

Permit No. _____

Fee Paid: _____

Receipt No. _____

CANTON TOWNSHIP, STARK COUNTY, OHIO

APPLICATION FOR A PERMIT TO EXCAVATE WITHIN TOWNSHIP ROADS OR ROAD RIGHT OF WAYS, TO THE BOARD OF TRUSTEES:

Application is hereby made by:

Name: _____

Date: _____

Address: _____

Phone: _____ Email: _____

PERMIT TO EXCAVATE: (CHECK APPROPRIATE BOXES)

New Driveway- \$20.00 Curb Cut- \$20.00 Each Road Cut- \$75.00 Road Right of Way- \$75.00

Culvert Installation- \$75.00 + \$1.00 per foot Each Boring Hole- \$75.00 Utility Poles- \$50.00 (6 or more)

LOCATION:

Address: _____

Street

City

State

Zip Code

The purpose of this excavation is: _____

Work will commence on or about _____ and will be completed on or about _____. If this application is approved and permit issued, the applicant agrees to comply with all the terms, conditions, and restrictions printed or written on the back of this sheet and/or attached hereto as "addendum", as amended or supplemented above in accordance with the detailed plans submitted and attached to this application.

Signed _____
(Contractor doing work)

Signed _____
(Applicant)

Name and Title (Please Print)

Name and Title (Please Print)

PERMIT

The above application is hereby:

_____ Approved and permission is granted to do the work covered in this application, which work shall be done in strict conformity with the terms, conditions, and restrictions of the permit as contained on the reverse hereto or attached hereto.

_____ Disapproved and excavation is prohibited for the above work under penalty of law.

Authorized Permit Issuing Official

Date

TERMS, CONDITIONS, AND RESTRICTIONS THAT APPLY TO THE ISSUANCE OF A PERMIT FOR EXCAVATING IN ANY CANTON TOWNSHIP ROAD OR ROAD RIGHT OF WAY

NOTE: When possible, all roads shall be bored

The foregoing permit is issued under the authority of the Board of Canton Township Trustees, by Resolution No. 02-02-22, adopted pursuant to Ohio Revised Code Section 5571.16. That Resolution requires anyone who desires to make any excavation in any Canton Township public road (which for the purposes of these conditions is defined as the road surface, it's sub-surface, or road right of way) to obtain a permit for each such excavation prior to the commencement of the excavation. Any work performed at such excavation shall be done in accordance with Ohio law and the conditions contained in this permit. These conditions are binding upon the Applicant as herein defined. Once the permit application is submitted to the Township Clerk, the fee paid and a required bond posted, work may commence upon approval of and under the supervision of the Public Works Director or his/her designee. For the purposes of these conditions, the term "Applicant" includes any contractor or employee performing any work related to this permit, and all of their heirs, executors, administrators, successors, and assigns and any agents of any such individuals or entities.

1. The Applicant for a permit shall submit detailed plans for each contemplated excavation indicating the location, size, type, and dimensions at least forty-eight hours prior to the date on which excavation will begin if a permit is issued. The fee for each road excavation permit shall be based on the fee schedule listed on the permit application.
2. The Applicant shall deposit with the Fiscal Officer of Canton Township the sum of One Thousand Five Hundred Dollars (\$1500.00), or 15% of the contract amount for the excavation, whichever is greater as deemed necessary by the Public Works Director or his designee. Said surety or sureties shall be satisfactory to the Canton Township Board of Trustees and payable to the Canton Township Board of Trustees. Said deposit or bond shall be conditioned upon the restoration of the public road and or road right of way to the condition prevailing at the time immediately prior to the excavation or to the condition herein specified if work is performed on an emergency basis. Said deposit shall be refunded or the bond released within sixty (60) days after the restoration of the public road or road right of way and upon recommendation of the Public Works Director or his designee and approval by resolution of the Canton Township Board of Trustees finding that the public road or road right of way has been restored to the condition prevailing at the time of the issuance of the permit or at the time of the commencement of the excavation in the case of an emergency as hereinafter provided. Should the person or business to whom a permit has been issued fail to restore said public road or road right of way as provided herein within ninety (90) days of the issuance of the permit or the opening of the excavation, whichever date is later, then the deposit or bond shall be forfeited to the Canton Township Board of Trustees and the Board shall take legal action to enforce said bond and restore the affected public road or road right of way, all at Applicant's cost and expense, to all of which in such event, Applicant agrees to pay, including court costs, and the Board's attorney fees and related expenses.
3. The Applicant for any permit issued hereunder shall be responsible for obtaining all other permits required for construction and notify applicable utilities of the pending excavation, and for spotting, marking, and if necessary, having utilities located in the area of excavation relocated at its sole cost prior to commencing excavation. The Applicant shall be responsible for any damage to the public road, road right of way, and any associated structures and shall make repairs as deemed necessary by and to the satisfaction of the Canton Township Board of Trustees or their designee. The Applicant shall also be responsible for the installation and maintenance of adequate signs and warning devices to inform and protect the public. The Applicant shall be responsible for the maintenance of traffic throughout the construction period and shall comply with the requirements of the Ohio Manual of Uniform Traffic Control Devices (MUTCD) at all times until the work is complete.
4. The Applicant shall excavate, backfill, refill, and resurface any public road covered by the permit to be issued to the Applicant in accordance with these permit conditions and the directions and specifications as provided by the Canton Township Board of Trustees with the advise and consultation of the Canton Township Public Works Director or his designee. All excavations and materials including backfilling, refilling, and resurfacing and the method of compaction shall be performed and completed in a manner satisfactory to the Canton Township Board of Trustees or their designee.
5. The length of open trenches, if any, shall be kept to a minimum and shall be protected by signs, barricades and lights as necessary and in conformance with the requirements of the Ohio MUTCD.
6. The function of existing traffic control devices shall be retained at all times during excavation and before completion. Existing signs that must be relocated laterally shall be placed in accordance with the Ohio MUTCD and such signs shall not

