**ROAD OPENING PERMIT APPLICATION**

## TOWN OF BOYLSTON HIGHWAY DEPT.

**385 Main Street**

**599**

**Boylston MA 01505**

**508-869-2261**

**PLEASE RETURN COMPLETED AND SIGNED APPLICATION TO THE HIGHWAY DEPARTMENT**

FEE: $

APPLICATION FOR PERMIT TO OPEN ROAD:

 STREET

 DRIVEWAY

 UTILITIES

 OTHER: (describe)

# Corporation Name: Applicant’s Name: Address: Phone:

**Location of Proposed Work (Street, house number and owner’s name, if applicable):**

**Map Parcel Registry of Deeds book # Page# Describe in detail the nature of proposed work:**

**Draw below OR attach a sketch of the proposed work, showing location and the work to be done, pipe size, material to be used, type of work such as water, gas, cable, telephone, electric, etc.**

**Indicate relationship to existing light poles, hydrants, trees, traffic signs, water mains, etc. and the nearest intersection if within 50 ft. (Show “north” arrow). All road cuts to be backfilled, compacted and resurfaced according to Mass DTE Standards and Specifications per order issued August 26, 1999, DTE 98-22, a copy of which may be obtained from the Highway Department.**



**DIG SAFE #**

**(No permit will be approved without a Dig Safe #)**

# Proposed Starting Date Estimated Date of Completion

* **All permits are in effect for 30 days from issuance and extensions must be in writing. All permits must be used within the road opening season.**
* **The Town will require from all contractors the minimum of $1,000,000 general liability and a certificate authenticating that they have workmen’s compensation coverage.**
* **All permits are subject to and conditioned upon the Town of Boylston Road Opening Permit Regulations.**
* **Special conditions, if any, are attached.**

**Bond Issue in the amount of $ to be retained by the Town of Boylston and to be returned to the applicant after the completion of one full winter season following completion of the permitted work.**

 **\*\* Contractor is responsible for 1 year. Any issues will be repaired by the Contractor at the Highway**

 **Superintendent’s request. If the Highway Superintendent deems mill & top coat in 1 years’ time is**

 **needed, Contractor is 100% responsible to cover any/all expenses. Repairs must meet existing**

 **grades. With inspection of Highway Superintendent or Highway personnel per approval of Highway**

 **Superintendent.**

**Applicant signature below certifies that I am familiar with the rules, regulations and bylaws of the Town of Boylston and that I will do all work in conformance with said rules and regulations; and that I hold harmless the town and all its boards/agents for any claim or action whatsoever arising from the experience of said permit.**

**Applicant’s Signature** **Date:**

**HIGHWAY DEPT.**

**Approved By Date**

**TOWN OF BOYLSTON ROAD OPENING PERMIT**

Policy and Regulations

A road-opening permit is required for any excavation or construction of any kind within a public right of way or that has an effect on the right of way. The right of way shall be determined by county layouts or other surveying records. If no layout is found, the right of way shall be assumed as a total road width of 33 (thirty-three) feet.

The contractor will give to the Town a copy of his Liability and Workers' Compensation certificate. In some cases, a performance bond for an amount set by the Highway Superintendent or Board of Selectmen will be required before the issuance of a permit. Applicant is responsible for notifying Dig Safe and any other local utilities, which may be affected.

Failure to obtain a permit or comply with the following regulations shall be subject to a fine of up to 10(ten) times the permit fee, plus the road opening permit fee.

## REGULATIONS

1. INSURANCE REQUIREMENTS

All projects requiring digging in the road and/or right of way may be required to have a 100% (one hundred) performance bond to be held by the Town until the utilities agree that the work has been done to their specifications and the excavated area has settled for one winter's season.

An applicant for a permit to work within Town ways or lands shall furnish to the Town, prior to the insurance of the permit, certificates of minimum insurance including, automobile, property damage liability, bodily injury liability, and workmen's compensation insurance in the amounts determined by the Highway Superintendent. Insurance coverage shall be reviewed and updated periodically. These certificates shall contain a provision that the insurance company will notify the certificate holder, by registered mail, at least 30 days in advance of any cancellation or material change.

General Liability:

Includes: Each Occurrence - $1,000,000

Comprehensive Form Aggregate- $2,000.000 Premises/Operations

Underground Explosion Collapse Hazard

Products/Completed Operations Independent Contractors

Board from Property Damage Personal Injury

Automobile Liability:

Includes: Bodily Injury &

Property Combined-

$1,000,000

All Owned Vehicles Hired Vehicles

Non-owned Vehicles

Workers Compensation & Employers Liability:

As Required by the State of Massachusetts:

Each Accident- $100,000

Bodily Injury by Disease $500,000 (Policy Limit)

Bodily Injury by Disease (Each Employee)

$100,000

1. DISPLAY OF PERMITS

A copy of the permit shall be at the job site at all times for inspection by local police, Highway Department personnel, and other interested persons. To be valid, the permit must show the effective and expiration dates and must be signed by the Highway Superintendent or his designee. This regulation will also apply to public utilities and their subcontractors.

