

STREET OPENING PERMIT APPLICATION

Instructions

- Submit completed application forms, hold harmless agreement, and a sketch of the proposed work to:

Borough of Roseland
Department of Public Works
300 Eagle Rock Avenue
Roseland, NJ 07068

- Applications will be reviewed by our Borough Engineer or in his/her absence the Superintendent of Public Works
- Upon completion of review, you will be contacted to submit the following:
 - A permit fee of twenty-five (\$25.00) dollars
 - A deposit fee of not less than \$500.00
(Exact amount will be determined by our engineer)
 - Maintenance bond of not less than \$500.00
(Exact amount will be determined by our engineer)
 - Certificate of Insurance as required by Section 19-8
- Once all fees and Certificate of Insurance have been received, you will be issued a permit. *(Separate checks will be required for inspection fees and bonds)*
- You may not begin work on your project until you have this permit in your possession.

Borough of Roseland Application for Road Opening Permit

PLEASE PRINT

Applicant Information:

Company name:	Contact person:
Address:	Phone number:
24-hour Emergency Contact Person:	24-hour Emergency Contact Phone#:

Contractor Information:

Company name:	Contact person:
Address:	Phone number:

Property Information:

Owner name:	Lot no.:	Block no.:
Owner address:		

Road Opening Information:

Location of opening:	Dimension of opening:
Type of surface to be disturbed (lawn, bituminous, concrete, other)	
Character and purpose of proposed work:	
Detail restoration work:	
Requested start date of work:	Estimated completion time:
Daily work schedule: a.m. to p.m.	Is Preconstruction Meeting Required? (Boro Personnel)

Signature of Applicant: _____ Date: _____

Approval of Borough
Official: _____ **Date:** _____

Borough of Roseland

Release and Hold Harmless Agreement:

THIS RELEASE AND HOLD HARMLESS AGREEMENT made as of the _____ day of _____, 201__ by _____ (“Organization”), is made in consideration of the Organization being permitted by the Borough of Roseland (“Borough”) to utilize the Borough Facilities, including but not limited to the buildings, structures, parking lots, equipment, and grounds owned or occupies by the Borough (“Facilities”).

The undersigned representative of the Organization, hereby releases and discharges, on behalf of the Organization and its members, the Borough and all of its officials, agents, representatives, and employees from all claims, demands, expenses, and liability, whether for personal injury, loss of service or compensation, costs, property damage, or death which may be caused by my use of the Facilities. I agree that my Organization and its members will abide by all Ordinances, and Rules and Regulations of the Borough, whether posted or not.

I accept and assume any and all risks resulting from the use of the Facilities. I agree to indemnify, defend, and hold harmless the Borough and all its officials, agents, representatives and employees, from any and all claims which in any way arise out of or relate to the use of the Facilities, including the full amount of any settlement or judgment, and all costs and counsel fees, whether or not such claims are meritorious.

I agree that I shall never institute any lawsuit or action at law or otherwise against the Borough, nor institute, prosecute or in any way aid in the institution or prosecution of any claim, demand, action, or cause of action for damages, known or unknown, which I shall or may have in the future resulting from use of the Facilities. **I further agree to save harmless the parties aforesaid from all loss and expense resulting from any suit or claim**

Signature of Officer of Organization _____
Office title _____ Address: _____
City: _____ Telephone # _____

Borough of Roseland

Duties and Responsibilities of Permittees

It shall be the duty and responsibility of any person receiving a permit to:

- a. Pay a permit fee of twenty-five (\$25.00) dollars.
- b. Make a deposit to cover the cost of restoring the street damaged by such work. The amount of deposit shall be computed by the Engineer, as provided by subsection 19-6.2. If the Borough does not restore pavement, the permittee must furnish a maintenance bond, as required by subsection 19-7.1. Upon completion of restoration, the deposit, less any costs incurred by the Borough for repair or protection of the street opening, will be returned to the permittee.
- c. Furnish a certificate of insurance, as required by Section 19-8.
- d. Present evidence that all materials, labor and equipment which are needed to complete the work as authorized by the permit are available.
- e. Keep the original copy of the permit and an approved copy of the plan at all times while the work is in progress at the location for which the permit was granted and show the permit or plan upon demand by the Borough or police authorities

Signature of Applicant

Date

PLEASE PRINT

Company/Contractor:	Contact Name:
Address:	Phone Number:
Bill to:	Date requested to start work:
Billing Address:	
Location and Dimensions of Openings:	

For Borough Use Only:

Permit _____

Deposit fee due\$: _____

Bond amount due\$: _____

Approved by Borough Engineer (Signature): _____

Date Approved: _____

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19-4 STREET OPENING REGULATIONS.