Canton Township Board of Trustees ♦ 4711 Central Ave. SE, Canton, Ohio 44707

330-484-2501 (Phone) ♦ 330-484-2556 (Fax)

Adopted by Resolution No. 02-02-22 and Amended 02-01-2022

be moved without the approval of the Canton Township Public Works Director or his designee. The Applicant shall restore relocated traffic and street signs to the positions and conditions that existed prior to construction and shall replace all pavement markings in accordance with Ohio law and the Ohio MUTCD.

7. No "off road" equipment with steel tires, treads, cleats, stabilizing pads or similar equipment will be permitted on the public road pavement without the use of proper planking as approved by the Public Works Director or his designee.
8. The Applicant shall at all times provide and maintain suitable driveways to and from abutting properties so as to allow ingress and egress to and from such properties. The Applicant shall be responsible for any and all damages to any abutting property owner or any interference to their activities including the business activities of any such abutting property owner.
9. The Applicant hereby agrees to indemnify and save Canton Township, the Canton Township Board of Trustees, including its individual Trustees and its Officers, agents, and employees as well as its successors and assigns absolutely free and harmless from any and all claims for damages to persons or property which might arise or be connected in any way with any excavation to be performed by the Applicant as a result of the issuance of any permit for excavation in a public road or road right of way with this jurisdiction.
10. The Applicant shall complete any sub-road excavation by BORE method rather than open-cut unless specifically authorized otherwise by the Board of Trustees, Public Works Director or his designee.
11. Drainage from the road surface and road right of way shall be maintained at all times during any excavation.
12. The Applicant shall be responsible for restoring the public road to as good of condition as originally found, and repair and replace any and all roadway structures without cost to Canton Township. Repair or replacement shall be done to the satisfaction of the Public Works Director or his designee. Restoration of all areas outside of the paved area will be made to the satisfaction of the Public Works Director or his designee and shall be in accordance with State of Ohio Department of Transportation Construction & Materials Specifications Manual Item #659. All debris from the construction site including and excess excavation materials shall be removed from the site of the excavation and properly and lawfully disposed of at the cost of the Applicant. Neither dumpsters nor any other types of obstructions can be placed in the roadway.
13. Before commencement of the excavation, the Applicant shall notify the Public Works Director or his designee and provide a start date and time and a completion date and time.
14. If an emergency occurs, such as a burst or leaking pipe, or similar problem which requires immediate action to protect the public health, safety, and welfare, a contractor may proceed with a road opening if the contractor adheres to all terms and conditions hereof, notifies the Canton Township Public Works Director or designee upon the commencement of the work, and provides a completed permit application as required herein as soon as possible thereafter but not later than two (2) days after an excavation has been commenced.

Notice:

No person shall install a driveway culvert or make an excavation in any Township road or road right of way in violation of any resolution adopted. Ohio Revised Code Section 5571.16

Signed _____
(Contractor doing work)

Signed _____
(Applicant)

Name and Title (Please Print)

Name and Title (Please Print)