



# LAKE COUNTY

106 4th Ave. E.

Polson, Mt. 59860

## APPLICATION AND PERMIT FOR RIGHT OF WAY ENCROACHMENT

NAME:	ADDRESS:
DESCRIPTION & LOCATION OF ENCROACHMENT:	

**BY SIGNING THIS DOCUMENT PERMITEE AGREES TO THE FOLOWING:**

1. Lake County Roads Dept. will be notified prior to the start of work. The Road Dept. Supervisor will be permitted to inspect all aspects of the work up to and including completion.
2. All utility crossings shall be bored so as not to disturb the roadway surface or sub-surface. If boring is not feasible and the surface must be cut a fee of \$5.00 / SF for gravel or \$10.00 / SF for asphalt restoration will be paid prior to disturbing the existing surface unless restoration is completed by the Applicant or their representative and accepted by the County.
3. A traffic control plan meeting MUTCD standards must be submitted with this application up to and including flaggers or detour if applicable.
4. Any and all excavation within the roadway prism shall be backfilled and compacted with structural fill to within 12" of the finished surface. The top 12" shall be filled and compacted with crushed gravel (2" minus or better) flush to finish grade.
5. The holder of this permit agrees to restore any disturbed areas within the Right-of-Way to original or better condition including filling, compacting, top soiling, grading, and seeding all disturbed areas.
6. All utilities will be appropriately marked prior to disturbance. All associated utility costs are to be by permit holder or their representative.
7. Any persons encroaching or disturbing the County roads or Right-of-Way without an approved permit will be assessed a fee twice the normal fee. Installations not complying with this regulation will be removed by Lake County and those responsible will be subject to criminal prosecution.
8. Permittee agrees not to make any use of the roadway or Right-of-Way which exceeds the County's rights within the roadway or Right-of-Way. The Permittee shall be solely liable for damages resulting from use in excess of County rights.



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9. In accepting this permit, the Permittee, its successors or assigns, agree to protect the County and save it harmless from all claims, actions or damage of every kind and description which may accrue to, or be suffered by, any person or persons, corporations or property by reason of the performance of any such work, character or materials used, or manner of installations, maintenance and operation, or by the improper occupancy of said roadway Right-of-Way, and in case any suit or action is brought against the County and is arising out of, or by reason of, any of the above causes, and the Permittee, its successors or assigns, will, upon notice to it of the commencement of such action, defend the same at its sole cost and expense and satisfy the judgment which may be rendered against the County in any such suit or action.
10. In accepting this permit, the Permittee agrees that any damage or injury done to said installation or structures by a contractor working for the County, or by any County employee engaged in construction, alteration, repair, maintenance or improvement of the County road, shall be at the sole expense of the Permittee.
11. This permit may be revoked by the County giving five (5) business days written notice directed to the Permittee address shown above. In the event the Permittee breaks any of the conditions of this permit, the County reserves the right to revoke this permit immediately and without notice.
12. An administrative fee of \$100.00 will be accessed in addition to any restoration fee (if applicable) to accompany this application.

**THE ABOVE CONDITIONS WILL BE BINDING AND ARE HEREBY ACKNOWLEDGED AND ACCEPTED BY THE EXECUTION AND SIGNATURE OF THIS APPLICATION AND RESULTING PERMIT.**

<b>PERMITEE (PRINTED NAME)</b>	<b>COMMISSIONER CHAIR</b>
<b>PERMITEE (SIGNATURE)</b>	<b>COMMISSIONER</b>
<b>ADDRESS</b>	<b>COMMISSIONER</b>
<b>PHONE</b>	<b>ROAD DEPT. SUPV.</b>
<b>E-MAIL</b>	<b>EFFECTIVE DATE</b>