; the use of power backfillers mounted on pneumatic tires may be used if provisions are made for adequate compacting of filled material. The work shall be so carried on that not over 300 linear feet of trench shall remain open at any time unless otherwise authorized by the Commissioner.
- (5) All surplus excavated material and debris shall be cleaned up and removed from the site of the work upon the completion of work by the Permittee, leaving the site of the work in a neat and orderly condition.
- (6) Where topsoil, seeded areas or sod are disturbed in the excavating, Permittee shall restore the ground surfaces to the same conditions.
- (7) Manhole covers, frames and other structures placed within the roadway shall be of sufficient weight and strength and a suitable type and stability approved by the Commissioner and shall be set flush with the surface of the pavement.
- (8) The Permittee shall repair and maintain at his or its expense any present or future disturbance of a roadway and pavement which may have been caused by work done pursuant to the terms of the permit herein, said maintenance to cover a period of thirty (30) days after completion of the work.

- (9) All small pipes or conduits crossing roadway pavements shall, wherever possible, be driven beneath the pavement, without disturbances to the surface. Such pipes or conduits shall be enclosed in sleeves or larger pipes so that required replacement may be made in the future without disturbance to the pavement. For the purpose of driving such pipes or conduits, no opening of trench shall be made closer than two (2) feet to the edge of the pavement. Tunneling under the pavement is prohibited. Driving of pipes or conduits having a dimension greater than eight (8) inches shall be permitted only under such special terms and conditions as the Commissioner may prescribe.
- (10) Permanent restoration of the finished pavement shall not be made until complete settlement of the trench backfill shall have taken place, as directed by the Commissioner. Immediately after backfilling the trench, an acceptable temporary repair of cold patch, bituminous macadam or other acceptable flexible pavement material shall be placed which shall be maintained even with the roadway surface until permanent restoration of the pavement is ordered by the Commissioner. If ordered by the Commissioner, cement concrete may be substituted for bituminous materials in temporary replacements.
- (11) At such times as directed by the Commissioner, the permanent replacement of pavement shall be made under the supervision and inspection of the Commissioner, as follows:
- (A) On CONCRETE PAVEMENTS, which become undermined or broken, the slabs shall be completely replaced on a prepared foundation with reinforced concrete nine (9) in. thick in the proportion of 1:2:3 1/2 using High Early or Quick Setting Cement mixed by machine for at least 2 minutes. Materials and proportioning of aggregate shall be inspected and approved by the Commissioner.
- When cross-trenches are excavated vertically, without undercutting the concrete pavements, the slab shall be neatly cut back a distance of at least two (2) feet on each side of the outer walls of the trench and replaced with a reinforced concrete patch. Where any portion of a patch is nearer than eight (8) feet from an expansion joint, the patch shall be extended to the joint. Where longitudinal trenches have been made in concrete pavements, the entire slab shall be replaced.
- In any event the new patch must rest upon undisturbed subgrade for at least two (2) feet in all directions from the excavated area, and must be at least ten (10) feet long as measured parallel to center line of the pavement. In removing portions of slabs or reinforced concrete, care shall be taken not to remove all the reinforcing metal. New reinforcing shall be carefully tied and bonded to old reinforcing steel when making restorations. All reinforcement shall be 3/8" construction bars, spaced 14" in each direction. Approved preformed expansion joints shall be inserted where directed and all construction joints shall be poured with an acceptable asphaltic material. The concrete shall be completely wetted after placing and covered with six (6) inches of hay and kept continuously saturated for ten (10) days. The use of an approved high early-strength cement placed under approved methods, may be required by the Commissioner for certain concrete pavement replacements where the delay and inconvenience to traffic is of sufficient importance to warrant same. Satisfactory curing of the concrete is of the greatest importance.
- (B) On WEARING SURFACE PAVEMENTS (Asphaltic Concrete and blacktops, Granite blocks, Asphalt Blocks, Brick, etc.) a concrete foundation eight (8) inches in thickness shall be placed on a prepared foundation, in the proportion of 1:2 1/2:5, using High Early or Quick Setting cement in the same manner as reinforced concrete pavements. The concrete shall be reinforced with approved wire mesh 3/8" reinforcing bars, placed 2" above bottom of concrete. This replacement shall cover an area for a distance of not less than two (2) feet on each side of the outer walls of the trench as excavated and must be at least ten (10) feet long as measured parallel to center line of pavement. This concrete foundation shall be completely wetted after placing and kept covered with six (6) inches of hay and kept continuously saturated for eight (8) days. After this curing is completed, a wearing surface equivalent to pavement removed shall be placed in accordance with Standard County Specifications, as directed by the Commissioner.
- At the option of the Permittee the requirement of steel reinforcement is hereby rescinded provided the thickness of the concrete under (a) shall be eleven (11) inches and under (b) ten (10) inches.
- (C) On MACADAM PAVEMENTS, the replacement shall be the same as for wearing surface pavements, section (b).
- (12) The permittee shall replace or restore satisfactorily to the Commissioner of Public Works any pavement or other structure which may have been damaged during the progress of the work for which the permit was issued even though such pavement or structure was not proposed to be disturbed at the time of the granting of the permit.