19-4.1 Opening and Excavation Restrictions.

a. No opening or excavation in any street shall extend beyond the centerline of the street before being backfilled and the surface of the street temporarily restored.

b. No more than two hundred fifty (250) feet measured longitudinally shall be opened in any street at any one (1) time.

c. All utility facilities shall be exposed sufficiently ahead of trench excavation work to avoid damage to those facilities and to permit their relocation, if necessary.

d. Pipe drains, pipe culverts, or other facilities encountered shall be protected by the permittee.

e. Any facilities or utilities damaged by the permittee must be repaired by the permittee under the supervision of the interested person or make payment to that person to cover repairs made by the utility company or interested person.

f. Monuments of concrete, iron, or other lasting materials set for the purpose of locating or preserving the lines of any street or property subdivision, or a precise survey reference point or a permanent survey bench mark within the Borough shall not be removed or disturbed or caused to be removed or disturbed unless permission to do so is first obtained in writing from the engineer. Permission shall be granted upon condition that the permittee shall pay all expenses incident to the proper replacement of the monument.

g. When work performed by the permittee interferes with the established drainage system of any street, provision shall be made by the permittee to provide proper drainage to the satisfaction of the Engineer.

h. When any earth, gravel or other excavated material is caused to roll, flow, or wash upon any street, the permittee shall cause the same to be removed from the street within eight (8) hours after deposit. In the event the earth, gravel or other excavated material so deposited is not removed, the Engineer, or in his absence the Superintendent of Public Works or his designee, shall cause the removal and the cost incurred shall be paid by the permittee or deducted from his deposit.

i. Every permittee shall place around the project any barriers, barricades, lights, warning flags and danger signs which shall be determined by the Engineer or police authorities for the protection of the public. Additional safety requirements may be prescribed by the Engineer or police authorities and, where applicable, shall be in conformance with the requirements set forth in the United States Department of Army, Corps of Engineers, publication: Safety Requirements (1941 edition, revised 1951).

Whenever any person fails to provide or maintain the safety devices required by the Engineer, such devices shall be installed and maintained by the Borough. The amount of the cost incurred shall be paid by the permittee or deducted from his deposit.

No person shall willfully move, remove, injure, destroy or extinguish any barrier, warning light, sign or notice erected, placed or posted in accordance with the provisions of these regulations.

j. Access to private driveways shall be provided except during working hours when construction operations prohibit provisions of such access. Free access must be provided at all times to fire hydrants.

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k. Excavated materials shall be laid compactly along the side of the trench and kept trimmed up so as to cause as little inconvenience as possible to public travel. In order to expedite the flow of traffic or to abate a dirt or dust nuisance, the Engineer may require the permittee to provide toe boards, or bins; and if the excavated area is muddy and causes inconvenience to pedestrians, temporary wooden plank walks shall be installed by the permittee as directed by the Engineer. If the street is not wide enough to hold the excavated material without using part of the adjacent sidewalk, the permittee shall keep a passageway of at least one-half (1/2) the sidewalk width open along such sidewalk line.

l. Work authorized by a permit shall be performed between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, unless the permittee obtains written consent from the Engineer to do the work at an earlier or later hour. Permission shall be granted only in case of an emergency.

m. In granting any permit, the Engineer may attach other conditions which may be reasonably necessary to prevent damage to public or private property or to prevent the operation from being conducted in a manner hazardous to life or property or in a manner likely to create a nuisance. These conditions may include but shall not be limited to:

1. Limitations on the period of the year in which the work may be performed;
 2. Restrictions as to the size and type of equipment;
 3. Designation of routes upon which materials may be transported;
 4. The place and manner of disposal of excavated materials;
 5. Requirements as to the laying of dust, the cleaning of streets, the prevention of noise, and other results offensive or injurious to the neighborhood, the general public, or any portion thereof;
 6. Regulations as to the use of streets in the course of the work.
- (1973 Code § 13-4.1)

