

City of Rainier Public Works Permit Application

City of Rainier
 106 West B Street, PO Box 100
 Rainier, Oregon 97048
 Ph# (503) 556-7301
 Fax# (503) 556-3200



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|---------------|
| Permit Number |
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|--|-----------------|----------------------------------|-------|
| Address of Structure (or Construction) | | | |
| Owner | Mailing Address | City-State-Zip | Phone |
| Contractor | Mailing Address | City-State-Zip | Phone |
| Oregon Contractors Board License Number: | | Rainier Business License Number: | |
| Type of Permit or Activity: | | | |

Special Conditions & Remarks:

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|----------------------------|----------------|-----|--------------------------|----|--------------------------|
| Public Works Approval Date | Bond Required | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| | Bond Amount \$ | | | | |

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 180 DAYS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 180 DAYS AT ANY TIME AFTER WORK IS COMMENCED.

This permit is granted on the express condition that the said construction will, in all respects, conform to the ordinances of this jurisdiction, including the Zoning Ordinance, Comprehensive Plan and, Public Works Design Standards of the City of Rainier, regulating the construction and use of buildings, and may be revoked at any time upon violation of any provisions of said ordinances.

It is further certifies that the contractor is registered with the Builder's Board and is in fill force and effect as required by ORS 701.055, that if exempt the basis for the exemption is noted hereon, and that only subcontractors and employees who are in compliance with ORS 701.055 will be used on this project. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction. I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of law and ordinances governing this work will be complied with whether specified herein of not. By signing this I agree to expressly and unequivocally call for consent to any and all inspections deemed necessary by the Columbia County Building Officials and Officials of the City of Rainier

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|---|------|
| Signature of Contractor or Authorized Agent | Date |
| Signature of Owner | Date |

City of Rainier Public Works Permit General Conditions

1. All excavations within the right-of-way jurisdiction of the City of Rainier shall meet the shoring and trenching requirements as listed in the Oregon Occupational Safety & Health Code Oregon Administrative Rules Chapter 437, Division 3 Construction, Subdivision P – Excavations.
2. Traffic Control Plan (OR-OSHA 437-003-0420)
 - a. An adequate and appropriate traffic control plan must be provided for all operations on or adjacent to a highway, Street, or roadway. The traffic controls must conform to the Millennium Edition of the (FHWA) Manual of Uniform Traffic Control Devices (MUTCD), December 2000.
 - b. Signaling by flaggers and the use of flaggers, including warning garments worn by flaggers must conform to the Millennium Edition of the (FHWA) Manual of Uniform Traffic Control Devices (MUTCD), December 2000.
 - c. Barricades for protection of employees must conform to the Millennium Edition of the (FHWA) Manual of Uniform Traffic Control Devices (MUTCD), December 2000.
3. A Performance and payment bond is required for all work within the right-of-way under the jurisdictions of the City of Rainier. The bond shall remain in full force and affect for a period of one year after the date of approval. The amount of the bond shall be calculated by the Director of Public Works and shall be of an amount that will guarantee the job is completed and that the public right-of-way is left in a condition equal to or better than the condition prior to construction.
4. All trenches within a the travel surface of any City street shall be backfilled with controlled density backfill material unless expressly determined by the Director of Public Works that an alternative method is acceptable.
5. At least 48 hours prior to the start of any construction or excavation the contractor shall notify the Oregon Utility Locate Center at 503-246-6699.
6. All work within the public right-of-way shall be performed between the hours of 8:00 am and 4:30 PM Monday through Friday (excluding holidays), unless approved on the permit by the Director of Public Works.

PLAN REQUIREMENTS

Construction within City of Rainier Right-of-way

Two (2) sets of plans are required which meet the following:

1. Scale to meet one of the following; 1-inch equals 10, 20, 30, 40, 50, 100, 200, 300, or 400 feet respectively.
2. Plans shall state street involved and give approximate dimensional location or provide staking of proposed facilities in relationship to centerline of road and edge of existing pavement.

