

**STILLWATER COUNTY
APPLICATION FOR AN ENCROACHMENT PERMIT**

To be filled in by the applicant - Incomplete applications will not be processed.

Name: _____
Contact Person: _____ Phone: _____
Address: _____

Site Location - Exact distance and direction from the nearest County road intersection:

Section _____ Township _____ Range _____

Nature of Construction Project (Attach drawings, plans/specifications):

Completion Date: _____

IN ORDER TO PROMOTE PUBLIC SAFETY AND PROTECT LIFE AND PROPERTY IT IS NECESSARY FOR EVERY PERSON, PARTY, OPERATION, BUSINESS OR UTILITY DESIRING TO PERFORM CONSTRUCTION WORK OF ANY NATURE IN ANY COUNTY ROAD, STREET, ALLEY OR THOROUGHFARE TO OBTAIN A WORK PERMIT PRIOR TO STARTING SUCH WORK AND POST BOND AS MAY BE REQUIRED INSURING PROPER COMPLETION OF THE PROJECT.

FEDERAL LAW REQUIRES ALL PARTIES TO CONTACT "ONE CALL" BEFORE DIGGING
1-800-424-5555

APPLICANT HEREBY AGREES TO THE FOLLOWING CONDITIONS:

1. To perform all work in compliance with Stillwater County Specifications, a copy of which is available at the County Road Dept.
2. To notify the County Road Dept. Office prior to starting any work within the County right-of-way covered by this permit.
3. Applicant will be responsible for any damage to other installations already in place before digging.
4. To provide proof of insurance, indemnify and save harmless Stillwater County, its officers and employees, from responsibility, damage, or liability arising from the exercise of the privileges granted herein.
5. To meet all requirements for warning signs, traffic control and public safety (Manual on Uniform Traffic Control Devices).
6. Abide by Federal Law requirements to contact "One Call Hotline" before digging 1-800-424-5555.

IT IS FURTHER AGREED:

1. Applicant shall furnish bond as required based on the type and scope of work covered by this application for a one year period.
2. Above named applicant doing or authorizing said work will pay a fee as required, said fee to be retained by Stillwater County
3. Applicant shall not exceed or modify the scope of this project without prior approval from the County Road Dept. Office.
4. Applicants shall be responsible for their excavations, locations, placements of lines, poles, pipes, etc., within the public rights of way in accordance with Stillwater County Road Dept. standards.
5. When requested by the County Road Dept, due to public safety, county road maintenance, construction, or rebuilding, relocation shall be the responsibility of the owner of said facilities; all costs associated with any future relocation of any improvement constructed under this project permit shall be borne by the current owner(s) at the time of the requested relocation.
6. All work shall be inspected upon completion as arranged for by parties, the Applicant and the County Road Dept. or his representative.
7. Permittee shall maintain, at its/his sole expense, the installation and/or structures for which this permit is granted, in a condition satisfactory to the County.
8. Should the work fail to meet standards, or if a defect in said work creates a situation affecting public health, welfare or safety, the applicant is solely responsible for correction of the deficiency. If applicant, upon notification by the County Road Dept. fails to correct said deficiency, the Stillwater County Road Dept. may make or authorize such repairs as necessary. All costs incurred in said repair shall be charged against the Applicant, the Applicants heirs, assigns, or his bond. Emergency situations, as determined by the Road Dept. Office, shall be corrected within 24 hours, all other situations shall be corrected within 30 days.
9. The applicant agrees to hold Stillwater County harmless for any damage to their facilities occurring during normal road maintenance operation now and in the future.
10. Nothing contained in this permit shall relieve Applicant of responsibility for the work performed under any permit granted.

The terms of this permit application are accepted and agreed to by:

Signature of Applicant(s) Date

Send the completed application form along with applicable fees, drawings, plans/specifications, proof of insurance, and bond to the address below.

**Stillwater County Road & Bridge Department
P.O. BOX 715
865 HWY 10 West
COLUMBUS, MT 59019
Phone: (406) 322-5336**

REVIEW OF APPLICATION FOR ENCROACHMENT PERMIT

- To be filled in by Stillwater County Road Supervisor -

ROUTE NO. _____
STATION(s) _____

COMPLETE APPLICATION RECEIVED? Yes _____ No _____
INSPECTION FEE PAID? Yes _____ No _____ Amount _____
PLANS/SPECIFICATION SUBMITTED? Yes _____ No _____
PROOF OF INSURANCE PROVIDED? Yes _____ No _____ Company _____
BOND PROVIDED? Yes _____ No _____ Amount _____

PRELIMINARY INSPECTION OF APPLICATION RECOMMENDED FOR:

APPROVAL _____ CONDITIONAL APPROVAL _____ DISAPPROVAL _____

County Road & Bridge Supervisor

Date

List conditions of approval or disapproval, if any:

DECISION ON APPLICATION FOR ENCROACHMENT PERMIT

- To be filled in by Stillwater County Commissioners -

The Board of County Commissioners of Stillwater County, Montana, do hereby:

APPROVE _____ CONDITIONALLY APPROVE _____ DISAPPROVE _____

The permit application for an Encroachment Permit.