1. PROTECTION OF PUBLIC PROPERTY

The Permittee shall not remove, even temporarily, any trees, shrubs, traffic signs, signals, loops or survey bounds which exist in the street area without first obtaining the consent of the Highway Superintendent. In the event of damage, the Town shall be compensated in an amount sufficient to repair or replace the loss or damage.

1. CARE OF EXCAVATION MATERIAL

All material excavated from trenches, and piles adjacent to the trench or in any street shall be piled and maintained in such manner as not to endanger pedestrians, or users of the street, and so that as little inconvenience as possible is caused to those using the street adjoining properties. Backfilling will be done with excavated material unless otherwise directed by the Highway Superintendent. Excess material will be disposed of at no cost to the Town of Boylston. Whenever necessary, in order to expedite the flow of traffic or to abate the dirt or dust nuisance, toe boards or bins may be required by the Town to prevent the spreading of dirt into traffic lanes.

1. PROMPT COMPLETION OF WORK

After an excavation has commenced, the Permittee shall prosecute with diligence and expedition all excavation work covered by the excavation permit, and shall promptly complete such work and as specified herein. The Permittee shall perform such work so as not to obstruct, impede, or create a safety hazard to either pedestrian or vehicular traffic.

1. EXCAVATION DURING WINTER

No person or utility shall be granted a permit to excavate or open any street or sidewalk from November 15th of each year to April 15th of the next year unless an emergency or special condition exists and permission is obtained, in writing, from the Highway Superintendent.

Any person or utility wishing to obtain an excavation permit between the aforementioned dates shall first explain fully, in writing, the nature of the emergency situation to the Highway Superintendent before permission is granted. If a hazardous condition, which would endanger life and/or property, exists, excavation work shall not be delayed by this section of the policy. However, a written explanation shall be delivered to the Highway Superintendent as soon as possible and an excavation permit obtained for the opening made.

1. INSPECTIONS

The Town shall make such inspections as are reasonably necessary in the enforcement of these regulations. The Town shall have the authority to promulgate and cause to be enforced such rules and regulations as may be reasonably necessary.

1. PROTECTIVE MEASURES & TRAFFIC CONTROL

It shall be the duty of the Permittee to make certain that the security of the traveling public is safeguarded and its rights are not unreasonably curtailed. Unless specifically indicated in the permit or authorized by the Highway Superintendent and/or the Board of Selectmen, the traveled path shall not be obstructed. Storage of material shall not be allowed within the traveled way. The portions of the roadway, which are excavated or are otherwise unsafe for public travel, shall be adequately protected at all times to avoid the possibility of accidents. Such areas shall be marked at night by barricades or traffic barrels with flasher beacons, or other warning devices approved by the Highway Superintendent. When portions of the traveled way are made dangerous for the movement of vehicles or pedestrians as may be determined by the Chief of Police, a sufficient number of uniformed police officers shall be employed by the Permittee to direct the traffic safely through the areas. The work shall, if possible, be planned to avoid such conditions.

1. TEMPORARY STEEL PLATING

A contractor may temporarily place a structural steel plate(s) over an open trench with the approval of the Town’s Highway Superintendent. Any steel plates must meet ASTM A 36 steel (minimum) with a thickness sufficient for supporting traffic load. Steel plates must completely cover the open trench and have a minimum overlap, on each side, of four (4) feet for the entire length of the trench. The contractor shall also make all efforts to prevent any lateral movement of plate(s) placed by the contractor. Steel plates, in general, will not be allowed if winter weather is expected. In the event that placement of the steel plates(s) is unavoidable, the contractor will recess the plates, place warning devices on the plate(s) and notify the Town's Highway Department of the plate location. The permitted contractor is responsible for any plate movements; he will be charged if the Town resets any moved or out of position plates. Any location requiring a steel roadway plate for more than three (3) days will require the top of plate to sit flush with the roadway.

1. CLEARANCE FOR VITAL STRUCTURES

The excavation work shall be performed and conducted so as not to interfere with access to fire hydrants, the Town's fire station, water gates, valve housing structures and any, traffic signal cables and loops. All emergency departments must be notified by the permit holder of any work in a public way, which impede the smooth passage of emergency vehicles.

1. INDEMNIFICATION

The applicant agrees as a condition governing the issuance of a permit, that they will hold harmless the Town of Boylston, the Town's Highway Superintendent, from and against any and all claims, demands and actions whatsoever arising from the issuance of said permit and all work pursuant to such permit.

1. EXTENSION OF TIME

All required work shall be completed in a manner satisfactory to the Town before the expiration date shown on the permit except in cases where permanent repairs, such as loaming and seeding must be made at a future date. Otherwise, the permit holder shall request the Town to allow him an extension of time. Extension of time may be granted upon written request by the Permittee stating the reason(s) for the request.

1. EMERGENCY REPAIRS

Nothing in these regulations shall be construed to prevent the making of such excavations as may be necessary for the preservation of life or property, or for the location of trouble in conduit or pipe, or for the making repairs, provided that the person making such excavation shall apply to the Town for such permit on the first working day after such work is commenced. Before any excavation work is started, the person or utility excavating must contact all utilities, the Water District and the Town for underground facilities.

1. SUSPENSION

A permit may be suspended or revoked by the Town upon written notification to the Permittee.