

Spartanburg County Roads & Bridges

9039 Fairforest Road

Spartanburg, South Carolina 29301

Telephone 864-595-5320 Fax 864-595-5364



ENCROACHMENT PERMIT APPLICATION

PERMIT NO.: _____

Applicant's Name _____

Date _____

Address _____

Subcontractor _____

City, State, Zip Code _____

Phone Number _____

The above named applicant applies for a permit to construct, operate, use and/or maintain within the right-of-way of Spartanburg County streets and roads as listed:

For installation described as _____

For installations where platted right-of-way does not exist, the applicant is responsible for securing necessary right-of-way. Issuance of this permit is not a representation by Spartanburg County that it owns any right-of-way beyond the paved surface of the road.

The terms of installation will be carried out in the manner applied for and by plans, specifications, and statements filed with Spartanburg County as part of this application, attached and incorporated herein by reference. **If a permit is granted, the applicant agrees to meet all requirements of the Department's standard specifications and supplemental specifications and any other requirements of the permit policy, attached and incorporated herein by reference.** Repair of any damage to the County right-of-way or facilities is required. If plans are not submitted, a sketch plan must be attached to this permit showing location and type of proposed installation. A \$5,000 Surety Bond is required and must remain in force for three years after work in the right-of-way is completed. Utilities may waive the bond requirement regulated by the Public Service Commission that can show proof of being bonded and proof of liability insurance. All others must meet bonding requirements. The applicant agrees to indemnify and hold the County, its agents, and employees harmless from all costs and damages.

APPLICANT AGREES TO THE FOLLOWING:

1. Give notice to the Spartanburg County Roads & Bridges Department at 864-595-5320 a minimum of three (3) days notice before commencement of operations and immediately upon completion of work covered by this permit.
2. In any operations under the permit, the applicant will meet all requirements of the Spartanburg County Roads & Bridges Department's Standard Specifications and any supplemental specifications required for the specific project.
3. Take, provide and maintain all necessary precautions to prevent injury or damage to persons and property from operations covered by the Spartanburg County Roads & Bridges Department.
4. Save harmless and indemnify Spartanburg County Council against any claims for damages arising from operations covered by this permit. Upon request, furnish proof of insurance coverage for personal injury and property damage for operations within the rights-of-way of any roads under the jurisdiction of Spartanburg County Council. **This provision shall not apply to any governmental subdivisions and political subdivisions which are subject to provisions of the South Carolina Tort Claims Act.**
5. Surrender the permit herein applied for, cease operations and surrender all rights there under whenever notified to do so by the Spartanburg County Roads & Bridges Department because of the County's plan for public use of the area covered by the permit or because of a default of the conditions of the permit.
6. The Spartanburg County Roads & Bridges Department may revoke, amend or cancel this permit or any of the provisions of it any time by giving written notice to the permittee. The permittee will immediately remove or move as directed all facilities from the right-of-way. The County at the expense of the permittee will remove any facilities remaining upon the right-of-way thirty (30) days after written notice of cancellation to the permittee.
7. A \$5,000 bond, acceptable to the Spartanburg County Roads & Bridges Department and conditioned upon performance of the conditions of the permit and compliance with all requirements of law, must be filed with the Spartanburg County Roads & Bridges Department.
8. **The permittee must maintain the facility in good condition always. All roads that are cut for utility installation must be returned to the original condition that existed prior to installation within fifteen (15) days of the below start date.**
9. The above work, as outlined, is scheduled to start _____. If work does not begin within the ninety (90) days from date of approval, this permit shall become null and void and applicant must apply for a new permit.
10. **If, in the opinion of the County Engineer, it shall become necessary to move or remove the physical appurtenances, or any part thereof, contemplated herein, as a result of change in location of the highway, widening of the highway, or for any other sufficient reason, such moving or removal shall be done at the expense of the permittee. The County Engineer and the permittee shall jointly determine the most cost effective solution that includes due consideration of the cost of such relocations. This provision shall survive any termination of the agreement.**

Applicant's Name (print)

Applicant's Signature

Date

Bonding Company

Approved By:

Date

Expiration Date of Bond

THE FOLLOWING STANDARD SPECIFICATIONS SHALL BE ADHERED TO:

