

Proposed Local Law #1 of 2011 on Work in Rights-of-Way as follows:

Permit required.

- A. Openings. No person, firm, association or corporation shall alter, disturb, open, grade, dig or excavate the surface or soil of any street, highway, roadbed, pavement, or public ground in the Town for any purpose, or tunnel under the roadbed of any street, in whole or in part, for any purpose except upon compliance with the provisions set forth in this article and upon receipt of a written permit from the Town of Cobleskill Highway Superintendent; nor shall any person, firm, association or corporation do so on private ground in the Town using equipment powered by a source other than human strength except upon compliance with the provisions set forth in this local law and upon receipt of a written permit from the Town of Cobleskill Highway Superintendent.
- B. Sidewalk, curb and driveway construction. No person shall construct, remove, replace or repair a sidewalk, curb or driveway within the limits of any public street, highway or other public property without first obtaining a written permit from the Town of Cobleskill Highway Superintendent.
- C. Water and sewer and utilities. No person shall dig, trench, or make any connection into a sanitary sewer, storm water drain or water main which forms a part of the sewer, drainage or water distribution system of the Town without first obtaining a written permit for such opening from the Town of Cobleskill Highway Superintendent; nor shall any person dig or trench for the purpose of repairing or burying any underground utility, whether controlled by the Town or some other entity, within the public right-of-way without first obtaining a written permit from the Town of Cobleskill Highway Superintendent.
- D. UFPO registration number required. No permits shall be granted to any person, association or corporation that has not obtained the appropriate Underground Facilities Protective Organization (UFPO) registration number in accordance with 16 NYCRR Part 753. Applicants must call at least two business days in advance to obtain a UFPO ticket number. No permit applications will be considered until such UFPO number is obtained.

Application for permit.

Permit applications are to be obtained from the Town of Cobleskill Highway Superintendent during regular office hours. A minimum of three business days is required to process permit applications.

Permit applications must include the following:

- A. The name of the applicant.
- B. The fact that applicant is either a contractor or a representative of a division, department or branch of government, or a utility corporation, or is a plumber or electrician, or a person engaged in some business or occupation whose work requires such excavation.
- C. The precise plan where the applicant seeks to dig or excavate or trench, with the distance from the nearest street intersection or from the property abutting the street at the point proposed for excavation. The application must also state the estimated size and purpose of the opening.
- D. The date or dates on which the work will be performed.
- E. The type of pavement or surface to be disturbed.
- F. The appropriate permit fee as established from time to time by a resolution of the Town Board and on file in the Town Clerk's office.
- G. Each commercial applicant shall also provide the Town of Cobleskill Town Clerk t a certificate of insurance in a form approved by the Town of Cobleskill and issued by an insurance company authorized to do business within the state, guaranteeing that the applicant has provided per occurrence liability coverage of \$1,000,000 for bodily injury and property damage in the aggregate, to insure the Town against any loss, injury or damage arising out of the granting of the permit or from any negligence or fault of such applicant, his agents, servants or employees

in connection with the opening or with any work related thereto. Such insurance must remain in force throughout the effective period of the permit, as well as any authorized extensions, and shall carry an endorsement to the effect that the insurance company will give at least 10 days' written notice to the Town of any modification or cancellation of any such insurance.

- H. A signed statement by the applicant that the applicant agrees to perform the work for which the permit is granted strictly in accordance with the conditions of the permit, the provisions of the Town of Cobleskill Code and any applicable state or federal rules and regulations and that the Town is to be saved harmless from any loss, injury, or damage arising out of the granting of the permit or from any negligence or fault of the applicant, his servants or agents, in connection with any of the work done in connection with the permit.