3. Materials and sizes of facilities shall be stated on plan and all new facilities shall meet location, size, and type as delineated in the Transportation System Plan, Water Master Plan, Wastewater Master Plan, and Public Works Design Standards.
4. If other utilities or facilities may be in conflict with proposed project they shall be shown on the plans.
5. Traffic plan if required. (Minimum OSHA standards)
6. Comply with requirements in the City of Rainier Public Works Design Standards Document.

LIABILITY AND CONTROL

Applicant shall be responsible and liable for all damage or injury to any person or property resulting from the physical location, installation, construction, maintenance operation or use of the facility or operation for which the Applicant has been granted a permit. Applicant shall indemnify and hold harmless the City of Rainier, its officers, agents and employees against any and all damages, claims, demands, actions, causes of action, costs and expenses of whatsoever nature which they or any of them may sustain by reasons or acts, conduct, or operation of Applicant, its officers agents or employees in connection with locating the physical location, installation, construction, maintenance, repair, operation or use of said facility or in conducting an operation.

The Applicant shall file with the Public Works Department evidence of insurance in the following minimum amounts:

- (a) \$50,000 to any claimant for any number of claims for damage to or destruction of property, including consequential damages, arising out of a single accident or occurrence.
- (b) \$100,000 to any claimant as general and special damages for all other claims arising out of a single accident or occurrence unless those damages exceed \$100,000, in which case the claimant may recover additional special damages, but in no event shall the total award of special damages exceed \$100,000.
- (c) \$500,000 for any number of claims arising out of a single accident or occurrence.

The work area during any construction or maintenance performed under the permit provisions shall be protected in accordance with the current "Manual on Uniform Traffic Control Devices for Street and Highways" as amended or supplemented by the State Highway Commission. The Applicant shall furnish necessary signs unless otherwise specified in the permit. All signs, barricades, lights, cones and other such devices, and all flag persons, pilot cars, pilot car operators and other such labor and equipment required for the safe directing and guiding of public traffic shall be provided, furnished and maintained by the Applicant. These protective and "directional measures" shall be undertaken beyond and outside the limits of the project, as well as within the project limits, when they have a direct bearing on or in reference to the project. During suspension of work, for any reason, the Applicant shall continue to be responsible for

and shall maintain all temporary and protective and directional devices throughout the period of suspension in the same manner as when work is being performed.

Applicant is liable for any and all losses incurred due to deficiencies in traffic control or signing. To insure compliance with the terms and conditions of the permit, the Public Works Department reserves the right to inspect the work during such periods as the Director of Public Works deems necessary to check compliance with the terms of the permit by Applicant and to require Applicant to correct all deviations from those terms and conditions.

Any supervision and/or control exercised by the Public Works Department personnel shall in no way relieve the Applicant of any duty or responsibility to the general public nor shall such supervision and/or control relieve Applicant from any liability for loss, damage or injury to persons or property. If the highway surface or highway facilities are damaged by the Applicant, Applicant shall replace or restore highway surface or highway facilities to a condition satisfactory to the Director of Public Works, whether discovered at the time of installation or at a later date.

PERFORMANCE BOND

The City of Rainier may require a performance and warranty bond for completion of the work in accordance with the approved plans and specs in an amount of 100% of the cost of construction. If a bond is required it shall be in full force and effect for a period of one year after the construction is complete and accepted by the City. The City Engineer shall approve the amount of the bond.