Chair, Board of County Commissioners

Date

FINAL INSPECTION OF WORK COMPLETED

- To be filled in by Stillwater County Road Supervisor -

Inspected by _____ Inspection Date _____

Completed project: _____ meets requirements of the preliminary application
_____ does not meet approval for the following reasons: _____

NOTICE: Approval of the foregoing application shall not grant authority to the permitted to burden or otherwise impair or infringe on any third party property interests which may exist or inure to the benefit of third parties relative to the county property or right-of-way which is referenced in this application. It shall be the responsibility of the permittee to ascertain all such property interests, if any, and to make suitable arrangements with all third parties whose property interests may be impaired by the construction work proposed in this application.

Routing

Initial Course of action

- _____ 1. Road & Bridge - Preliminary inspection
- _____ 2. Road & Bridge - Approval and fees to Finance Department
- _____ 3. Finance Department - Deposit fees and submit application to BOCC final approval
- _____ 4. Commission action - Decision on application for permit
- _____ 5. Road & Bridge - Mail permit to applicant
- _____ 6. Final Inspection- Road & Bridge
- _____ 7. Clerk & Recorder - Record final document

OFFICE USE ONLY

EXHIBIT A, PAGE 1

Conditions of Approval for Encroachment Permits
Stillwater County, Montana

- 1) Permittee or representative shall have Encroachment Permit on Site during installation or any other related disturbance within the right-of-way.
- 2) After Permit issued, Road Department/County Inspector to be notified, a minimum of 48 hours prior to any disturbance in the county road right-of-way.
- 3) Contractor to adhere to MUTCD for traffic control, including proper posting of warning signs.
- 4) Installation to be along edge of right of way, unless approved otherwise by County Inspector.
- 5) Contractor to repair/replace surface to original or better condition.
- 6) County Inspector to approve backfill material.
- 7) Boring fluids to be collected and disposed of at approved disposal site.
- 8) Open excavation and equipment left overnight will have hazard barriers and Flashing signals as approved by County Inspector.
- 9) 48" minimum depth for burial of electric and gas lines.
- 10) 24" minimum depth for burial of telephone lines.
- 11) When needed, county gravel and dirt roads may be trenched or bored. County paved roads will be bored unless a variance request is granted by the Commission following recommendation by the Road & Bridge Department.
- 12) a. Culverts will be installed in all driveway approaches in accordance with EXHIBIT A, PAGE 2, unless a variance request is granted by the Commission following recommendation by the Road & Bridge Department. The culvert diameter standard will be twelve (12) inches. However, greater or lesser diameters may be required, as determined by the Road and Bridge Department.
b. The finished approach surface will be at least eight (8) inches below the existing county road surface elevation unless, in the opinion of the Road and Bridge Department, less elevation difference is needed to accommodate proper road drainage.
- 13) County Inspector shall inspect installation upon completion.
- 14) Other Conditions-of-Approval may be assigned on a case-by-case basis.

Signature of Applicant(s)

