

**THE TOWN OF TILLSONBURG
 ENCROACHMENT PERMIT
 (SE-004)**

For Office Use Only Permit No. _____ ACR No. _____
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1. Applicant Information

Applicant Name: _____		Applicant is the Owner: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Mailing Address: _____		Owner Name: _____	
City, Town, Village: _____	Province: _____	Postal Code: _____	
Telephone No.: _____	Fax No.: _____	E-mail: _____	

2. Proposed Activity Information

Application is: Construct Maintain Repair Alter Remove Special Event
 The following: _____

Start Date: _____ Permit Expiry Date (90 days max.): _____

Special Event Start Time: _____ End Time: _____

3. Description of Activity

Crossing the Road Parallel to the Road Other (specify) _____

Activity Location: _____

Activity to Occupy: Single lane Multiple lanes Full Road Various locations Sidewalk
 Parking Lot Other (specify) _____

Check all items that may be affected by the activity:

roadway signs curb & gutter sidewalk boulevard trees
 sewers none municipal drain _____ tile or storm sewer

4. Required Prior to Approval

Liability Insurance Certificate of \$2,000,000 (\$5,000,000 for Special Events) minimum coverage naming the Town as an additional insured.

WSIB Clearance Certificate. (Not required for Special Events)

Sketch/drawing of proposed activity.

Traffic Control Plan illustrating appropriate lane closures, detours, etc. for review and comment only, not for approval. (Not required for Special Events)

Note: Encroachment Permits will not be processed until all of the above items are submitted at time of application

5. Declaration of Applicant

I/We hereby make application to occupy the designated space for the purpose described above and agree to abide by the terms and conditions established in this application. I/We agree to assume all liability and/or costs incurred by the Town as a result of occupying the designated space and to indemnify and save harmless the Town until final inspection approval of the activity. I/We understand that the issue of a permit by the Town does not relieve the responsibility of complying with all relevant legislation and municipal by-laws.

Signature of Applicant: _____ Date: _____

6. Application Approval (for office use only)

Approved Additional Conditions Signature: _____ Date: _____

 Engineering Services

Not Approved

7. Notification (for office use only)

Application returned via: Email Mail Fax In Person Date: _____

By: _____ Signature: _____

8. Final Inspection Approval (for office use only)

Approved Not Approved Signature: _____ Date: _____
Engineering Services

9. General Conditions of Approval

1. No person shall close, construct, encumber, occupy, excavate, or maintain any kind of encroachment in, on, over, or under a highway or public lands without first obtaining a valid Encroachment Permit in accordance with By-law 4019.
2. The application must be in the name of the person or persons performing the activity and not in the name of an agent or utility for whom he/she is acting. The Applicant must indicate the intended starting date and duration of occupancy at least seven (7) business days prior to commencing the activity described in the application. The Town requires 48 hours notification before commencement of the authorized activity.
3. The Applicant shall strictly adhere to the conditions set out in By-law 4019 and any other special conditions set out in this application. Any breach thereof is considered to be non-compliance and may result in a revocation or termination of the Encroachment Permit. The Manager of Engineering or their designate may then take actions deemed necessary to reinstate the encroachment for public safety at the Applicants expense.
4. The Applicant shall obtain all other necessary agency permits and approvals required (i.e. County of Oxford, MOECC, MNR, LPRCA, Ministry of Labour, Building Permits, etc.) and comply with any applicable provincial legislation. Proof of such permits and approvals shall be provided if requested by the Town prior to issuing the Encroachment Permit;
5. The Applicant shall request all marking or other location information to determine the location and provide safeguards for all utilities, both public and private, in accordance with current regulations.
6. The Applicant shall release, indemnify and save harmless the Town, its councillors, directors, officers, employees, agents, consultants, contractors, assigns, and any others for whom the Town is at law responsible from and against any and all claims, demands, losses, expenses, costs, including but not limited to reasonable legal fees, damages, actions, suits or proceedings, or any other liabilities which may at any time or from time to time be asserted against, imposed upon or incurred by the Town as a consequence of or in connection with the encroachment, the maintenance of the encroachment, or any other matter relating to the encroachment.
7. The Encroachment Permit shall be available for inspection at all times during which the activity is in progress.
8. The Applicant shall keep the encroachment in a state of good repair. In the event that the Applicant fails or neglects to keep the encroachment in a state of good repair, the Manager of Engineering may provide notice to the Applicant of any deficiency on the encroachment and request that such deficiencies be rectified. If the notice is not complied with within two (2) business days from the date that the notice was sent, or such other time as may be mutually agreed upon by the Town and Applicant the Encroachment Permit may be revoked. Notwithstanding the foregoing the Town may immediately remove any item on public property deemed to constitute a safety hazard. All costs incurred by the Town to remove the encroachment shall be recovered from the Applicant.
9. The Applicant shall assume all maintenance and liability for temporary repairs until such time as permanent repairs are completed for the activity described in this application to the satisfaction of the Town.
10. All damage, disruption, or removal of existing infrastructure as described in this application, and all damages related to the activity shall be reinstated to the satisfaction of the Town. Failure to reinstate the affected areas will result in the Town performing the required repairs at the Applicants expense.
11. The Applicant shall provide and maintain all signs, barricades, traffic control devices, traffic control persons, or other persons and equipment as required by the Occupational Health and Safety Act, Ministry of Transportation guidelines, and to the satisfaction of the Town, at the location of encroachment, prior to commencement of the activity at the sole responsibility and cost of the Applicant, save and except Special Events.
12. The Applicant shall provide and maintain a reasonable temporary alternative route or detour for traffic and pedestrians where a highway or public lands is closed or partially occupied, to the satisfaction of the Town and all at the cost of the Applicant, save and except Special Events.
13. The Applicant shall maintain access to all public and private properties for the duration of the activity. The Applicant shall provide written notice 48 hours in advance to affected property owners of when the activity is to commence and/or if a highway closure is to be undertaken.
14. The Applicant shall not store excavated material in such a manner as to obstruct pedestrian or vehicular traffic or to be placed near a catch basin such that the material may enter the sewer. Frozen or organic material, clay in a fluid state, silt or mud shall be excluded from backfill. This may require that all excavated material be replaced with granular material. Backfill material shall be compacted in layers not exceeding 300 millimetres.
15. The Applicant shall notify the Manager of Engineering at least 24 hours in advance of any additional time required and the reason for an extension, when conditions or unforeseen difficulties require a longer period for completion than indicated on the Encroachment Permit. Notwithstanding the forgoing the Encroachment Permit expires ninety (90) days following approval and a new permit will be required.