CONSTRUCTION AND LOCATION

1. The Applicant or its contractor shall advise the Public Works Department office at 556-7301 at least 48 hours prior to commencing construction of a facility for which a permit has been issued.
2. Applicant's completed facility shall be in substantial conformance with the drawings or sketches required unless special permission is obtained from the Director of Public Works to vary from it during installation. When such permission is obtained, Applicant shall furnish the Director of Public Works a set of "as constructed" drawings or sketches detailing any such variances.
3. No trench shall be excavated with a top width in excess of eighteen (18) inches more than the outside diameter of the pipe, conduit or cable to be installed without first obtaining permission from the Director of Public Works.
4. Trenched edges in paved areas shall be sawed or cut to neat lines by methods approved by the Director of Public Works to a depth sufficient to permit removal of the pavement without damage to the pavement: to be left in place.
5. The depth of the trench shall be such that the top of the pipe or cable or other facility shall not be less than twenty-four (24) inches lower than of ground cover or the adjoining road surface, whichever is lower. In addition, the side of the pipe or cable or other facility shall be buried at a lateral distance not less than twenty-four (24) inches from any vertical or sloping surface such as the side of a ditch or a bank. In cases where the ground material makes placement at twenty-four (24)

inches at depth impossible or impractical, the Director of Public Works may approve adequate mechanical protection in lieu of such burial by such methods as are satisfactory to the Director of Public Works.

6. Any uneven ground surfaces adjacent to the trench shall be leveled off or the depth of the trench **increased**.
7. Maximum length of the open trench shall not be greater than 200 feet and no trench shall be left in an open condition overnight. Excavated material shall be piled in a manner as to cause the least possible restriction to traffic. Immediately after the facility authorized by the permit has been placed in the trench, the trench shall be backfilled. If the trench is in the roadbed (surface or shoulder) the trench must be backfilled with Controlled Density Fill (CDF); commonly designated as flowable fill unless an alternative method is approved by the Director of Public Works. Specifications for CDF are as follows: Less than 300 psi in 28 days. 10 psi required before opening to traffic. Must be non-segregating, which requires air entrainment less than 15%. Slump less than 4 inches will require backhoe tamping or vibrator. Accelerators are recommended for high early strength to allow for traffic. The surface material shall be asphalt concrete placed to a compacted thickness of four (4) inches or the thickness of the removed pavement, whichever is greater. The surface grade of any trench shall not deviate from the existing grade by more than ½ inch nor shall it create any noticeable bump or otherwise objectionable ride for motorists.

JACKING, DRIVING AND BORING (Move in front of trenching)

1. Utility crossings under paved roadways shall be jacked, driven or bored where possible. When the jacking, driving or boring method is used it shall be by approved means which will hold disturbances of surrounding material to a minimum. Sluicing and jetting is not permitted. Voids or displacement outside the outside perimeter of the pipe, conduit or cable where greater than 0.1feet, shall be filled with sand or cement grout packed in place.

PLOWING

1. Unless special permission is first obtained from the Director of Public Works, direct burial of cable placed by the plowing method shall not be accepted.

CLEANUP

1. All debris, refuse and waste of all kinds which may have accumulate upon the public road by reason of the activity of the Applicant shall be removed immediately upon completion of the said activity, or as require by the Director of Public Works, and the said public road must be restored to a condition as good as better than it was prior to such activity. The contractor shall at all times so conduct his or her work as to insure the least possible obstruction or hazard to traffic. The convenience of the general public and the residents along the highway and the protection of persons and property is of prime importance and shall be provided for by the Contractor in an adequate and satisfactory manner. Construction equipment shall not be parked on the traveled way, shoulder area, narrow median areas, gore areas, Sidewalk or other such areas of the highway

or street open to public traffic except as necessary for the work. Equipment so parked shall be adequately protected. Construction materials shall not be stockpiled on the traveled way, shoulder area, gore areas, sidewalks or other such areas unless permitted by the Director of Public Works for temporary storage and is adequately marked and protected. Other locations within the project areas where parked equipment and stockpile material present a hazard to the public as determined by the Director of Public Works shall be adequately protected by barrier or other means.

