



121 North Fourth Street, West Branch, Michigan 48661
 Phone 989-345-0500, Fax 989-345-4390, e-mail cityhall@westbranch.com
 The City of West Branch is an equal opportunity provider, employer, and lender

APPLICATION & PERMIT

To construct operate, maintain use and/or remove within a City road right-of-way pursuant to §§94.03 - 94.08 of the City of West Branch Code of Ordinances

If applicant hires a contractor to perform the work, BOTH must complete this form and BOTH assume responsibility for the provisions of the Application & Permit.

APPLICANT		CONTRACTOR	
Name :		Name:	
Address:		Address:	
Phone #:		Phone #:	
Applicant's Signature		Contractor's Signature	
Title	Date	Title	Date

FINANCIAL REQUIREMENTS		ATTACHMENTS REQUIRED	
Application Fee	\$	Plans and Specs:	
Permit Fee	\$25.00		
Bond	\$	Bond:	
Deposit	\$	Proof of Insurance	
Other	\$	Yes:	No:
To Be Billed	\$	P.I. \$	P.O.\$
Receipt Number			
Dated		Other:	

APPLICATION

Applicant and/or Contractor request a Permit for the purpose indicated in the attached plans and specifications at the following location:

NAME OF ROAD _____ Between _____ and _____
 for a period beginning _____ and ending _____ and agrees to the terms of the permit

A permit is granted in accordance with the foregoing application for the period stated above, subject to the following terms agreed to by the Permit Holder. When Applicant hires a Contractor the "Permit Holder" is the Applicant and the Contractor.

RECOMMENDED FOR ISSUANCE:

By: _____
 City Manager

_____ Date

Permit # _____

EXCAVATIONS

§ 94.01 PERMIT REQUIRED.

It shall be unlawful for any person, firm or corporation other than employees of the City when in the performance of duty to excavate or dig, or to cause any excavation or digging, or to alter curb and/or gutter, or other public structure in a public street, alley or place within the City for any purpose whatsoever without first having obtained a written permit, therefore, from the City Manager or his designated representative and filing a copy of same along with such deposit as may be required together with documents evidencing the required insurance and bonds with the City Clerk who shall thereupon validate same with the seal of the City, without the seal, the permit shall be without effect. *(Ord. 156, passed 12-15-80) Penalty, see § 94.99*

§ 94.02 DEPOSIT; BOND AND INSURANCE REQUIREMENTS.

Deposit and/or bond and insurance requirements for validation of a permit are as follows:

(A) A cash deposit in an amount no less than the estimated maximum amount of the cost of restoration of the street curb, gutter or other structure in the public street shall be deposited with the City Treasurer. To insure that permittee will make the required restoration such deposit shall either be cash or a cashier's check payable to the City. In lieu of the foregoing, the permittee may provide a surety bond in such amount as to be no less than the cash deposit set forth above.

(B) Public liability insurance in the name of permittee in such amounts as may be established by the City from time to time.

(C) Owner's protective public liability insurance in the name of the City in such amounts as may be established by the City from time to time.

(D) In lieu of the foregoing insurance and bonding requirements, any public utility with a franchise in force containing provisions whereby the utility agrees to hold the City harmless for loss by reason of its operations in City streets may file a letter of intent to reimburse the City for any and all costs of restoration, signing and barricading or other related work performed by City forces as a result of and made necessary by the utility's operation in City streets. Other provisions of this subchapter shall apply to public utilities in a like manner and with equal respect as to any other person, firm or corporation.

(Ord. 156, passed 12-15-80)

§ 94.03 PERMIT FEE; CONTENTS.

The fee for a permit shall be approved by resolution of the West Branch City Council which along with estimated restoration costs as provided in §94.06 and §94.07 shall be paid by the applicant at the time the permit is issued. The permit required herein shall state the following:

(A) Name and address of owner, agent or other party for whom the work is being done.

(B) Name and address of builder, contractor or agent having charge of such work.

(C) Location of the work to be done.

(D) Date to commence and estimated duration of the work.

(E) Nature of the work.

(Ord. 156, passed 12-15-80)

§ 94.04 BARRICADES AND LIGHTS.

The applicant must provide, erect and maintain all necessary barricades, lights, warning signs and the like to properly safeguard traffic while work is in progress, and at no time shall the street or highway be closed to traffic longer than is necessary to complete the work.

(Ord. 156, passed 12-15-80) Penalty, see § 94.99

§ 94.05 FILLING EXCAVATIONS OR TRENCHES.

All excavations or trenches shall be filled in a thorough and workmanlike manner, either by flooding or hand tamping. Additional filling shall be placed if necessary in excavations or trenches that have settled, and all surplus earth or any refuse shall be removed from the street by the applicant obtaining the permit.

(Ord. 156, passed 12-15-80) Penalty, see § 94.99

§ 94.06 REPLACEMENT OF ASPHALT PAVEMENT, CURB CUTS OR OTHER STRUCTURAL ALTERATIONS WITHIN STREET RIGHT-OF-WAY.

Replacement of asphalt pavement, curbs, gutters or other public structures in the street right-of-way shall be done by City forces or by a prequalified contractor on a cost basis under City inspection. Cost of such inspection shall be set from time to time by City Council action. Estimated cost of restoration shall be made by the City Manager or his designated representative prior to issuance of a permit. Should the estimate prove to be too low, payment for the additional amount shall be made promptly by the permittee. Should the estimate prove to be too high, the amount in excess of actual cost shall be refunded promptly to the permittee.

(Ord. 156, passed 12-15-80)

§ 94.07 FAILURE TO CARRY OUT NECESSARY WORK.

In the event that any applicant shall fail to carry out the provisions of this subchapter, any work necessary therefore shall be performed by the City and the applicant shall be required to pay all proper bills rendered by the City for that work.

(Ord. 156, passed 12-15-80)

§ 94.08 CASES NOT COVERED BY REGULATIONS.

Any case not covered by this subchapter shall be passed upon directly by the City Council.

(Ord. 156, passed 12-15-80)