

Concord Public Works
Engineering Division
978 318-3210



Right-of-Way Permit Application # _____

Engineering Division Use Only

Approved Denied Date of Filing: _____
Application Fee: Class 1 (\$50) Class 2 (\$100) Class 3 (\$200) Trench (\$25)
Received By: _____ Cash _____ Check # _____
Liability Insurance Certificate: Received (Up-to-Date)
Bond: \$ _____ Received \$ _____
Life Cycle Maintenance Fee: Required \$ _____ Recd. Chk # _____
Special Conditions: _____
Reason for Denial: _____

This application must be completed ***in full*** at the time of submittal. It is the responsibility of the applicant to provide all information required herein. Please type or print neatly. Except in the event of a situation posing an immediate threat to public safety, failure to obtain a permit before commencing work will result in the assessment of a fine.

Location

House #: _____ Street: _____

From (nearest cross street/pole #/house#)

To (nearest cross street/pole #/house #)

Owner's Name: _____ Address: _____

Tel. #: () _____ Town: _____ State: _____ Zip Code: _____

Contractor: _____ Address: _____

Tel. #: () _____ Town: _____ State: _____ Zip Code: _____

Tel. #: () _____

Description of Proposed Work

Length of Opening: _____ feet Width of Opening: _____ feet

Location (circle all that apply): **Roadway** **Shoulder** **Sidewalk** **Curb** **Driveway**

From: _____ * To: _____ *

Date

Date

*Allow five (5) business days from filing date to start of construction.

Maximum ninety (90) calendar days to complete proposed work.

Dig Safe Number: _____ Date Valid: _____

Provide a description and location including sketch of proposed work. Use additional sheets if necessary.

Other Required Approvals

Historic District:

If proposed work is located within a Historic District, contact the Historic District Commission at 978-318-3299.

Natural Resources

If proposed work is located within the 100-year flood plain, 100 feet of wetlands, 200 feet of a river or stream, or any other natural resource area as defined in the Wetlands Protection Act, contact the Division of Natural Resources at 978-318-3285.

Public Shade Trees

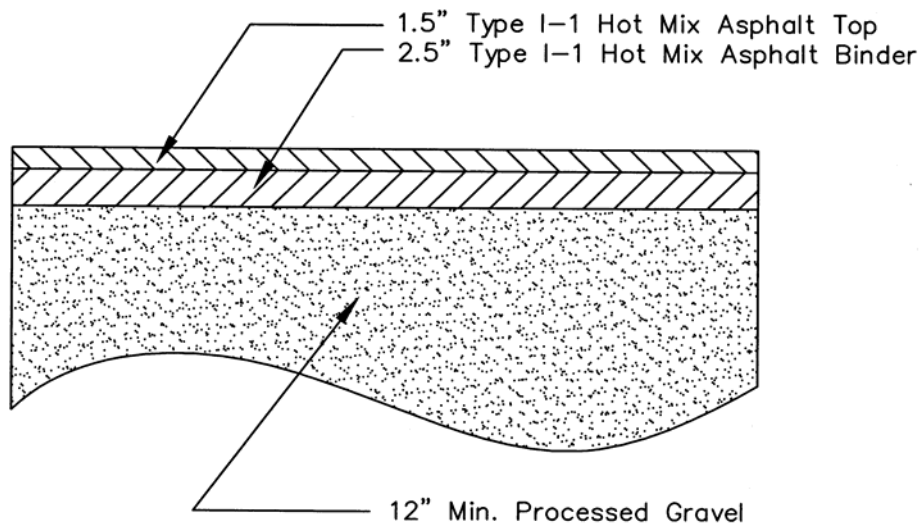
If the work requires the removal of or shall otherwise seriously impact a public shade tree, contact the Tree Warden at 978-318-3285.

Concord Police Department

It is the responsibility of the applicant to schedule police details in accordance with the Town of Concord Regulations and Bylaws. For information or to schedule details, contact the Concord Police Department at 978-318-3400.

It is the responsibility of the applicant to obtain all other approvals required to perform the work prior to commencing work. Failure to obtain all necessary permits and/or approvals before commencing work may subject the licensee to immediate enforcement action including the issuance of fines and work stoppage. Approval of proposed work by any other Town Departments does not automatically imply approval of a Right of Way Permit Application.