19-4.2 Backfilling and Restoring Opening.

a. All pavement cuts, openings, and excavations shall be properly made, backfilled and temporarily surfaced by the permittee according to regulations and restrictions as set forth in Section 19-5.

b. The engineer must be notified by the permittee during the twenty-four (24) hour period preceding beginning of backfilling of the date and approximate time at which backfilling shall begin.

c. No backfilling shall be accomplished unless or until the Engineer or a designated Borough inspector is present. Backfilling methods shall conform to restrictions as set forth in subsection 19-5.2i.

d. The work of the restoration, including both paving surface and paving base may be performed by the permittee according to Section 19-5.

e. After excavation is commenced, the work of making and backfilling the same shall be prosecuted with due diligence.

f. The Engineer shall make daily inspection of all work authorized by a permit. The Engineer is empowered to provide a full-time inspector if the work to be performed is of a nature that a full-

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time inspector is necessary to ensure compliance with the provisions of these regulations. The cost of the inspector shall be borne by the permittee.

g. If any settlement in a restored area occurs within a period of two (2) years from date of completion of the permanent restoration, any expense incurred by the Borough in correcting the settlement shall be paid by the permittee or recovered from his bond, unless the permittee submits proof satisfactory to the Engineer that the settlement was not due to defective backfilling.

h. In no case shall any opening made by a permittee be considered in the charge or care of the Borough or any of its officers or employees, and no officer or employee is authorized in any way to take or assume any jurisdiction over any opening, except in the exercise of the police power, when it is necessary to protect life and property.

(1973 Code § 13-4.2)

19-6 DEPOSITS.

19-6.1 Deposit.

The deposit shall be five hundred (\$500.00) dollars. The deposit shall be paid at the time the permit is received, and the deposit shall be used to reimburse the Borough for the cost of any work and materials furnished by it in connection with the work authorized by the permit, and for any other purpose set forth in these regulations. (1973 Code § 13-6.1)

19-6.5 Refund of Deposit.

Upon notification by the permittee that all work authorized by the permit has been completed and after restoration of the opening, the Borough shall refund to the permittee his deposit, less all costs incurred by the Borough in connection with the permits. In no event shall the permit fee be refunded. (1973 Code § 13-6.5)

19-7 BOND REQUIREMENTS.

19-7.1 Maintenance Bond Requirements.

Each applicant, upon the receipt of a permit, shall provide the Borough with an acceptable corporate surety bond conditioned for compliance with the street opening specifications of the Borough and the provisions of these regulations. The Engineer shall determine the amount of the bond and it shall be in relation to the cost of restoring the pavement cut to be made by the permittee; provided, the amount of the bond shall be five hundred (\$500.00) dollars or ten (10%) percent of total cost (whichever is greater) of the restoration. The term of each bond shall begin from the completion date of the permanent restoration of the opening by the permittee and shall terminate after two (2) years from that date. If the permittee anticipates requesting more than one (1) permit a year, he may file a continuing corporate surety bond, conditioned for compliance with the specifications of the Borough and the provisions of these regulations, in such amount as the Engineer deems necessary. The amount of the bond shall be in relation to the cost of restoring pavement cuts to be made by the permittee throughout the year. (1973 Code § 13-7.1)

19-8 LIABILITY INSURANCE.

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19-8.1 Insurance Requirements.

Each applicant, before the receipt of a permit, shall provide the Borough with an acceptable certificate of insurance indicating that he is insured against claims for damages for personal injury as well as against claims for property damage which may arise from or out of the performance of the work, whether the performance is by the applicant, his subcontractor or anyone directly or indirectly employed by him and naming the Borough as one of the insured. The insurance shall cover collapse, explosive hazards and underground work by equipment on the street, and shall include protection against liability arising from completed operations. The amount of the insurance shall be prescribed by the Borough in accordance with the nature of the risk involved, provided, that the liability insurance for bodily injury in effect shall not be in an amount less than one million (\$1,000,000.00) dollars for each person and for each accident and for property damages in an amount not less than one million (\$1,000,000.00) dollars with an aggregate of two million (\$2,000,000.00) dollars for all accidents. Public utilities and authorities may be relieved of the obligation of submitting such a certificate if they are insured in accordance with the requirements of these regulations. (1973 Code § 13-8.1)