

**TOWN OF LEEDS**  
**APPLICATION FOR AND RIGHT OF WAY EXCAVATION PERMIT**

Application is hereby made for a permit to excavate or work within a Town of Leeds' right of way at the location and for the type of installation or work hereinafter set forth pursuant to Section 86.07, Wis. Stats. and Section 8.02 of the Town's Code of Ordinances.

**APPLICATION**

Applicant (Property Owner): \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Responsible Contractor or Other Person in Charge of Right of Way Work:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Location: \_\_\_\_\_

Type of Installation or Work (Plans Attached): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Anticipated Start Date: \_\_\_\_\_

Anticipated Completion Date: \_\_\_\_\_

The undersigned Applicant (Property Owner) and Contractor hereby acknowledge that they have reviewed and agree to abide by Section 8.02 of Code of Ordinances, including reimbursement of any Town consultant fees and expenses.

**Applicant:**

Dated: \_\_\_\_\_

**By:** \_\_\_\_\_

**Contractor:**

Dated: \_\_\_\_\_

**By:** \_\_\_\_\_

**PERMIT**

The Town Board of the Town of Leeds hereby grants a permit for the installation or work within the Town right of way as described above and as shown on the plans and specifications on file with the Town. Any installation or work within the right of way pursuant to this permit shall be subject to the requirements of Section 8.02 of the Code of Ordinances, including the Section 8.02(F), Permit Conditions, which are reproduced on attached Exhibit A and incorporated herein.

Applicant/Contractor is responsible for contacting Digger's Hotline at least three (3) business days prior to beginning any installation or work.

As a condition of the issuance and acceptance of this permit, Applicant and Contractor hereby agree to indemnify and hold harmless Leeds, including all costs and reasonable attorney's fees, from and against any and all damages, causes of action, judgment or otherwise that may occur as a result of any construction or excavation within, or occupancy of, the Town right of way.

**TOWN OF LEEDS**

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Linda Foley, Town Clerk

Signed Application and Plans Received: \_\_\_\_\_

Permit Fee (\$500.00) Received: \_\_\_\_\_

Certificate of Insurance Received: \_\_\_\_\_

## **EXHIBIT A**

### **8.02(F) Permit Conditions.**

All permits issued or deemed issued under this ordinance shall be issued subject to the following minimum conditions:

(1) All activities undertaken under the permit shall conform to the application and any conditions placed upon granting of the permit.

(2) The applicant shall give at least two working days' notice to the Town prior to starting any work in the road. If a road will be fully or partially closed for any duration of time by the work, the applicant shall notify the Columbia County Sheriff's Department, the Columbia County Highway Department, the local fire department(s) and emergency medical service(s), as well as the Town Clerk.

(3) The applicant must receive written approval from the Town or its designee prior to any modifications of the activity contemplated by the permit.

(4) The applicant is responsible for repairing any damage, at the applicant's expense, to any adjoining property.

(5) The applicant is responsible for locating and maintaining any existing public utilities or structures located within the right-of-way and repairing damage to such structures.

(6) No portion of the Town roadway shall remain out of service as a result of the activity contemplated in the permit for more than 24 hours without express prior consent of the Town.

(7) Where the work being performed is for the benefit of property abutting upon the affected roadway, the applicant, on behalf of applicant or the owner of such benefitted abutting property, authorizes the Town to perform any work or operations necessary to bring the affected roadway into conformity with the permit if the work is not completed in a timely fashion, and further consents to the Town assessing the cost thereof to the owner of such benefitted abutting property as a special charge pursuant to Wis. Stats. § 66.0627.

(8) The entire cost of constructing and maintaining the facility during construction shall be borne by the applicant. The applicant shall maintain the facility after construction unless there is an appropriate legal agreement with the Town to do otherwise. At a minimum, the agreement shall address the Town's requirements for surety, acceptance of improvements, and timelines as necessary for the construction improvements proposed.

(9) All costs related to the Town's review, approval, inspections (if any), and enforcement of the permit shall be borne by the applicant.

(10) All road work must be completed within five working days of completion of the project for which the road was opened.

(11) The applicant and any contractors shall provide satisfactory proof of liability insurance in such reasonable amount as determined by the Town in accordance with the nature and extent of the work. Insurance shall be maintained during the entire duration of the permit and a Certificate of Insurance with the Town listed as an additional insured shall be filed with the Town Clerk.

(12) No part of the permitted work shall be commenced until warning signs, devices and methods adequate to protect the public are in place and fully functional. Warning signs and devices shall be as specified in the Wisconsin Manual on Uniform Traffic Control Devices.

(13) All excavation within the right-of-way shall be backfilled with suitable granular material compacted in nine-inch lifts. The bottom portion of the trench shall be compacted to 90% of maximum as measured by the Modified Proctor Method. The top three feet shall be compacted to 95%. The applicant agrees to make frequent inspections for settlement and to be responsible for any such settlement. If requested, the applicant shall provide compaction test results.

(14) Highway surfaces, slopes, shoulders, ditches and vegetation disturbed shall be restored to at least their original conditions. The work shall be carried out in a manner satisfactory to the Town and Town Engineer as to compliance with the conditions of this permit and all local ordinances.

(15) Where special circumstances exist at the site where the work is contemplated, the Town may impose additional reasonable conditions to assure that the work is carried out in a manner consistent with Town engineering, erosion control and environmental standards.