Full Depth Patch Detail



Full Depth Patch

Notes:

1. All joints shall be sawcut and sealed with emulsion – sand top edge.
2. All backfill (including any new material added) shall be compacted in lifts not exceeding 6" to 95% of maximum dry density – standard proctor.
3. All structures within the patch area shall be reset to finish grade.
4. All materials and construction shall conform to current Town of Concord specifications – available at the Engineering Office of the Concord Public Works.

Guidelines for Applicants (See Application Instructions for more info)

1. The "Private Digging of Roads" bylaw (Article 47, Town Meeting, April 1992) requires that "no public way shall be dug up nor opening made therein for any purpose, nor shall any material be dumped or placed thereon or removed therefrom, nor any alteration made, nor shall any tree be planted thereon or removed without first obtaining a written permit..." Except in the event of a situation posing an immediate threat to public safety, said permit shall be obtained prior to any work being performed.
2. The applicant is solely responsible for obtaining all other permits or permission required to perform the work as established by Town bylaw or state or federal regulations prior to commencement of the work.
3. The installation of multiple accesses (i.e. driveways) to one parcel is strongly discouraged. It is the responsibility of the applicant to demonstrate that the proposed access is in the public interest. Considerations include public safety (community safety officer will be consulted) and impact to public shade trees, stone walls, and character of the roadway. It is strongly suggested that the applicant make an appointment with the Engineering Division to discuss the proposed access prior to submitting the application.
4. Activities classified as requiring **Class 1 permits** include, but are not limited to resurfacing existing drives, landscaping, stone, cobble or brickwork, temporary construction access and/or disturbance and obstruction of the public way (dumpsters, etc.).
5. Activities classified as requiring **Class 2 permits** include, but are not limited to installation of a new single family residential drive, or its widening or relocation, new utility services, undergrounding residential overhead utility services (phone, cable, electric, etc.).
6. Activities classified as requiring **Class 3 permits** include, but are not limited to new commercial or subdivision drives, installation, relocation, replacement or extension of utility mains, and undergrounding overhead utility systems.
7. Driveway grades within the right-of-way shall not exceed 10%.
8. New driveway locations shall be staked out in the field by the applicant for review by the Engineering Division.
9. The Town of Concord restricts the installation of private utilities within the public right-of-way.
10. All work must comply with current ADA (Americans With Disabilities Act) and Mass. Architectural Access Board (MAAB) requirements.
11. All work must comply with the Concord Public Works construction and Shade Tree Standard Operating Procedures.
12. **ENGINEERING MUST BE NOTIFIED 24 HOURS PRIOR TO ALL WORK COMMENCING.**

CONDITIONS AND REQUIREMENTS PURSUANT TO G.L.C.82A AND 520 CMR 7.00 et seq. (as amended)

By signing the application, the applicant understands and agrees to comply with the following:

- i. No trench may be excavated unless the requirements of sections 40 through 40D of chapter 82, and any accompanying regulations, have been met and this permit is invalid unless and until said requirements have been complied with by the excavator applying for the permit including, but not limited to, the establishment of a valid excavation number with the underground plant damage prevention system as said system is defined in section 76D of chapter 164 (DIG SAFE);
- ii. Trenches may pose a significant health and safety hazard. Pursuant to Section 1 of Chapter 82 of the General Laws, an excavator shall not leave any open trench unattended without first making every reasonable effort to eliminate any recognized safety hazard that may exist as a result of leaving said open trench unattended.
Excavators should consult regulations promulgated by the Department of Public Safety in order to familiarize themselves with the recognized safety hazards associated with excavations and open trenches and the procedures required or recommended by said department in order to make every reasonable effort to eliminate said safety hazards which may include covering, barricading or otherwise protecting open trenches from accidental entry.
- iii. Persons engaging in any trenching operation shall familiarize themselves with the federal safety standards promulgated by the Occupational Safety and Health Administration on excavations: 29 CFR 1926.650 et.seq, entitled Subpart P "Excavations".
- iv. Excavators engaging in any trenching operation who utilize hoisting or other mechanical equipment subject to chapter 146 shall only employ individuals licensed to operate said equipment by the Department of Public Safety pursuant to said chapter and this permit must be presented to said licensed operator before any excavation is commenced;
- v. By applying for, accepting and signing this permit, the applicant hereby attests to the following: (1) that they have read and understands the regulations promulgated by the Department of Public Safety with regard to construction related excavations and trench safety; (2) that he has read and understands the federal safety standards promulgated by the Occupational Safety and Health Administration on excavations: 29 CMR 1926.650 et.seq, entitled Subpart P "Excavations" as well as any other excavation requirements established by this municipality; and (3) that he is aware of and has, with regard to the proposed trench excavation on private property or proposed excavation of a city or town public way that forms the basis of the permit application, complied with the requirements of sections 40-40D of chapter 82A.
- vi. In the event the Permitting Authority is notified of an unattended trench during a time when the permit holder is unavailable, and the Authority determines that a police detail is required to make the trench safe for the protection of the general public, the permit holder shall be assessed and be responsible to the Town for the cost of providing the police detail.
- vii. In the event that the Permitting Authority determines that a trench is unattended and unsafe, the Permitting Authority may take such action to backfill, barricade or cover the trench and the permit holder shall be assessed the costs associated with the action, including any overtime costs for the Town of Concord employees or Town-authorized contractors.
- viii. Whenever a permit holder is making multiple trenches related to the specific utility for which the original permit was issued over the course of a single project, the Permitting Authority may choose to issue a blanket permit allowing the permit holder to add to the list of trench locations as the permit holder becomes aware that a trench is required. The permit holder shall advise the Permitting Authority of the addition of each new trench.
- ix. **This permit shall be posted in plain view on the site of the trench.**