Section 5. All applications and permits shall be in the form prescribed by the Commissioner of Public Works and shall be executed in triplicate by the applicant, sworn to before a person qualified to administer oaths and shall set forth the amount of deposit accompanying said permit, together with a statement saving the County harmless for any claims of whatever nature arising out of the conduct of the work to be performed under the permit.

Section 6. If the character of the restoration work is not covered by the specifications herein, the Commissioner of Public Works shall prepare such additional specifications, safeguards, and conditions as may be required to be done and performed by the applicant.

Section 7. **STORING BUILDING MATERIAL AND EQUIPMENT ON COUNTY ROADS:** If in the course of building operations on adjacent property it becomes necessary to store building materials or equipment upon any County Road or portion thereof, an application for a permit therefor must be made, subject to the following terms and conditions:

In no case shall the area of the pavement used for such storage exceed in width twenty percent of the total width of the pavement or in length one hundred (100) feet. Such materials or equipment as may be stored shall be neatly piled or placed, protected with adequate barricades and illuminated, except during the daylight hours, with red lanterns or flares, spaced at intervals of not more than ten (10) feet. Appropriate warning signs and flares shall be kept constantly in position three hundred (300) feet distant from the space occupied as a warning to approaching vehicles.

No building material or equipment shall be placed upon the pavement closer than ten (10) feet to any hydrant nor upon any manhole, valve or catch basins nor so as to interfere in any way with proper drainage upon the highway.

Section 8. **RULES AND REGULATIONS REGULATING THE OPERATION OF HEAVY CONSTRUCTION EQUIPMENT, INCLUDING TRACTORS, POWER SHOVELS, ROLLERS, TRAILERS, GRADERS AND OTHER MACHINERY WHICH DO NOT OPERATE ON PNEUMATIC TIRES:**

No construction equipment, excepting trucks, shall operate on or be hauled over any County Road unless same shall be equipped with pneumatic tires or mounted upon a pneumatic tired trailer unless a permit therefor shall have been first obtained from the Commissioner of Public Works. Said permit shall not be construed as a waiver of the provisions of the Vehicle and Traffic Law or any local ordinance relative thereto. Said permit shall provide among other things that:

- (a) Each such vehicle when operated on a County Road shall be operated upon planks, mats or other suitable cushions, acceptable to and approved by the Commissioner of Public Works.
- (b) A competent flagman shall at all times be placed at least two hundred (200) feet distant from the operating equipment to warn approaching vehicles.
- (c) Adequate barricades and warning signs shall be erected to protect the traveling public.
- (d) Any damage resulting from the operation of the equipment shall be repaired by the Permittee to the satisfaction of the Commissioner of Public Works.

Section 9. **SHADE TREES:** No person, firm or corporation shall plant, remove, trim, damage or otherwise alter any shade tree or planting on any County Road outside of cities or villages without first obtaining approval thereof in writing from the Commissioner of Public Works.

DRIVEWAY & CURB WORK

Section 10

- (a) In lowering curb for driveways, only bluestone, granite, or integral curb will be allowed to be cut. All concrete curb must be removed and replaced with new concrete curbing to be the required height.
- (b) On shoulder roads, the grade of driveway at the property line should be the same elevation as the Center line grade of the road. Modification of this may be allowed specifically permitted by the Commissioner.
- (c) Driveway entrance shall not begin within five (5) feet of the point where the prolongation of the property line meets the edge of the pavement.
- (d) Single family residences are restricted to a single 12 - 18 foot driveway. No more than two points of ingress or egress to a County Road from a single commercial or industrial establishment will be permitted. Neither of the foregoing shall be more than 30' wide measured at the pavement edge, unless special approval is obtained from the Commissioner. The Commissioner reserves the right, however, to require the construction of acceleration and deceleration lanes together with channelization at certain types of high traffic volume generating facilities.
- (e) Driveways crossing sidewalks shall be constructed in accordance with the specifications of the local municipality.
- (f) Wherever a driveway apron is installed, the area from the pavement to the property line shall be paved to the satisfaction of the Commissioner.

