

PERMIT PROVISIONS AND CONDITIONS OF ISSUANCE

Pursuant to the Municipal Code of the City of Waupun, this permit is granted to allow performance of that specific work described herein over which the City of Waupun has permit authority. The following standard provisions and any included special provisions shall govern.

1. No part of the permitted work operations shall be commenced until warning signs, devices and methods adequate to protect the public are established in place and fully functional. Warning signs and devices shall conform to the appropriate sizes, designs, and arrangements specified within the Manual of Uniform Traffic Control Devices for Streets and Highways current edition. It shall be the responsibility of the applicant to provide and maintain at least the quantity of signs and devices herein described, but to also supplement those with such additional signs, devices and flagmen as are necessary to functionally protect persons and property from injury or damage at all times and under all conditions, including changed or changing conditions. Warning signs, devices and methods shall be in place and protectively functional prior to the commencement of any of the permitted works within the limits of the highway right of way, and shall protect the public until all permit-associated works are completed.
2. The applicant agrees to indemnify and hold harmless the City of Waupun, its employees, agents and officers, from any cost, claim, suit, liability or award which might come or be brought or assessed because of the issuance or exercise of this permit, or because of any adverse effect upon any person or property attributed to the partially or entirely completed works of the applicant. Accomplishment of the permitted work, or of any part hereof, by or on behalf of the applicant shall bind the applicant to abide by this permit and all the conditions and provisions therein.
3. Vehicles, equipment, and materials shall be so regulated by the applicant as to assure consistently safe conditions. Particular care shall be exercised at all times to assure a safe traffic environment at and near the site of the work. These requirements pertain while the work operations are in active progress, as well as during periods of work shutdown. Any discovered violation of this permit, and particularly as regards any failing to maintain a safe and general public environment will require an immediate cure by the applicant of the fault discovered, could result in an order by the City of Waupun to stop further progress of the work, and might result in revocation of the permit and expulsion from the street or highway right of way.
4. The permitted work shall be coordinated, and in no case interfere with any street or highway improvements being undertaken at the same time.
5. Blasting within the limits of the city highway rights of way is expressly prohibited, unless specifically authorized by special provisions within this permit.
6. It shall be the responsibility of the applicant to determine the location of, and protect or cause to be protected from any damage, any facilities already in place in the area to be influenced by the permitted work. All notifications of others are likewise a responsibility of the applicant.
7. All operations shall be performed without obstructing nor closing all or any part of any street or highway traffic lane unless lane influence is specifically sanctioned by the City of Waupun and special controls applicable thereto are set forth herein and by such authority. Unless otherwise specified, unobstructed traffic shall be maintained on all constructed street or highway lanes.
8. The permitted facilities shall, if necessary, be altered at the expense of the applicant to facilitate alteration, improvement, safety control, or maintenance of the street or highway, as may be hereafter ordered. All costs for construction and maintaining the permitted facilities shall be the obligation of the applicant.
9. This permit authorizes only the described works of and for the applicant indicated on the face of the permit. It does not grant authority for the facilities of any other, either by present installation or future installation.
10. Construction methods and restorations shall be in accordance with applicable parts of the Wis. Dept. of Transportation Standard Specifications for Road and Bridge Construction, current edition.
11. All highway facilities disturbed by the permitted works or associated operations shall be restored promptly. If restoration is not accomplished voluntarily, without delay, the City of Waupun may issue a notice setting forth a time-certain by which the restoration must be completed. If the applicant fails to satisfactorily complete all restorations within the time thus established, the City of Waupun may arrange directly for all needful restorations, and all costs associated with such restorations and the arrangement therefore shall be a cost-obligation of the applicant. The applicant agrees to pay any and all of such costs within 60 calendar days to the city billing.
12. Any brush, trash, or waste materials resulting from the permitted works shall be removed from the street or highway right of way. ss/86.03(2)(4), 86.16(3), 182.017(6), Wis. Statutes, and others pertaining.
13. Operations and safety precautions pertinent to any trenching, tunneling, or excavating activities shall comply with the most strict requirements of all applicable regulations and codes, including, but not limited to, those of the Wisconsin Dept. of Industry, Labor, and Human Relations.
14. Smooth and finished slopes shall be constructed at any locations where any regarded portion of the street or highway right of way meets the lands of an adjacent property owner.
15. Any excavation authorized within the limits of any normal highway pavement or shoulder area shall be backfilled with suitable granular material, placed in lifts or layers 12" or less each in depth, and compacted mechanically to the compaction of the adjacent and undisturbed ground or material. Water flooding and the use of moisture in excess of necessity to facilitate mechanical compaction are expressly prohibited. Any subsequent heavings, settlements, or other faultings attributable to the permitted works shall be repaired to the satisfaction of the City of Waupun at the applicant's expense.
16. Any curb, gutter, pavement, sidewalk, driveway, gravel base, ballast or shouldering material, or other element of the highway right of way or facility disturbed by the permitted works shall be restored in kind to the qualities, grades, compactions and conditions at least equal to those prevailing ahead of the permitted work operations and all to the satisfaction of the Director of Public Works of the City of Waupun.
17. Any turfed area of the right of way disturbed by the permitted works and operations shall be restored with fine-graded topsoil having a depth of not less than 4 inches, and re-seeded to perennial grass, or sodded.
18. If, in the opinion of the Director of Public Works or agent, the permit associated works or facilities obstruct street or highway drainage, increase the difficulty of street or highway maintenance unduly, or in any other manner adversely affect a street or highway interest, the applicant shall, upon notice thereof, cure the fault in the manner directed, and restore the street or highway facility to the satisfaction of the said street or highway authority.
19. The permittee is responsible to assure that the site of construction is secure against any hazard to the public, both when the site is attended and during off-hours, any holiday, and the hours of night when the site may be unattended.
20. After permanent improvements or repaving of city streets or highways, no permit shall be issued to open, cut or excavate said street for a period of five (5) years after the date of improvement or repaving unless in the opinion of the Director of Public Works an emergency exists makes it absolutely essential that the permit be issued.
21. Emergency Excavations Authorized-In the event of an emergency any person owning or controlling any sewer, water main, conduit or utility in or under any street and his agents or employees may take immediate proper emergency measures to remedy dangerous conditions for the protection of the property, life, health or safety without obtaining an excavation permit; provided, that such person shall apply for an excavation permit not later than the end of the next succeeding business day and shall not make any permanent repairs without first obtaining an excavation permit hereunder.
22. Insurance-Prior to commencement of excavation work, a permittee must furnish the Director of Public Works satisfactory written evidence that he has in force and will maintain during the life of the permit and the period of excavation, public liability insurance of not less than \$100,000 for one person, \$300,000 for one accident and property damage insurance of not less than \$50,000.