

## RIGHT OF WAY – WORK PERMIT

For Office Use Only  
Permit No. \_\_\_\_\_

### 1. Applicant Information

Applicant Name: (Contractor performing the work)		Applicant is the Owner: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Company Name:		Applicant Job Title:	
Mailing Address:		Owner Name:	
City, Township, Village:	Province:	Postal Code:	
Telephone No.:	Fax No.:	E-mail:	

### 2. Proposed Work Information

Application is to:     Construct     Maintain     Repair     Alter     Remove  
 Special Event/Temporarily Occupy

The following works (Include MC/Permit/Approval reference): \_\_\_\_\_

Start Date: \_\_\_\_\_ Permit Expiry Date : \_\_\_\_\_

### 3. Description of Work

Crossing the Road     Parallel to the Road     Other (specify) \_\_\_\_\_

Location/Address: \_\_\_\_\_

Road Closure:     Single lane     Multiple lanes     Full     Various locations     None

Check all items that may be affected by the work:

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

Distance of works from centerline: \_\_\_\_\_ Depth of work: \_\_\_\_\_

Note that a fee of \$75 per lane per day will apply to road closures and a fee of \$50 per day will apply to sidewalk closures.

### 4. Required Prior to Approval

Applicable Fee \$ \_\_\_\_\_ (S/P/D/O-\$255/U&S-\$360)    Form \_\_\_\_\_

Road/Sidewalk Closure Fee \$ \_\_\_\_\_ (\$75-p/l p/d, \$50-p/d)    Form \_\_\_\_\_

Security Deposit Submitted \$ \_\_\_\_\_    Form \_\_\_\_\_

Liability Insurance Certificate (See Guideline)

WSIB Clearance Certificate

Sketch/drawing of the proposed works

Traffic Control Plan showing the appropriate lane closures, detours, etc. for review and comment only, not for approval

### 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 Township as a result of occupying the designated space and to indemnify and save harmless the Township until final approval of the works. I/We understand that the issue of a permit by the Township 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     Not Approved    Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### 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: \_\_\_\_\_  
Engineering Services

Date: \_\_\_\_\_

**9. General Conditions of Approval**

1. No person shall close, construct, encumber, excavate, or maintain any kind of encroachment in, on, over, or under a highway or public lands without first obtaining a valid Right of Way – Work Permit.
2. The application must be in the name of the person or persons performing the work 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 work described in the application. The Township requires 48 hours notification before commencement of the authorized works.
3. The Applicant shall strictly adhere to the conditions set out 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 Right of Way - Work Permit. The Director of Public Works 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. Region of Waterloo, MOECC, MNR, GRCA, 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 Township prior to issuing the Right of Way - Work 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 Township, its councilors, directors, officers, employees, agents, consultants, contractors, assigns, and any others for whom the Township 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 Township as a consequence of or in connection with the encroachment, the maintenance of the encroachment, or any other matter relating to the encroachment. The Applicant will provide a deposit in a form and quantity to the satisfaction of the Township.
7. The Right of Way - Work Permit shall be available for inspection at all times during which the work 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 Director of Public Works or designate 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 Township and Applicant the Right of Way - Work Permit may be revoked. Notwithstanding the foregoing the Township may immediately remove any item on public property deemed to constitute a safety hazard. All costs incurred by the Township 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 work described in this application to the satisfaction of the Township. **Inspections will not be completed between November 15 and April 15.** A final inspection is required in order to release any deposit submitted. The final inspection request must be submitted using the **FINAL INSPECTION & RELEASE REQUEST FORM.**
10. All damage, disruption, or removal of existing infrastructure as described in this application, and all damages related to the work activity shall be reinstated to the satisfaction of the Township. Failure to reinstate the affected areas will result in the Township 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 Township, at the location of encroachment, prior to commencement of work, at the sole responsibility and cost of the Applicant.
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 Township and all at the cost of the Applicant.
13. The Applicant shall maintain access to all public and private properties for the duration of the work. The Applicant shall provide written notice 48 hours in advance to affected property owners of when the work 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 millimeters.
15. The Applicant shall notify the Director of Public Works or designate 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 Right of Way - Work Permit. Notwithstanding the forgoing the Right of Way - Work Permit expires ninety (90) days following approval and a new permit will be required.

Applicant Initials