Section 11. EXCEPTIONS: Nothing in these rules and regulations shall be construed to restrict or prevent the construction, maintenance or repair of any sidewalk by a municipality under laws and ordinances applicable thereto except in those operations of construction, maintenance or repair where the use of any portion of the pavement of a County Road is affected or restricted or to restrict or prevent the adoption and enforcement of local municipal traffic control ordinances, rules and regulations not inconsistent with the provisions of Chapter 605 of the Laws of 1941, and/or subsequent revisions.

- (13) The Permittee hereby deposits with the Commissioner the sum of \$ as security for the faithful performance of all the terms, covenants and conditions on his part to be done and performed, which said sum shall be retained by the Commissioner until at least 30 days after the date of final completion and acceptance by the Commissioner of the work to be done and performed pursuant to the terms of this permit. Upon the failure or default by the Permittee of any of the terms, covenants and conditions on his part to be done and performed said deposit may be used by the County of Westchester for any expense incurred by the County of Westchester by reason of such failure or default on the part of the Permittee. The Permittee agrees that such expenses as certified by the Commissioner shall be binding upon said Permittee.
- (14) The Commissioner by issuing this permit assumes no liability on his part or on the part of The County of Westchester and the Permittee shall be solely liable for all acts done or to be done pursuant to same.
- (15) In addition to the above conditions, the Permittee shall conform to the following special requirements for the work permitted:

SPECIAL CONDITIONS

Approval and consent to grant the permit is hereby given by the duly authorized municipal representative.

Name and Title Municipality Date 20...

(To be executed by Contractor, if road is under construction)

I, the duly authorized representative of Contractor, who is under contract for improvement of the road herein mentioned, do hereby approve the granting of the permit.

Name and Title Firm or corporation Date 20...

If this application is accompanied by deposit, state name and address to whom refund is to be made.

(Name) (Address)

APPROVED FOR ISSUANCE - COUNTY OF WESTCHESTER - DEPARTMENT OF PUBLIC WORKS

DATED 20....

By Supt. of Road Maintenance



27-5

Original - White
Duplicate Original - Canary
Triplicate Original - Blue

County of Westchester
Department of Public Works
148 Martine Ave., Rm. 522
White Plains, New York 10601

Application No.
Co. Road No.
Date

APPLICATION FOR PERMIT TO DO WORK ON AND WITHIN A COUNTY ROAD AREA

(To be Executed in Triplicate)

DO NOT WRITE IN THIS SPACE

To the County of Westchester
Department of Public Works:

Application is hereby made for permission, under the Westchester County Administrative Code, to enter upon, construct, or open a road constructed or improved on the County Road System of Westchester County as follows:

1. Applicant
2. Address Phone No.
3. Name of Road Co. Rd. No.
(Name) (Municipality)
4. Location on Road
5. Maximum size of opening allowed. Depth
6. Work to be started. To be completed
7. Is pavement to be disturbed? If so, what type
8. Purpose of Application
9. Attach 3 copies of a sketch showing location of work, size of openings, and giving distance to nearest street intersection.

10. State Owner for whom work is being performed:

.....
(Owner) (Address)
STATE OF NEW YORK SS.:
COUNTY OF

..... being duly sworn, deposes and says that he is of the Permittee herein named; that all insurance required by the New York State Workmen's Compensation and Disability Laws has been secured, and the provisions of said Laws will be applied with during the life of this permit, until he has fully and completely complied with all the terms and provisions of the provisions of the aforesaid Laws.

If permit is granted, I hereby agree to comply with all terms, covenants and conditions hereinafter set forth which are attached to and form part of the permit, and to restore the road to its original condition, in accordance therewith.

Sworn to before me this Applicant's Signature & Title
..... day of 20.....

