

ROAD OCCUPANCY AND ACCESS PERMIT APPLICATION

General Conditions

This Permit for work within the public road allowance is issued by the City of Niagara Falls and the applicant agrees to the following conditions:

1. The undersigned Applicant hereby agrees to indemnify and save harmless The Corporation of the City of Niagara Falls from all claims and/ or actions that may arise from the issuance of this permit, and further agrees that all required works within the limits of the road allowance will be guaranteed for a period of 12 months, from the date of completion of final restoration.
2. The Applicant agrees to accept and indemnify The Corporation of the City of Niagara Falls for all costs included in making temporary and permanent repairs the approval cut, including any and all periodic site inspections by the applicant, required to ensure a safe condition and any subsequent maintenance work during the 12 month warranty period.
3. The applicant agrees to notify the following at least 48 hours prior to and daily for the duration of road closure:

Niagara Regional Police	(905) 688-4111
Niagara Transit	(905) 356-1179
Ambulance Services	1(866) 895-6227
City of Niagara Falls – Traffic & Parking	(905) 356-7521
Niagara Falls Fire Department	(905) 356-1321
Niagara Parks Police	(905)356-1338
4. This permit must be in the name of the person or persons performing the intended work and not the name of an agent acting for him/her.
5. All work to be done in accordance with the Ministry of Labor’s Occupational Health and Safety Act.
6. A security deposit as assessed by the City Engineering department will be held for the project duration. The Applicant shall be responsible for all damages to City property.
7. The Applicant must provide the permit issuer with a WSIB clearance certificate, valid for the duration of the work on the City’s property.
8. The Applicant shall obtain and maintain in force a certificate of liability insurance on the City of Niagara Falls form in the amount of \$5,000,000.00 (five million dollars) inclusive; the policy shall name the City of Niagara Falls as the certificate holder. This policy shall remain in place for the duration of the project. The applicant must provide evidence of such coverage to the City prior to beginning any work.

9. The Applicant shall obtain locates prior to digging or excavating. The City of Niagara Falls shall not be held responsible.
10. The Applicant agrees to notify the Construction Services Supervisor or their designate at least 48 hours prior to commencing work.
11. The Applicant agrees and accepts full responsibility to supply, maintain, clean and place all barricades, warning signs, delineators, flashing lights and other safety warning devices necessary for the protection of the public and the safe operation of the installation, at the applicant's own expense, as per the "Ontario Traffic Manual" (OTM) Book 7. (Note: This manual depicts minimum standards, additional signage may be required)
12. ROAD/ LANE CLOSURE(S) IS NOT PERMITTED without prior written approval and submission of a Traffic Management Plan for review and approval. If approved advanced road closure signage must be in place a minimum of 10 working days prior to the road closure. Traffic Control Plan(s) must be submitted for review. Two way traffic must be maintained at all times.
13. The Applicant shall maintain access to all public and private properties for the duration of work.
14. No person shall excavate or encroach under, or otherwise undermine any sidewalk, curb, gutter, or roadway.
15. The Applicant agrees, unless otherwise specified to backfill, the authorized cut with Granular 'A' material thoroughly compacted by mechanical means in 300mm (12") layers under existing roadways, driveways, shoulders and sidewalks. Temporary hard surface of 50mm (2") of Cold Mix to roadways immediately on completing backfilling operations, remainder of right of way and/ or easement to existing conditions.

NOTE:

- A. Contractor must also perform final paving using a minimum of 80mm HL8HS and 40mm HL3HS asphalt, placed and compacted in 2 layers to 100% S.P.D (Standard Proctor Density) or to existing depth of asphalt. Edges of road cuts to be milled down 40mm and 600mm back from edges.**
- B. Contractor must reinstate sidewalks, curbs and/ or gutter, exposed concrete roads and other surfaces in accordance with current City of Niagara Falls standards and specifications. Positive drainage shall be maintained during the course of operations.**
- C. Contractor must reinstate boulevards with clean backfill, non-frozen native material, properly compacted to prevent settlement. New sod to be placed over a minimum of 100mm clean topsoil, countersunk and rolled to match surrounding area. Contractor is responsible for watering and ensuring the sod grows properly. Trees on the right of way are not to be affected.**

16. The Applicant assumes all maintenance and liability for temporary repairs until such time as permanent repairs are completed for the work described herein.
17. All restoration is to be completed within 6 months from the date of this permit being issued.
18. It is the responsibility of the applicant to contact the Regional Municipality of Niagara for use of Regional roads where applicable.
19. Any alterations to this permit must be authorized by the Construction Services Supervisor or their designate prior to any changes taking place.
20. A copy of this permit must be available on the job site at all times, during construction or reinstatement.
21. This road occupancy permit is issued pursuant to the latest Access By-law No. 2002-065 and Obstruction By-law No. 2002-064.
22. Permits are only valid for the location, date and time specified, and may not be changed or altered unless approval is obtained from Construction Services Supervisor or their designate.
23. The Applicant will indemnify and save harmless the City of Niagara Falls from all liabilities, damages, costs, claims, law suits or actions arising out of any breach or nonperformance of any covenant herein contained on the part of the applicant, and any damage to the property howsoever occasioned by the use and occupation of the property by the applicant or any person or persons including death, resulting at any time therefrom, occurring on or about the property or any part thereof or resulting from the use of the property during their term of the permit for any purpose whatever.
24. This City of Niagara Falls reserves the right to cancel permits wherever and whenever it is deemed necessary.