REMOVAL. RELOCATION. REPAIR

1. If any person fails to place, build, construct, maintain or remove a ditch, structure, facility or utility in accordance with rules and regulations adopted pursuant to this permit and the conditions of any construction permit issued pursuant to this permit, the City of Rainier Director of Public Works may, after the expiration of 30 days following the transmittal of a written notice to such person, at the expense of such person, remove the ditch, structure, facility or utility from the right-of-way or reconstruct, repair or maintain the ditch, structure, facility or utility in accordance with or as required by such rules and regulations and the conditions of the permit. This expense may be recovered from such person by the City of Rainier in any court of competent Jurisdiction. But Notwithstanding subsection A of this section, if the Director of Public Works or his designee determines that a traffic or pedestrian hazard is created by the ditch, structure, facility or utility which causes imminent danger of personal injury, he may: order the ditch, structure, facility or utility removed, repaired or maintained to eliminate the hazard, within 24 hours after delivery of written notice to the person who placed or constructed the ditch, structure, facility or utility, and to the owner of the property on which the non-compliance occurred. If the ditch, structure, facility or utility is not removed, repaired or maintained to eliminate the hazard within the time set under paragraph of this subsection, eliminate the hazard and recover the expenses of any removal, repair or maintenance of the ditch, structure, facility or utility from any such person in any court of competent jurisdiction. For a period of one (1) year following the completion of work, the Applicant shall be responsible for the condition of the road surface and shoulders where work was done. Upon the request of the Director of Public Works, the Applicant shall repair any patches which become settled, cracked, broken or otherwise faulty.
2. The permit is issued pursuant to the law of the State of Oregon, which authorizes the City of Rainier to subsequently require the Applicant to remove, relocate, or repair the facility covered by the permit at the sole cost of Applicant.

WARRANT' S. OTHER AGENCIES

1. The City of Rainier does not warrant that it has title to the right-of-way subject to this permit or the process by which it obtained the right-of-way or granted this permit. The City of Rainier conveys only such permission as it has right, title and legal authority to convey. The Applicant waives any right to damages occasioned by the City of Rainier having no, or lessor, rights to the right-of-way or the City of Rainier having failed to properly grant or administer this permit.

2. The City of Rainier does not warrant that the right-of-way subject to this permit is suitable for any particular purposes and Applicant accepts the same AS IS. Applicant represents that he has inspected the right-of-way and that he is relying solely upon his inspection, and not upon any representations of the City of Rainier, in his planning and conduct of operations therein. The City of Rainier shall not be obligated to repair or maintain the improvements constructed by Applicant and such responsibility shall be Applicant's alone, until such time as the improvements are accepted as a City of Rainier as that term is defined by Oregon law.
3. Nothing in this permit is intended to grant rights or imply approval in areas not falling within the authority and jurisdiction of the Public Works Department. It is the responsibility of Applicant to determine the need for and to obtain such licenses, permits, or other forms of approval which may be required by other State agencies, Federal agencies, Cities and/or Counties of Oregon, Utility Companies: or Railroads.

COMPLIANCE

1. If the Applicant is found to be out of compliance with any of these requirements or specifications, the Director of Public Works shall notify the Applicant and request the repairs to be made. If they are not made within the time requested or if an emergency exists, the Director of Public Works may restore or replace the permitted facilities by contractor or City of Rainier forces, and the Applicant shall pay the costs incurred. No additional permits shall be issued to the Applicant by any department of the City of Rainier, including the Planning Department, Public Works Department, or other City of Rainier Department or Agency until the repairs are made and/or paid for.

SURVEY MONUMENTS

1. Applicant shall comply with ORS 209.150 regarding the removal or disturbance of survey monuments. All survey monuments that are disturbed or removed shall be replaced by a registered surveyor.

SEASONAL CONSIDERATIONS

1. The Director of Public Works may refuse to issue any permit or suspend any permit previously issued when due to weather or ground conditions, or for other important reasons, in the sole discretion of the Director of Public Works.

SEVERABILITY

1. If, for any reason, any portion of this permit is held invalid or unconstitutional by any court of competent jurisdiction, such portion of the permit shall be deemed a separate, distinct and independent portion and such holdings shall not affect the validity of the remaining portions hereof.