Notary Public, County of

THE PERMIT WILL BE GRANTED SUBJECT TO THE FOLLOWING TERMS, COVENANTS AND CONDITIONS

All applicants for County Permits shall file with the Permit Agent, 148 Martine Ave., - Rm. 522, White Plains, New York, New York State Workmen's Compensation Board Standard Forms C-105.2 and DB-120.1 as proof of compliance with the Workmen's Compensation and Disability Benefits Laws.

If an applicant or holder of a permit represents that he is not required to carry either a Workmen's Compensation policy or a Disability Benefits policy or both, New York State Workmen's Compensation Board Standard Form C-105.21, in duplicate, shall be filed with the Permit Agent.

Section 57 of the Workmen's Compensation Law and Section 220, Subdivision 8 of the Disability Benefits Law provide that a permit shall not be issued unless the above prerequisites are satisfied.

(Over)



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- (5) Written notice except in emergencies shall be given by said Permittee to the Commissioner at least forty-eight (48) hours in advance of the date when the work of construction is to commence.
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- (4) Backfilling around completed structures shall be made of selected material, free from loose stones, as soon as the structure has attained sufficient strength to preclude injury and shall be made in successive horizontal layers not exceeding six (6) inches in depth. Each layer shall be thoroughly compacted by tamping to the satisfaction of the Commissioner. No frozen material shall be used in the backfill. Special care shall be taken to thoroughly compact the portion directly under the haunches, around the sides and for a depth of one (1) foot over pipes or ducts. No rock shall be placed in the backfill within twelve (12) inches of a pipe or duct. If permitted by the Commissioner, the backfilling of trenches may be thoroughly puddled by depositing the earth in water. No backfilling of trenches by scrapers or other machinery will be allowed except that on longitudinal trenches outside the pavement limits; the use of power backfillers mounted on pneumatic tires may be used if provisions are made for adequate compacting of filled material. The work shall be so carried on that not over 300 linear feet of trench shall remain open at any time unless otherwise authorized by the Commissioner.
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- (11) At such times as directed by the Commissioner, the permanent replacement of pavement shall be made under the supervision and inspection of the Commissioner, as follows:
- (A) On CONCRETE PAVEMENTS, which become undermined or broken, the slabs shall be completely replaced on a prepared foundation with reinforced concrete nine (9) in. thick in the proportion of 1:2:3 1/2 using High Early or Quick Setting Cement mixed by machine for at least 2 minutes. Materials and proportioning of aggregate shall be inspected and approved by the Commissioner.
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In no case shall the area of the pavement used for such storage exceed in width twenty percent of the total width of the pavement or in length one hundred (100) feet. Such materials or equipment as may be stored shall be neatly piled or placed, protected with adequate barricades and illuminated, except during the daylight hours, with red lanterns or flares, spaced at intervals of not more than ten (10) feet. Appropriate warning signs and flares shall be kept constantly in position three hundred (300) feet distant from the space occupied as a warning to approaching vehicles.

No building material or equipment shall be placed upon the pavement closer than ten (10) feet to any hydrant nor upon any manhole, valve or catch basins nor so as to interfere in any way with proper drainage upon the highway.

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No construction equipment, excepting trucks, shall operate on or be hauled over any County Road unless same shall be equipped with pneumatic tires or mounted upon a pneumatic tired trailer unless a permit therefor shall have been first obtained from the Commissioner of Public Works. Said permit shall not be construed as a waiver of the provisions of the Vehicle and Traffic Law or any local ordinance relative thereto. Said permit shall provide among other things that:

- (a) Each such vehicle when operated on a County Road shall be operated upon planks, mats or other suitable cushions, acceptable to and approved by the Commissioner of Public Works.
- (b) A competent flagman shall at all times be placed at least two hundred (200) feet distant from the operating equipment to warn approaching vehicles.
- (c) Adequate barricades and warning signs shall be erected to protect the traveling public.
- (d) Any damage resulting from the operation of the equipment shall be repaired by the Permittee to the satisfaction of the Commissioner of Public Works.