Terms and Conditions

1. The permittee will conform to all the requirements of the laws of the Commonwealth and the Bylaws and regulations of the Town of Concord now and hereafter in force.
2. The permittee will conform to M.G.L. Chapter 82, Section 40, also known as the Digsafe Law.
3. This permit may be revoked at any time.
4. All work must comply with all current ADA (Americans with Disabilities Act) and Mass. Architectural Access Board (MAAB) Requirements.
5. Except in the event of a situation posing an immediate threat to public safety or in the case of severe hardship, any road having received full width treatment (overlay, reconstruction, etc.) shall not be opened for two full calendar years from the year in which the road received said treatment. All hardship cases must be approved by the Public Works Commission (PWC).
6. Except in the event of a situation posing an immediate threat to public safety or in the case of severe hardship, all work involving open cutting a public way shall be performed within the period from **April 1st to November 15th** of any year. Any exceptions may be approved at the sole discretion of the Engineering Division.
7. **The permittee will notify the Concord Public Works (CPW) Engineering Division office at (978) 318-3210 24 hours prior to the commencement of any work associated with the permit.**
8. The permittee will restore that portion of the right-of-way to be opened, occupied, or obstructed under this permit to a condition equal to or better than that prior to disturbance and to the satisfaction of the CPW.
9. All excavations made and obstructions erected by the permittee shall be properly delineated with barrels and construction fence and the zone be properly marked with safety signage during the entire time that the right-of-way is occupied or obstructed. All safety devices shall conform to the current Manual on Uniform Traffic Control Devices and shall be placed as directed by the CPW.
10. From the beginning of twilight and throughout the night until sunrise, the permittee will place and maintain over or near the area opened, occupied, or obstructed and over or near any material which he has placed upon the right-of-way, a lighted barrier properly positioned and sufficient to protect travelers from injury and to the satisfaction of the CPW.
11. The permittee will place and maintain a safe and convenient way or ways for the use of pedestrian traffic and a safe and convenient passage for public travel around or over such place.
12. The permittee will provide for a police detail as required by and to the satisfaction of the Public Safety Officer of the Town of Concord.
13. The permittee will deliver up this permit to the Town Engineer or his/her duly authorized agent at any time upon demand on or before the expiration of the time fixed in this permit or any extension thereof for completing the work.
14. The permittee will provide proof of liability insurance to indemnify and save harmless said Town of Concord from any and all loss, damage and expense which it may sustain by reason of any act of omission or commission suffered or done by the permittee hereunder.
15. Before placing any obstruction in the street and before performing any work authorized by this permit, the permittee will execute and deliver to said Town of Concord a cash deposit or a bond in such amount and in such form and with such surety or sureties written by a surety company licensed to currently do business under the laws of the Commonwealth of Massachusetts as may be required by the Public Works Commission for the faithful performance and observance of the requirements, terms and conditions of this permit.
16. No wires, pipes, conduits, structures or property monumentation now in or under the public right-of-way shall be disturbed by the permittee without the consent of the PWC, CPW, or other officer of the Town having charge of or supervision over the same and, in case any such wires, pipes, conduits, or structures are disturbed or injured by the licensee, he will restore the disturbed or injured wires, pipes, conduits, or structures in a manner satisfactory to such PWC, CPW or officer of the Town.
17. All work performed and materials used shall conform to current Town standards and specifications (see attached Typical Patch Detail).
18. Maintenance of that portion of the driveway located within the public way is the responsibility of the permittee.
19. All work involving open cutting a public street must be patched with Hot Mix Asphalt on the same day that the cut is performed unless otherwise approved by CPW. Any excavations that are to remain open during the work shall be covered with a steel plate secured at the edges by hot mix asphalt ramps.
20. The permit shall expire at the end of the construction period specified in #6 unless otherwise authorized in writing by the Town Engineer or his/her duly authorized agent. The permit shall become void upon expiration, and the permittee shall submit a new application and fee for a permit to perform the work.