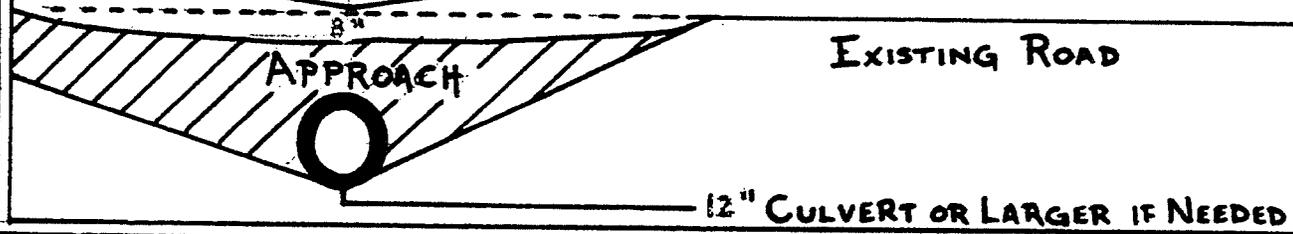
Date

Print Name and Title

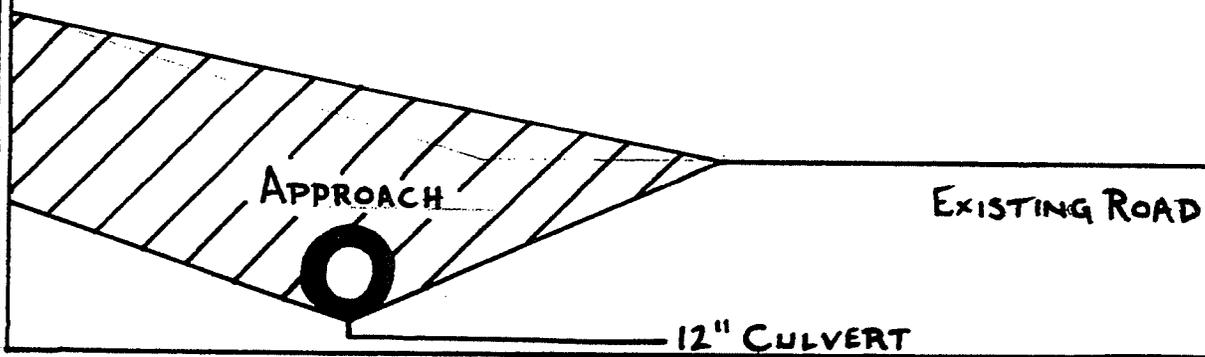
R&B Dept/August 18, 2009

C O R R E C T

THE FINISHED APPROACH SURFACE WILL BE AT LEAST 4 INCHES BELOW EXISTING COUNTY ROAD SURFACE.



I N C O R R E C T



*STILLWATER COUNTY
INSPECTION FEES
Effective May 15, 1995*

ENCROACHMENT PERMIT CLASSIFICATION

MINIMUM FEE

DRIVEWAY OR PRIVATE ROAD APPROACH:

New construction, expanded use, alteration of
Or relocation of an existing approach.

\$75.00 each

WORK IN RIGHT OF WAY:

All projects which involve work in the right of way
(ie: trimming and removing trees, ditch repairs, etc.)

\$75.00 per mile

UTILITY SERVICE INSTALLATION AND MAINTENANCE:

Utility service connections to existing facilities in right of way

\$75.00 each

Underground utility service installation and maintenance,
10 cents per foot up to 1 mile (5280 feet) and 5 cents per foot
in excess of 1 mile

\$75.00 minimum

Utility pole installation or replacement per mile (5280 feet)

\$75.00 per mile

All road crossings (bored, trenched, overhead culverts and
Cattle guards

\$75.00 each

Private cable T. V. companies, oil & gas pipelines, communication companies, water systems, and public and/or private irrigation systems crossing or using public right of way will be treated under the same schedule of fees as utility service installation and maintenance.

All costs incurred by the County Road Department or it's representatives associated with the testing, inspection and correction of deficiencies will be charged to the responsible permittee.

Stillwater County reserves the right to require a performance bond securing the restoration of County facilities to assure compliance with right of way permit requirements.

STILLWATER COUNTY RESOLUTION NO. 96-12

WHEREAS, Montana Statutes 7-14-2101 et. seq. gives general power to the Board of County Commissioners to do whatever may be necessary for the best interest of the county roads, and

WHEREAS, the County incurs additional costs at the taxpayers expense whenever inspecting, reviewing or repairing construction work within county right-of-way, and

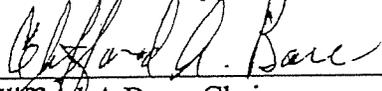
WHEREAS, public health, safety and general welfare of Stillwater County will be better served if there is a permit system required to allow for review of permit applications with plans and specifications for construction work within county right-of-way, proof of insurance, and a financial guarantee in the amount required to cover the estimated cost to repair construction work affecting county roads and associated facilities provided by the applicant.

NOW, THEREFORE BE IT RESOLVED, that a permit is required for construction work within county right-of-way. An complete application form must submitted for review and will be processed in accordance with the approved policy on permit requirements for construction work in county right-of-way. This includes requirements for the applicant to provide proof of insurance and a financial guarantee.

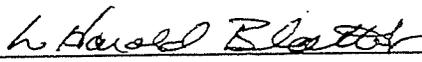
BE IT FURTHER RESOLVED, That a fee schedule with a minimum \$75.00 inspection fee is hereby adopted.

PASSED AND ADOPTED by the Board of County Commissioners of Stillwater County, Montana this 22 day of April 1996.

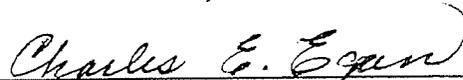
Board of County Commissioners



Clifford A Bare, Chairman

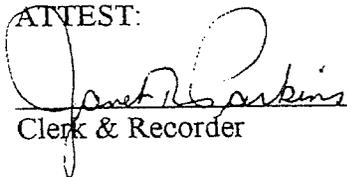


L. Harold Blattie, Member



Charles E. Egan, Member

ATTEST:



Clerk & Recorder