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DRIVEWAY & CURB WORK

Section 10

- (a) In lowering curb for driveways, only bluestone, granite, or integral curb will be allowed to be cut. All concrete curb must be removed and replaced with new concrete curbing to be the required height.
- (b) On shoulder roads, the grade of driveway at the property line should be the same elevation as the Center line grade of the road. Modification of this may be allowed specifically permitted by the Commissioner.
- (c) Driveway entrance shall not begin within five (5) feet of the point where the prolongation of the property line meets the edge of the pavement.
- (d) Single family residences are restricted to a single 12 - 18 foot driveway. No more than two points of ingress or egress to a County Road from a single commercial or industrial establishment will be permitted. Neither of the foregoing shall be more than 30' wide measured at the pavement edge, unless special approval is obtained from the Commissioner. The Commissioner reserves the right, however, to require the construction of acceleration and deceleration lanes together with channelization at certain types of high traffic volume generating facilities.
- (e) Driveways crossing sidewalks shall be constructed in accordance with the specifications of the local municipality.
- (f) Wherever a driveway apron is installed, the area from the pavement to the property line shall be paved to the satisfaction of the Commissioner.

Section 11. EXCEPTIONS: Nothing in these rules and regulations shall be construed to restrict or prevent the construction, maintenance or repair of any sidewalk by a municipality under laws and ordinances applicable thereto except in those operations of construction, maintenance or repair where the use of any portion of the pavement of a County Road is affected or restricted or to restrict or prevent the adoption and enforcement of local municipal traffic control ordinances, rules and regulations not inconsistent with the provisions of Chapter 605 of the Laws of 1941, and/or subsequent revisions.

- (13) The Permittee hereby deposits with the Commissioner the sum of \$ as security for the faithful performance of all the terms, covenants and conditions on his part to be done and performed, which said sum shall be retained by the Commissioner until at least 30 days after the date of final completion and acceptance by the Commissioner of the work to be done and performed pursuant to the terms of this permit. Upon the failure or default by the Permittee of any of the terms, covenants and conditions on his part to be done and performed said deposit may be used by the County of Westchester for any expenses incurred by the County of Westchester by reason of such failure or default on the part of the Permittee. The Permittee agrees that such expenses as certified by the Commissioner shall be binding upon said Permittee.
- (14) The Commissioner by issuing this permit assumes no liability on his part or on the part of The County of Westchester and the Permittee shall be solely liable for all acts done or to be done pursuant to same.
- (15) In addition to the above conditions, the Permittee shall conform to the following special requirements for the work permitted:

SPECIAL CONDITIONS

Approval and consent to grant the permit is hereby given by the duly authorized municipal representative.

..... 20...
Name and Title Municipality Date

(To be executed by Contractor, if road is under construction)

I, the duly authorized representative of Contractor, who is under contract for improvement of the road herein mentioned, do hereby approve the granting of the permit.

..... 20...
Name and Title Firm or corporation Date

If this application is accompanied by deposit, state name and address to whom refund is to be made.

.....
(Name) (Address)

APPROVED FOR ISSUANCE - COUNTY OF WESTCHESTER - DEPARTMENT OF PUBLIC WORKS

DATED 20...

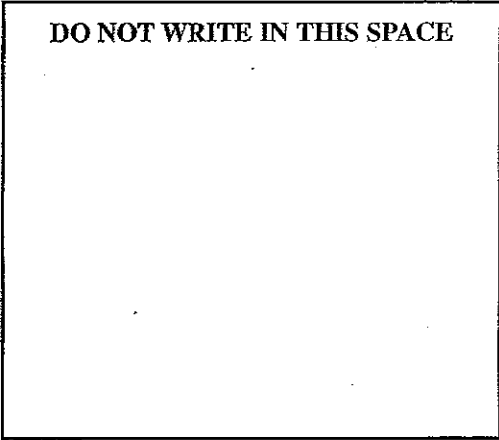
By
Supt. of Road Maintenance



27-5
Original - White
Duplicate Original - Canary
Triplicate Original - Blue
County of Westchester
Department of Public Works
148 Martine Ave., Rm. 522
White Plains, New York 10601

Application No.
Co. Road No.
Date

**APPLICATION FOR PERMIT TO DO WORK
ON AND WITHIN A COUNTY ROAD AREA**
(To be Executed in Triplicate)



To the County of Westchester
Department of Public Works:

Application is hereby made for permission, under the Westchester County Administrative Code, to enter upon, construct, or open a road constructed or improved on the County Road System of Westchester County as follows:

1. Applicant
2. Address Phone No.
3. Name of Road Co. Rd. No.
(Name) (Municipality)
4. Location on Road
5. Maximum size of opening allowed Depth
6. Work to be started. To be completed
7. Is pavement to be disturbed? If so, what type
8. Purpose of Application
9. Attach 3 copies of a sketch showing location of work, size of openings, and giving distance to nearest street intersection.
10. State Owner for whom work is being performed:

.....
STATE OF NEW YORK (Owner) SS: (Address)
COUNTY OF

..... being duly sworn, deposes and says that he is of the Permittee herein named; that all insurance required by the New York State Workmen's Compensation and Disability Laws has been secured, and the provisions of said Laws will be applied with during the life of this permit, until he has fully and completely complied with all the terms and provisions of the provisions of the aforesaid Laws.