CONCORD PUBLIC WORKS
CONCORD, MASSACHUSETTS 01742

TRENCH PERMIT SECTION
EXCAVATOR INFORMATION

Name of Excavator: _____ Tel. # : _____
(print)

Address: _____ Town: _____

State: _____ Zip Code: _____

Massachusetts Hoisting License #: _____

License Grade: _____ Expiration Date: _____

Competent Person, as defined by 520 CMR 7.02? Yes No

By signing below the undersigned excavator all acknowledge and certify that they are familiar with, or, before commencement of the work, will become familiar with, all laws and regulations applicable to the work proposed, including OSHA regulations, M.G.L. C. 82a, 520 CMR 7.00 et seq., and they covenant and agree that all work done under the permit issued for such work will comply therewith in all respects and with the conditions set forth below.

By signing below the undersigned excavator agrees to defend, indemnify, and hold harmless the municipality and all of its agents and employees from any and all liability, causes or action, costs, and expenses resulting from or arising out of any injury, death, loss, or damage to any person or property during the work conducted under this permit.

Conditions and requirements pursuant to M.G.L. Chapter 82a and 520 CMR 7.00 et seq. (as amended)

By signing the application, the undersigned excavator understands and agrees to comply with the following:

- i. No trench may be excavated unless the requirements of sections 40 through 40d of chapter 82, and any accompanying regulations, have been met and this permit is invalid unless and until said requirements have been complied with by the excavator applying for the permit including, but not limited to, the establishment of a valid excavation number with the underground plant damage prevention system as said system is defined in section 76d of

Chapter 164 (dig safe);

- ii. Trenches may pose a significant health and safety hazard. Pursuant to section 1 of chapter 82 of the general laws, an excavator shall not leave any open trench unattended without first making every reasonable effort to eliminate any recognized safety hazard that may exist as a result of leaving said open trench unattended. Excavators should consult regulations promulgated by the department of public safety in order to familiarize themselves with the recognized safety hazards associated with excavations and open trenches and the procedures required or recommended by said department in order to make every reasonable effort to eliminate said safety hazards which may include covering, barricading or otherwise protecting open trenches from accidental entry.
- iii. Persons engaging in any trenching operation shall familiarize themselves with the federal safety standards promulgated by the occupational safety and health administration on excavations: 29 cfr 1926.650 et.seq, entitled subpart p "excavations."
- iv. Excavators engaging in any trenching operation who utilize hoisting or other mechanical equipment subject to chapter 146 shall only employ individuals licensed to operate said equipment by the department of public safety pursuant to said chapter and this permit must be presented to said licensed operator before any excavation is commenced;
- v. By applying for, accepting and signing this permit, the applicant hereby attests to the following: (1) that they have read and understands the regulations promulgated by the department of public safety with regard to construction related excavations and trench safety; (2) that he has read and understands the federal safety standards promulgated by the occupational safety and health administration on excavations: 29 cmr 1926.650 et.seq, entitled subpart p "excavations" as well as any other excavation requirements established by this municipality; and (3) that he is aware of and has, with regard to the proposed trench excavation on private property or proposed excavation of a city or town public way that forms the basis of the permit application, complied with the requirements of sections 40-40d of chapter 82a.
- vi. In the event the permitting authority is notified of an unattended trench during a time when the permit holder is unavailable, and the authority determines that a police detail is required to make the trench safe for the protection of the general public, the permit holder shall be assessed and be responsible to the town for the cost of providing the police detail.
- vii. In the event that the permitting authority determines that a trench is unattended and unsafe, the permitting authority may take such action to backfill, barricade or cover the trench and the permit holder shall be assessed the costs associated with the action, including any overtime costs for the town of concord employees or town-authorized contractors.
- viii. Whenever a permit holder is making multiple trenches related to the specific utility for which the original permit was issued over the course of a single project, the permitting authority may choose to issue a blanket permit allowing the permit holder to add to the list of trench locations as the permit holder becomes aware that a trench is required. The permit holder shall advise the permitting authority of the addition of each new trench.

