



CITY OF BONNERS FERRY

7232 Main Street
P.O. Box 149
Bonners Ferry, Idaho 83805
Phone: 208-267-3105 Fax: 208-267-4375

CITY OF BONNERS FERRY PUBLIC RIGHT-OF-WAY ENCROACHMENT PERMIT

Required for:

- Any excavation in the public right-of-way
- Construction of any structure (overhead or underground) on the public right-of-way
- New access or modification of an access to the public right-of-way.

DATE OF APPLICATION: _____

APPLICANT: _____

APPLICANT SIGNATURE: _____

HOME PHONE NUMBER: _____ DAYTIME/CELL PHONE: _____

AFFECTED PROPERTY OWNER: _____

(if owner is not submitting the permit application)

PHYSICAL ADDRESS: _____

TYPE OF WORK: _____

DATES OF WORK: _____

I. WORK DESCRIPTION: TIME, DURATION, AND NATURE:

Provide a sketch on showing the proposed work with the following items as appropriate:
dimensions and references to driveways, lot corners, street surfaces; surfacing to be used;
names of adjacent streets; culvert diameter, pipe material and length; minimum backfill cover
over culvert and/or utilities.

Mark and/or stake on-site showing the construction/access location.

II. GENERAL PERMIT REQUIREMENTS AND CONDITIONS

A. ANY RIGHT-OF-WAY WORK:

1. Any permittee who shall break or damage any City Water, Sewer, or Electric System or other City property shall forth-with repay the City an amount equal to the damage caused.
2. In certain cases, inspection of portions of the work and/or street repairs will be necessary by the City at the Permittee's expense. The cost for this will be charged on an hourly basis. This cost will be estimated prior to the work and a deposit in the full amount made when the permit is issued. Adjustments for actual time and costs will be made upon completion of the work. Inspection fees where required are in addition to the base permit fee.
3. It is the duty of each permit holder to take proper and adequate precautions to protect the public and public facilities, including but not limited to barricades, fences, signs and lights.
4. The attached indemnification agreement must be signed and executed whereby permittee assumes the defense and payment of all claims and actions brought forth against the City resulting from the work under this permit. The said indemnification may be required to be secured to City satisfaction.
5. All work to be done per the City's policies, standards, and ordinances. In particular the Bonners Ferry Street Standards are applicable.

B. EXCAVATION AND TRENCHING CONDITIONS:

1. Crossing shall be by jacking, boring, or other acceptable method that does not disturb street surfacing. OR; when waived by city, Return work area to original condition or better. All impacted road surface to be repaired and/or replaced with like or better road surface material. Compact backfill on public right-of-way to 95% +. Compaction to be performed for each "lift", and no lift is to exceed 8".
2. Where street surfacing is cut, proper filling, compaction, grading and paving of the street shall be done upon completion of the work and the responsibility for repairing settling shall remain with the permittee for 18 months after the work is completed. Upon observing settling or when repairs are not promptly made the City at its option will effect repairs and bill permittee the cost thereof.

C. ACCESS CONDITIONS:

1. Minimum approach width for a residential home is 24 feet and the minimum approach for commercial is 40 feet.

D. STRUCTURES:

1. The City reserves the right to remove any structures and landscaping placed on the public rights-of-ways for the public good without obligation to replace them.
2. The City will trim or remove any trees and bushes that impact the public use of public rights-of-ways.

III. SPECIFIC PERMIT REQUIREMENTS AND CONDITIONS:

A.

B.

C.

D.

E.

IV. CONSTRUCTION REPAIR:

FEE: _____

DEPOSIT: _____

TOTAL: _____

BOND: _____

The Deposit is for future road failures primarily due to inadequate compaction. For trench excavation the standard deposit is \$250 refundable after 18 months.

V. UTILITY NOTIFICATION:

Refer to Chapter 22, Title 55, Idaho code; "Underground Facilities Damage Prevention". The ONE CALL number is 811.

VI. APPROVAL:

City of Bonners Ferry

Title

Date

INDEMNIFICATION

Agreement made _____, 20 ____, between _____, of the City of Bonners Ferry _____, County of Boundary _____, State of Idaho, herein referred to as indemnitor, and CITY OF BONNERS FERRY, City of Bonners Ferry, County of Boundary, State of Idaho, herein referred to as indemnitee.

In consideration of indemnitee issuing indemnitor a permit for _____

SECTION ONE
LIABILITY, LOSS OR DAMAGE

Indemnitor undertakes to indemnify indemnitee from any and all liability, loss or damage indemnitee may suffer as a result of claims, demands, costs, or judgments against it arising from performing under said permit.

SECTION TWO
DURATION

Indemnity under this agreement shall commence on the date of execution hereof, and shall continue in full force until 18 Months From Project Completion

SECTION THREE
REQUIREMENT OF NOTICE TO INDEMNITOR

Indemnitee agrees to notify indemnitor in writing, within twenty (20) days, by registered mail, at indemnitor's address, which is P.O. Box 149, Bonners Ferry, ID 83805, of any claim made against indemnitee on the obligations indemnified against.

SECTION FOUR
OBLIGATION OF INDEMNITOR TO DEFEND CLAIM

Indemnitor agrees to defend against any claims brought or actions filed against indemnitee with respect to the subject of the indemnity contained herein, whether such claims or actions are rightfully or wrongfully brought or filed. In case a claim should be brought or an action filed with respect to the subject of indemnity herein, indemnitor agrees that indemnitee may employ attorneys of its own selection to appear and defend the claim or action on behalf of indemnitee, at the expense of indemnitor. Indemnitee, at its option, shall have the sole authority for the direction of the defense, and shall be the sole judge of the acceptability of any compromise or settlement of any claims or actions against indemnitee.

IN WITNESS WHEREOF, the parties have executed this agreement at _____
_____ the day and year first above written.

INDEMNITOR

CITY OF BONNERS FERRY

Name, Title

Name, Title