If permit is granted, I hereby agree to comply with all terms, covenants and conditions hereinafter set forth which are attached to and form part of the permit, and to restore the road to its original condition, in accordance therewith.

Sworn to before me this day of 20..... Applicant's Signature & Title

Notary Public, County of

THE PERMIT WILL BE GRANTED SUBJECT TO THE FOLLOWING TERMS, COVENANTS AND CONDITIONS

All applicants for County Permits shall file with the Permit Agent, 148 Martine Ave., - Rm. 522, White Plains, New York, New York State Workmen's Compensation Board Standard Forms C-105.2 and DB-120.1 as proof of compliance with the Workmen's Compensation and Disability Benefits Laws. If an applicant or holder of a permit represents that he is not required to carry either a Workmen's Compensation policy or a Disability Benefits policy or both, New York State Workmen's Compensation Board Standard Form C-105.21, in duplicate, shall be filed with the Permit Agent. Section 57 of the Workmen's Compensation Law and Section 220, Subdivision 8 of the Disability Benefits Law provide that a permit shall not be issued unless the above prerequisites are satisfied.



- (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 party obtaining the permit or his or its duly authorized agents or representatives, and must be the person, firm, corporation, district, or municipality actually performing the work.
- (3) The permit shall not be assigned or transferred except upon the written consent of the Commissioner.
- (4) The work authorized by the permit shall be done to the complete satisfaction of the Commissioner. In replacement of pavements, the Standard County Specifications therefor shall be followed as more particularly set forth in Section 4 hereof.
- (5) Written notice except in emergencies shall be given by said Permittee to the Commissioner at least forty-eight (48) hours in advance of the date when the work of construction is to commence.
- (6) The Permittee shall indemnify and save harmless the County, local municipality and improvement district from all claims, liens, suits, loss or damage of every kind whatsoever, whether direct or indirect, which may arise by reason of the granting of this permit.
- (7) The Permittee agrees, in consideration of the granting of the permit, that any present or future damage, injury to or disturbance of the highway, its pavements, slopes or gutters, caused by placing of any structures pursuant to the terms of the permit, shall be immediately repaired by the Permittee at his or its own expense and to the satisfaction of the Commissioner.
- (8) The Permittee agrees to pay all necessary expenses that may be incurred by the County in connection with the work to be done under the permit, which payment shall be made within ten (10) days after the sending of a statement of expenses as certified by the Commissioner and, if not paid by the Permittee, the said expenses shall be deducted from the deposit as herein otherwise provided for. Where work of an extensive or difficult nature is involved the Permittee may be required to pay the costs of a full or part time Inspector to be designated by the Commissioner to inspect the work for the purpose of protecting the County's interest.
- (9) In case the final pavement has not been placed when opening is made, where the road improvement is under contract, the Permittee agrees to reimburse the road contractor for such additional costs of reinforcing steel in pavement, when placed, as are required by the Commissioner.
- (10) The Commissioner reserves the right to revoke or cancel the permit at any time should the Permittee fail to comply with say of the terms, agreements, covenants and conditions thereof.
- (11) A fully executed copy of this permit must be in possession of the parties actually doing the work. It must be exhibited on demand to the Commissioner or his representative.
- (12) The permit does not grant permission for connections to water or sewer mains, etc. Such permits must be obtained from the local municipality or improvement district prior to and in addition to permit for street openings applied for herewith.
- (13) Vehicular traffic shall be maintained on any section of the road disturbed by the Permittee at all times during the term of this permit.
- (14) The contractor assumes all risks in the operation covered by the permit and shall be solely responsible and answerable in damages for all accidents or injuries to person or property of whatsoever kind and nature, whether direct or indirect, arising out of any operations under the permit, even though said accidents or injuries to person or property are or may be due, in whole or in part, to the County of Westchester, its agents, servants or employees.