For additional information please visit the department of public safety's website at www.mass.gov/dps

Signature: _____

Date: _____



CONCORD PUBLIC WORKS
CONCORD, MASSACHUSETTS 01742

TRENCH PERMIT SECTION
COMPETENT PERSON INFORMATION

Competent Person, as defined by 520 CMR 7.02

Name _____
(print)

Tel. # : _____

Address: _____

Town: _____

State: _____

Zip Code: _____

By signing below the undersigned all acknowledge and certify that they are familiar with, or, before commencement of the work, will become familiar with, all laws and regulations applicable to the work proposed, including OSHA regulations, M.G.L. C. 82a, 520 CMR 7.00 et seq., and they covenant and agree that all work done under the permit issued for such work will comply therewith in all respects and with the conditions set forth below.

By signing below the undersigned agrees to defend, indemnify, and hold harmless the municipality and all of its agents and employees from any and all liability, causes or action, costs, and expenses resulting from or arising out of any injury, death, loss, or damage to any person or property during the work conducted under this permit.

Conditions and requirements pursuant to M.G.L. Chapter 82a and 520 CMR 7.00 et seq. (as amended)

By signing the application, the undersigned understands and agrees to comply with the following:

- i. No trench may be excavated unless the requirements of sections 40 through 40d of chapter 82, and any accompanying regulations, have been met and this permit is invalid unless and until said requirements have been complied with by the excavator applying for the permit including, but not limited to, the establishment of a valid excavation number with the underground plant damage prevention system as said system is defined in section 76d of chapter 164 (dig safe);
- ii. Trenches may pose a significant health and safety hazard. Pursuant to section 1 of chapter 82 of the general laws, an excavator shall not leave any open trench unattended without first making every reasonable effort to eliminate any recognized safety hazard that may exist as a result of leaving said open trench unattended. Excavators should consult regulations promulgated by the department of public safety in order to familiarize themselves with the

recognized safety hazards associated with excavations and open trenches and the procedures required or recommended by said department in order to make every reasonable effort to eliminate said safety hazards which may include covering, barricading or otherwise protecting open trenches from accidental entry.

- iii. Persons engaging in any trenching operation shall familiarize themselves with the federal safety standards promulgated by the occupational safety and health administration on excavations: 29 cfr 1926.650 et.seq, entitled subpart p "excavations."
- iv. Excavators engaging in any trenching operation who utilize hoisting or other mechanical equipment subject to chapter 146 shall only employ individuals licensed to operate said equipment by the department of public safety pursuant to said chapter and this permit must be presented to said licensed operator before any excavation is commenced;
- v. By applying for, accepting and signing this permit, the applicant hereby attests to the following: (1) that they have read and understands the regulations promulgated by the department of public safety with regard to construction related excavations and trench safety; (2) that he has read and understands the federal safety standards promulgated by the occupational safety and health administration on excavations: 29 cmr 1926.650 et.seq, entitled subpart p "excavations" as well as any other excavation requirements established by this municipality; and (3) that he is aware of and has, with regard to the proposed trench excavation on private property or proposed excavation of a city or town public way that forms the basis of the permit application, complied with the requirements of sections 40-40d of chapter 82a.
- vi. In the event the permitting authority is notified of an unattended trench during a time when the permit holder is unavailable, and the authority determines that a police detail is required to make the trench safe for the protection of the general public, the permit holder shall be assessed and be responsible to the town for the cost of providing the police detail.
- vii. In the event that the permitting authority determines that a trench is unattended and unsafe, the permitting authority may take such action to backfill, barricade or cover the trench and the permit holder shall be assessed the costs associated with the action, including any overtime costs for the town of concord employees or town-authorized contractors.
- viii. Whenever a permit holder is making multiple trenches related to the specific utility for which the original permit was issued over the course of a single project, the permitting authority may choose to issue a blanket permit allowing the permit holder to add to the list of trench locations as the permit holder becomes aware that a trench is required. The permit holder shall advise the permitting authority of the addition of each new trench.

