

Permit Under Section 136 of Highway Law

WHEREAS, Section 136 of the Highway Law provides "No street surface or other railroad shall be constructed upon any portion of a road constructed or improved on a county road system, nor shall any person, corporation or municipality enter upon or construct any work in or upon any such road, or construct any overhead or underground crossing thereof, or lay or maintain therein drainage, sewer or water pipes underground, except under such conditions and regulations as may be prescribed by the county superintendent of highways, notwithstanding any consent or franchise granted by any town or by the municipal authorities of any village or town. Any municipal corporation may enter upon any road constructed or improved on a county road system for the purpose of widening the pavement or for any other purpose authorized by this section, but only after securing a permit as provided herein. Notwithstanding the limitations in any general or special law, every municipal corporation shall have and is hereby given authority to deposit with the county superintendent of highways such a sum of money as may be required by the county superintendent of highways as a condition precedent to the granting of the permit provided in this section. Any person, firm or corporation violating this section shall be liable to a fine of not less than one hundred dollars nor more than one thousand dollars for each day of such violation, to be recovered by the county superintendent and paid to the county treasury to the credit of the county road fund created under section three hundred and twenty-b of this chapter for the construction, reconstruction and maintenance of county roads on the county road system in accordance with provisions of said section three hundred and twenty-b and may also be removed therefrom as a trespasser by the county superintendent of highways upon petition to the county court or the supreme court of the state and

WHEREAS, a certain highway known as _____ CR No. _____
has been improved and is on the Chemung County Road System and

Email: _____

WHEREAS _____ PH: _____

Whose address is _____ FX: _____

requests permission to _____

_____ as per attached construction plans and details, sketch or map.

NOW, THEREFORE, permission is hereby granted to said _____
to complete said work in accordance with the following conditions.

GENERAL CONDITIONS AND RESTRICTIONS

- County Superintendent of Highways reserves the right to at any time revoke or annul this permit should the applicant fail to comply with the terms and conditions upon which this permit is granted.
- Applicant certifies all persons concerned with actual work under this permit are duly covered by Workmen's Compensation Insurance and the State, County and Town shall be held harmless on account thereof.
- Applicant hereby agrees to hold the State, County and Town harmless on account of damages of any kind which may arise during progress of the work authorized by this permit or by reason thereof.
- This permit shall not be assigned or transferred without the written consent of the County Superintendent of Highways.
- County Superintendent of Highways shall be given five days prior notice by said applicant of the date when it intends to begin the work authorized by this permit, and notice within five days of completion.
- Applicant agrees to pay all necessary expenses incident to inspection by reason of the granting of such permit as certified by the County Superintendent of Highways, such payment to be made within ten days from the rendering of the certified account.
- Work under this permit shall commence within ninety days from date of permit and shall continue to completion in an expeditious manner.
- The applicant shall submit detailed plans of all facilities and structures to be installed within the right-of-way, with a description of proposed method of construction with all necessary details to locate proposed facility (in plan, section and profile) to clearly define detail and material of construction, inclusive of all required restoration, erosion control and maintenance of traffic plans and details.
- Erosion and Sediment control facilities shall be in accordance with the applicable requirements of Chemung County Soil & Water Coalition.
- Maintenance and Protection of traffic shall be in accordance with MUTCD at all times while the work is in progress and until its final completion.
- Safety is of highest priority. All personnel are required to wear hard hats and safety vest while working within the right-of-way

A deposit (Certified Check) – (Bond) in the sum of \$ _____ payable to the County Treasurer of Chemung County is (on file) – (to be deposited) as security that the highway will be restored in accordance with the required details where disturbed, at the sole expense of the applicant, as soon as the work has been completed. The County Superintendent of Highways is hereby authorized to expense all or as much of such deposit as may be necessary for that purpose, should the Applicant neglect or fail to perform the required work authorized by this permit to the satisfaction of the County Superintendent of Highways or his representative. SPECIAL CONDITIONS

In consideration of granting this permit the undersigned accepts and is subject to all conditions described herein.

Applicant

Date

County Superintendent of Highways
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