

COUNTY of SHERIDAN
PLENTYWOOD, MONTANA
ROAD ENCROACHMENT PERMIT

Subject to the following terms and conditions, the permit applied for is hereby granted:

1. **COMMENCEMENT of WORK.** No work shall commence until a Permit is approved.
2. **CHANGES in ROAD.** If Sheridan County changes the road, necessitating changes in structures or improvements installed under this permit, Permittee shall make necessary changes without expense to Sheridan County within 30 calendar days (commencing on the date of receipt of such notice).

All such changes, reconstruction or relocation shall be done by Permittee, in such a manner as will cause the least interference with any of the County's work, and the County shall in no way be liable for any damage to the Permittee by reason of any such work by the County, its agents, contractors, representatives, or by the exercise of any rights by the County upon the roads by the installations or structures placed under this permit.
3. **COUNTY NOT LIABLE for DAMAGE to INSTALLATIONS.** In accepting this permit, Permittee agrees that any damage or injury done to installations 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 Highway, shall be at the sole expense of the Permittee.
4. **COUNTY SAVED HARMLESS FROM CLAIMS.** In accepting this permit, the Permittee or its (his) successors or assigns, agree to protect the County and save it harmless from all claims, actions ~~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 of materials used, or manner of installations, maintenance and operation, or by the improper occupancy of said County Road right-of-way.
5. **EFFECTS on DRAINAGE.** If the work done under this permit interferes in any way with the drainage of the County Road affected, Permittee shall, at its/his own expense, make such provisions as the County may direct to take care of said drainage within the time and notice as provided in paragraph 2.
6. **WORK INSPECTION.** All work contemplated under this permit shall be done under the inspection of and to the satisfaction of the County Road & Bridge Department; and shall be given at least 24 hours notice of commencement of work. Inspection by County personnel shall not relieve the Permittee from complete compliance with any section cited hereto or any enforcement regulations that govern construction activity.
7. **MAINTENANCE at EXPENSE of PERMITTEE.** Permittee shall maintain, at its/his sole expense the installations and structures for which this permit is granted, in a condition satisfactory to ~~Sheridan~~
8. **ROADWAY REPAIR REIMBURSEMENT.** Upon being billed, Permittee agrees to promptly reimburse Sheridan County for any expense incurred in repairing surface of roadway due to settlement at installation, or for any other damage within the R/W as a result of the work performed.
9. **WORK ZONES & PROTECTION of TRAFFIC.** Traffic control programs should be submitted to the County Road & Bridge Department prior to the commencement of work interfering with traffic. All Work Zone devices shall be in compliance with the "Manual of Uniform Traffic Control Devices", of which an excerpt is attached, and shall be considered a minimum recommendation. The intent for submitting the traffic control program to the County Road & Bridge Department is solely to increase safety awareness and shall in no way relieve or discharge Permittee from any of the safety obligations for the public or site workforce and in no way limit claims set forth under paragraph 4. No equipment or material stockpiles shall be left overnight within the County Right-of-Way unless properly protected, barricaded and signed.
10. **SPECIFICATIONS.** Construction shall be performed according to standards and specifications established by Sheridan County or by reference to the Montana Public Works Standard Specifications.

- 11. **DAMAGE FEES.** All right-of-way and damage payments shall be paid prior to commencement of construction pursuant to separate documentation.
- 12. **REMOVAL OF INSTALLATIONS OR STRUCTURES.** Unless waived by the County, upon termination of this permit, the Permittee shall remove the installations or structures contemplated by this permit and restore the premises to the condition existing at the time of entering upon the same under this permit, (reasonable and ordinary wear and tear and damage by the elements, or by circumstances over which the Permittee has no control), excepted.
- 13. **RUBBISH & DEBRIS.** Upon completion of work contemplated under this permit, all rubbish and debris shall be immediately removed and the roadway and the roadside left in a neat and presentable condition satisfactory to the County. All disturbed vegetation shall be reseeded.
- 14. **ASSIGNABILITY.** This permit shall not be assignable without the written consent of the County which consent shall not be unreasonably withheld.
- 15. **PERMIT DURATION & REVOCATION.** **Life of Facility or Temporary**
 The period of time this permit is approved for:
 This permit may be revoked by the County upon giving thirty (30) days notice to Permittee by ordinary mail, directed to the address shown in the application hereto attached, but the County reserves the right to revoke this permit without giving said notice in the event Permittee breaks any of the conditions or terms set forth herein.
- 16. **PROOF of INSURANCE.** Minimum general liability insurance is \$500,000 single occurrence.
- 17. **ADMINISTRATIVE FEE.** \$35 per permit for preliminary investigation, application processing, and final inspection of each encroachment.
- 18. **OTHER CONDITIONS and/or REMARKS:**

Dated at Plentywood, Montana, this _____ day of _____ 20 _____

PERMITTEE _____ **COUNTY of SHERIDAN**

 Company Name County Road & Bridge Department Supervisor

 Agent / Title

 Signature

***Attachments:**
[Encroachment Specifications](#)
[Traffic Control Guidelines](#)

****It will be understood that the Permittee has copies of these attachments on file if they have not called our office at 406-765-1212 to request them.**