- A. Permit – The supervisor in charge of the work will have the permit and the approved plans or sketches in his possession on the job always.
- B. Tree trimming or tree removal – Locations where tree trimming or tree removal is necessary to be shown on a sketch plan.
- C. Any operation in the right-of-way not covered by the specifications submitted with the permit will be done following instructions of the Spartanburg County Roads & Bridges Department.
- D. Work within the limits of cities – The permit does not release permittee from the necessity of securing permission from any city, or to secure consent of the abutting property owner to do such work.
- E. Full compliance is required with any regulations of the South Carolina Public Service Authority.
- F. Permittee must attach plans, specifications and location of the facility to the application when applicable including soil erosion control plans as required.
- G. Permittee will govern all work by applicable sections of current editions of National Electrical Code, AWWA, except where this permit or law requires stricter regulations.
- H. Overhead clearances at bridges will be fifty (50) feet or thirty (30) feet horizontal clearance from the center of bridge except that they may attach utilities to concrete bridges if requested and approved. All timber bridges are subject to being rebuilt anytime.
- I. Disposal of materials – All stumps, limbs, litter, and logs are to be disposed according to South Carolina Department of Health and Environmental Control Requirements and Spartanburg County Environmental Services directives.
- J. Depths to bury underground lines will be a minimum of three (3) feet below ground surface or two (2) feet below ditches.
- K. Pedestals or other above ground utility appurtenances installed as part of a buried cable plant should be at or near the right-of-way line, well outside the highway maintenance operating area, and out of the ditch area.
- L. On cased or uncased installations, particularly on crossing of the highway, permittee should consider placing spare conduit or duct to adapt to known or planned expansion of underground lines.
- M. The general controls for pipelines are related to markers, installations, trenched and untrenched construction, and adjustment should be followed, as applicable,

on underground installation of electric power and communication lines, water lines, force mains and other utilities.

- N. **Damages to drainage structures during the course of construction shall be repaired by the permittee as directed by the Department.**
- O. All highway crossings will be installed by boring and jacking method except under the exceptional circumstances where existing utility lines are under existing pavement and no other access to facilities are available. **Every available means will be employed to prevent open cutting of roads. Where open cutting is requested as part of the permit, written justification must be presented outlining why it is necessary and the measures that have been tried to prevent such cutting.** All patches will be done according to the standard patch detail. Edges of all patches shall be tacked.
- P. Excavations in the road will be repaired in accordance with Spartanburg County Roads & Bridges specifications for repair of road excavations. Prior to excavation, asphalt pavement shall be saw cut full depth.
- Q. The obligations to maintain road cut repairs will remain in force as long as installed facility exists.
- R. When damages to the pavement areas are significant, in the opinion of the Spartanburg County Roads & Bridges Director, the entire roadway surface will be resurfaced. The permittee will submit a letter of credit for 125% percent of the contract cost for resurfacing before approval of the permit is granted.
- S. Cable companies will meet the Franchise Agreement between the utility and Spartanburg County.
- T. The Permittee shall erect warning signs in advance of any place on the project where operations may interfere with the use of the road by traffic; and shall take all necessary precautions for the protection of the work, the warning that work is being performed and the safety of the public. All barricades, sign and traffic controls shall conform to the requirements of the current S.C. Manual on Uniform Traffic Control Devices for Streets and Highways, unless otherwise permitted by the Department.

Scan/insert drawing

scan/insert drawing

SKETCH PLANS

- Note: Sketch shall show highway centerline and the proposed utility line. This form is included with and is made a part of the Application and Permit for Encroachment.

STATE OF SOUTH CAROLINA }

BOND

COUNTY OF SPARTANBURG }

KNOW ALL MEN BY THESE PRESENTS, that we _____
_____ as principal, and _____ as
surety, are held and firmly bound unto the County of Spartanburg in the full and just
sum of FIVE THOUSAND AND 00/100 -----\$5,000.00 Dollars, lawful money of the
United States, to the payment of which unto the County of Spartanburg, it's certain
attorneys, fiscal officers and successors, we do hereby bind ourselves and each and
severally, firmly by these presents.

WHEREAS, the above bounden principal has applied to the County of
Spartanburg for a permit to make an excavation in or across a county road.

NOW THE CONDITION of this obligation is as provided in the permit issued
pursuant to Section 57-7-60 S.C. Code of Laws (1976) and Ordinance No. 173 of
Spartanburg County, all of which are, by reference, incorporated herein. The substance
of this agreement is that if the above bounden principal shall faithfully keep and observe
the Statue of State, the Ordinance of said County and the permit issued pursuant
thereto, relating to the above named excavation, and shall properly execute and protect
all work done or undertaken by him or his employees, and shall promptly pay all loss or
damage occasioned to property resulting from or occasioned by any breach or failure to
observe the aforementioned Statute or Ordinance on the part of the principal, his
agents, servants or employees, in or about any work undertaken or done by them or
any of them, then this obligation is null and void, otherwise to remain in full force and
effect.

_____(SEAL)

_____(SEAL)

Date