SECTION 4. THE WORK TO BE DONE AND PERFORMED PURSUANT TO THE PERMIT SHALL BE DONE ACCORDING TO THE FOLLOWING SPECIFICATIONS AND CONDITIONS:

- (1) All locations and time of performing the work shall be approved by the Commissioner.
- (2) The Permittee shall arrange his or its work so as to cause a minimum of inconvenience and delay to vehicular traffic. The Commissioner reserves the right to order the removal of any and/or all obstructions to traffic on Saturdays, Sundays, Holidays and other periods of unusually heavy traffic volumes. The permittee shall erect and maintain suitable barricades to adequately delineate and protect the site during and in which his or its work is in progress. Warning flags, signs, flashing yellow lights and watchmen shall be provided as necessary. Excavated material should be stored in neat piles, so placed as to cause the least interference with the use of the roadway or sidewalks. Where the free flow of traffic is interfered with, the permittee shall place and maintain traffic control devices pursuant to provisions of sections 1680 and 1682 of the New York State Vehicle and Traffic Law. All traffic control associated with maintenance, repair, and construction, within the highway limits, shall be carried out in accordance with standards set forth in the New York State Manual of Uniform Traffic Control Devices, latest revision. The Commissioner reserves the right to order the correction of any unsafe condition and the installation of additional signs, lights or other traffic control devices.
- (3) Unless otherwise permitted, tight sheathing at least two (2) inches in thickness shall be placed in all trenches having a depth in excess of four (4) feet and within three (3) feet of any pavement or other highway structure which is proposed to remain in place except where excavation is in rock. Sheathing shall be securely fastened in place with walers and braces during all operations and shall be driven to a depth one (1) foot below the lowest part of the structure proposed to be installed as the excavation progresses. In all such excavations having a depth in excess of six (6) feet, such sheathing shall be left in place with a cutoff line eighteen (18) inches below ground surface. In the trenches having a depth of more than three (3) feet and less than six (6) feet the sheathing shall be left in place if ordered by the Commissioner of Public Works. Sheathing may be omitted when permitted by the Commissioner if the edge of the proposed trench is offset from the nearest edge of the pavement or other structure by a distance at least equal to the vertical depth of the trench as measured from the highest point of the adjacent pavement or structure.
- (4) Backfilling around completed structures shall be made of selected material, free from loose stones, as soon as the structure has attained sufficient strength to preclude injury and shall be made in successive horizontal layers not exceeding six (6) inches in depth. Each layer shall be thoroughly compacted by tamping to the satisfaction of the Commissioner. No frozen material shall be used in the backfill. Special care shall be taken to thoroughly compact the portion directly under the haunches, around the sides and for a depth of one (1) foot over pipes or ducts. No rock shall be placed in the backfill within twelve (12) inches of a pipe or duct. If permitted by the Commissioner, the backfilling of trenches may be thoroughly puddled by depositing the earth in water. No backfilling of trenches by scrapers or other machinery will be allowed except that on longitudinal trenches outside the pavement limits; the use of power backfillers mounted on pneumatic tires may be used if provisions are made for adequate compacting of filled material. The work shall be so carried on that not over 300 linear feet of trench shall remain open at any time, unless otherwise authorized by the Commissioner.
- (5) All surplus excavated material and debris shall be cleaned up and removed from the site of the work upon the completion of work by the Permittee, leaving the site of the work in a neat and orderly condition.
- (6) Where topsoil, seeded areas or sod are disturbed in the excavating, Permittee shall restore the ground surfaces to the same conditions.
- (7) Manhole covers, frames and other structures placed within the roadway shall be of sufficient weight and strength and a suitable type and stability approved by the Commissioner and shall be set flush with the surface of the pavement.
- (8) The Permittee shall repair and maintain at his or its expense any present or future disturbance of a roadway and pavement which may have been caused by work done pursuant to the terms of the permit herein, said maintenance to cover a period of thirty (30) days after completion of the work.