For additional information please visit the department of public safety's website at www.mass.gov/dps

Signature: _____

Date: _____

Concord Public Works – Engineering Division Right of Way Permit Application Instructions

These instructions accompany our “Driveway Permit Application” and “Right of Way Permit Application”. Please contact us at 978-318-3210 if you have any questions.

1. Read all documentation thoroughly. Your signature on the application indicates your understanding of same.
2. Any and all **work performed in the right of way must occur between April 1 and November 15**. All applications must be received by November 1. Any exceptions may be approved at the sole discretion of the Engineering Division.
3. Payment of any applicable fees should be by check payable to “Town of Concord”, and submitted along with the signed application to Concord Public Works, Engineering Division, 133 Keyes Road, Concord, MA 01742. No action will be taken on the application until the fee has been paid.
Application Fee* (Non-Refundable) Class 1 = \$50 Class 2 = \$100 Class 3 = \$200
 (*Except in the event of a situation posing an immediate threat to public safety, failure to obtain an approved permit before commencing work shall result in the assessment of a fine in accordance with the Town’s ByLaws in addition to the application fee).
4. The applicant must mark the scope of all work by white stakes or white paint marks – then call **DigSafe at 1-888-344-7233** at least 72 hours (not including holidays and weekends) before any proposed work is to start.
5. Proof of **Liability Insurance** from your insurance agent must be delivered to the Engineering Division prior to the issuance of any permit.
6. A **cash deposit (Cashier’s Check payable to the Town of Concord) or Performance Bond** by a surety company licensed to do business in Massachusetts in an amount equal to the cost estimated by the Engineering Division to repair the surface should the applicant default must be received before any permit is issued. Said guarantee will be held until all work is completed to the satisfaction of the Engineering Division.
7. Any applicable **Life Cycle Maintenance Costs** will be calculated at the time of review by the Public Works Engineer. The payment of these fees will be required before the issuance of a permit.

Area of Trench (Sq Ft)	Pavement Age (years since last full width treatment)			
	0-5 Yrs*	6-12 Yrs	13-20 Yrs	Above 20 Yrs
0 to 20	\$600	\$400	\$200	\$0
21 to 50	\$840	\$560	\$275	\$0
Above 50	\$16.75/sf	\$11.15/sf	\$5.56/sf	\$0

Fee Schedule approved by Public Works Commission 4/09/08

***See Terms and Conditions #5**

Note: Where the length of a proposed trench exceeds one hundred (100) feet, as measured along the centerline of the road, the following formula shall be used to calculate the life cycle maintenance cost (LCMC):

$$L \times W \times UC \times PCI = LCMC$$

Where: L = Length of trench (feet) W = Width of road (feet)
 UC = Unit Cost to install a full width overlay of the road with 1.5-inches of Type-1 Hot Mix Asphalt (dollars per square foot). For 2008, UC=\$0.82/s.f. for all projects.
 PCI = Pavement Condition Index (expressed as a percentage) of road prior to start of construction, as determined by the Engineering Division

For example, a 200 foot long utility trench is proposed in a road that is 25 feet wide. The PCI of this road is 77. For 2008, the full width overlay unit cost, as determined by the Engineering Division is \$0.82/s.f. Therefore the LCMC would be:

$$200' \times 25' \times \$0.82/sf \times 0.77 = \$3157.00$$

8. Accuracy is expected; errors can result in delay of approval. The description of the proposed work needs to be brief, providing all information as clearly as possible. A sketch of the scope of work must be attached.
9. Please refer to the Full Depth Patch specification sheet if paving is involved in your project.
10. All work must comply with all current ADA (Americans with Disabilities Act) and Mass. Architectural Access Board (MAAB) Requirements.
11. If your application is denied you may request an appeal to be heard by the Public Works Commission. This appeal shall be in writing, addressed to the Public Works Engineer. Contact this office for further instructions.