- (9) All small pipes or conduits crossing roadway pavements shall, wherever possible, be driven beneath the pavement, without disturbances to the surface. Such pipes or conduits shall be enclosed in sleeves or larger pipes so that required replacement may be made in the future without disturbance to the pavement. For the purpose of driving such pipes or conduits, no opening of trench shall be made closer than two (2) feet to the edge of the pavement. Tunneling under the pavement is prohibited. Driving of pipes or conduits having a dimension greater than eight (8) inches shall be permitted only under such special terms and conditions as the Commissioner may prescribe.
- (10) Permanent restoration of the finished pavement shall not be made until complete settlement of the trench backfill shall have taken place, as directed by the Commissioner. Immediately after backfilling the trench, an acceptable temporary repair of cold patch, bituminous macadam or other acceptable flexible pavement material shall be placed which shall be maintained even with the roadway surface until permanent restoration of the pavement is ordered by the Commissioner. If ordered by the Commissioner, cement concrete may be substituted for bituminous materials in temporary replacements.
- (11) At such times as directed by the Commissioner, the permanent replacement of pavement shall be made under the supervision and inspection of the Commissioner, as follows:
- (A) On CONCRETE PAVEMENTS, which become undermined or broken, the slabs shall be completely replaced on a prepared foundation with reinforced concrete nine (9) in. thick in the proportion of 1:2:3 1/2 using High Early or Quick Setting Cement mixed by machine for at least 2 minutes. Materials and proportioning of aggregate shall be inspected and approved by the Commissioner.
- When cross-trenches are excavated vertically, without undercutting the concrete pavements, the slab shall be neatly cut back a distance of at least two (2) feet on each side of the outer walls of the trench and replaced with a reinforced concrete patch. Where any portion of a patch is nearer than eight (8) feet from an expansion joint, the patch shall be extended to the joint. Where longitudinal trenches have been made in concrete pavements, the entire slab shall be replaced.
- In any event the new patch must rest upon undisturbed subgrade for at least two (2) feet in all directions from the excavated area, and must be at least ten (10) feet long as measured parallel to center line of the pavement. In removing portions of slabs or reinforced concrete, care shall be taken not to remove all the reinforcing metal. New reinforcing shall be carefully tied and bonded to old reinforcing steel when making restorations. All reinforcement shall be 3/8" construction bars, spaced 14" in each direction. Approved pre-moulded expansion joints shall be inserted where directed and all construction joints shall be poured with an acceptable asphaltic material. The concrete shall be completely wetted after placing and covered with six (6) inches of hay and kept continuously saturated for ten (10) days. The use of an approved high early-strength cement placed under approved methods, may be required by the Commissioner for certain concrete pavement replacements where the delay and inconvenience to traffic is of sufficient importance to warrant same. Satisfactory curing of the concrete is of the greatest importance.
- (B) On WEARING SURFACE PAVEMENTS (Asphaltic Concrete and blacktops, Granite blocks, Asphalt Blocks, Brick, etc.) a concrete foundation eight (8) inches in thickness shall be placed on a prepared foundation, in the proportion of 1:2 1/2:5, using High Early or Quick Setting cement in the same manner as reinforced concrete pavements. The concrete shall be reinforced with approved wire mesh 3/8" reinforcing bars, placed 2" above bottom of concrete. This replacement shall cover an area for a distance of not less than two (2) feet on each side of the outer walls of the trench as excavated and must be at least ten (10) feet long as measured parallel to center line of pavement. This concrete foundation shall be completely wetted after placing and kept covered with six (6) inches of hay and kept continuously saturated for eight (8) days. After this curing is completed, a wearing surface equivalent to pavement removed shall be placed in accordance with Standard County Specifications, as directed by the Commissioner.
- At the option of the Permittee the requirement of steel reinforcement is hereby rescinded provided the thickness of the concrete under (a) shall be eleven (11) inches and under (b) ten (10) inches.
- (C) On MACADAM PAVEMENTS, the replacement shall be the same as for wearing surface pavements, section (b).
- (12) The permittee shall replace or restore satisfactorily to the Commissioner of Public Works any pavement or other structure which may have been damaged during the progress of the work for which the permit was issued even though such pavement or structure was not proposed to be disturbed at the time of the granting of the permit.

Section 5. All applications and permits shall be in the form prescribed by the Commissioner of Public Works and shall be executed in triplicate by the applicant, sworn to before a person qualified to administer oaths and shall set forth the amount of deposit accompanying said permit, together with a statement saving the County harmless for any claims of whatever nature arising out of the conduct of the work to be performed under the permit.

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DRIVEWAY & CURB WORK

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 (Name) (Address)

APPROVED FOR ISSUANCE - COUNTY OF WESTCHESTER - DEPARTMENT OF PUBLIC WORKS

DATED20...

By.....
Supt. of Road Maintenance