BY SIGNING THE RIGHT OF WAY APPLICATION FORM, THE APPLICANT, OWNER, AND EXCAVATOR ALL ACKNOWLEDGE AND CERTIFY THAT THEY ARE FAMILIAR WITH, OR, BEFORE COMMENCEMENT OF THE WORK, WILL BECOME FAMILIAR WITH, ALL LAWS AND REGULATIONS APPLICABLE TO WORK PROPOSED, INCLUDING OSHA REGULATIONS, G.L. c. 82A, 520 CMR 7.00 et seq., AND ANY APPLICABLE MUNICIPAL ORDINANCES, BY-LAWS AND REGULATIONS AND THEY COVENANT AND AGREE THAT ALL WORK DONE UNDER THE PERMIT ISSUED FOR SUCH WORK WILL COMPLY THEREWITH IN ALL RESPECTS AND WITH THE CONDITIONS SET FORTH BELOW.

THE UNDERSIGNED OWNER AUTHORIZES THE APPLICANT TO APPLY FOR THE PERMIT AND THE EXCAVATOR TO UNDERTAKE SUCH WORK ON THE PROPERTY OF THE OWNER, AND ALSO, FOR THE DURATION OF CONSTRUCTION, AUTHORIZES PERSONS DULY APPOINTED BY THE MUNICIPALITY TO ENTER UPON THE PROPERTY TO MONITOR AND INSPECT THE WORK FOR CONFORMITY WITH THE CONDITIONS ATTACHED HERETO AND THE LAWS AND REGULATIONS GOVERNING SUCH WORK.

THE UNDERSIGNED APPLICANT, OWNER AND EXCAVATOR AGREE JOINTLY AND SEVERALLY TO REIMBURSE THE MUNICIPALITY FOR ANY AND ALL COSTS AND EXPENSES INCURRED BY THE MUNICIPALITY IN CONNECTION WITH THIS PERMIT AND THE WORK CONDUCTED THEREUNDER, INCLUDING BUT NOT LIMITED TO ENFORCING THE REQUIREMENTS OF STATE LAW AND CONDITIONS OF THIS PERMIT, INSPECTIONS MADE TO ASSURE COMPLIANCE THEREWITH, AND MEASURES TAKEN BY THE MUNICIPALITY TO PROTECT THE PUBLIC WHERE THE APPLICANT OWNER OR EXCAVATOR HAS FAILED TO COMPLY THEREWITH INCLUDING POLICE DETAILS AND OTHER REMEDIAL MEASURES DEEMED NECESSARY BY THE MUNICIPALITY.

THE UNDERSIGNED APPLICANT, OWNER AND EXCAVATOR AGREE JOINTLY AND SEVERALLY TO DEFEND, INDEMNIFY, AND HOLD HARMLESS THE MUNICIPALITY AND ALL OF ITS AGENTS AND EMPLOYEES FROM ANY AND ALL LIABILITY, CAUSES OR ACTION, COSTS, AND EXPENSES RESULTING FROM OR ARISING OUT OF ANY INJURY, DEATH, LOSS, OR DAMAGE TO ANY PERSON OR PROPERTY DURING THE WORK CONDUCTED UNDER THIS PERMIT.

Contractor Certification

The undersigned hereby certifies that he/she has read and examined this **application** and that the proposed work is accurately represented in the statements made in this **application**. I understand that no work shall be performed prior to the issuance of an **Approved Permit** and that all work shall be executed in accordance with the terms and conditions of said permit (and all other applicable laws and bylaws in effect on the date of issuance). I understand that deviations from the **approved permit plan** that have not been subsequently approved in writing by the authorizing Agency shall result in immediate revocation of the permit, issuance of fines and require restoration of disturbed area to pre-construction conditions.

Signature of Contractor

Date

Property Owner Certification

I, _____, as Owner of the subject property

hereby authorize _____ to act on my behalf, in all matters relative to work authorized by this Right of Way permit application. I understand that the permit application will not be accepted or the permit granted until all applicable fees are paid in full. No work shall be performed prior to the issuance of an Approved Permit.

I further certify that the Town of Concord will not be responsible for future maintenance, upkeep or repair of the area subject to the approved permit that is within the Town Right-of-Way.

Signature of Owner

Date