



EDWARDSBURGH CARDINAL

Disclaimer

IMPORTANT INFORMATION TO THE APPLICANT FOR MUNICIPAL CONSENT

DEFINITIONS

"Applicant" means any person, firm, organization, corporation, association, utility company, commission, agency, municipal department, or private party, used in the normal context of the word applying for Municipal Consent to gain approval for the placement of apparatus within Township's Public Road Allowance.

"Township" means the Corporation of the Township of Edwardsburgh Cardinal or its authorized representative.

"Emergency Work" means work that must be completed immediately because health, safety or the provision of essential services is endangered. This emergency work could result from a broken watermain, gas line break, damaged hydro lines or severed telecommunication line.

"Municipal Consent" (MC) means the approval of a comprehensive drawing submission on the placement of apparatus within Township's road allowance which has been approved by the Township by way of Engineering Services,

"Plant" means any infrastructure referred to a utility system including poles, cables, pipes, conduits, pedestals, antennas, vaults, support structures or any other similar facilities or structures.

"Right-Of-Way" (ROW) means an easement in which the Township grants access rights to the surface of, as well as the spaces above and below public road allowances.

"Municipal Consent Permit" means a permit issued by the Township for the purpose of Authorizing the commencement of all work taking place within the Township Road allowance.

"Work" means the installation, maintenance, repair, replacement, extension or operation of any Plant in a public road allowance.

MUNICIPAL CONSENT CONDITIONS

A Municipal Consent (MC) is the municipalities authorization for a utility to occupy a specific location within the Municipalities Right-of-Way (ROW). Municipal Consent is issued to utility companies who have the authority to construct, operate, and maintain

their infrastructure within the ROW as established through legislation, a Municipal Access Agreement, or Franchise Agreement.

All proposed Installations or any work done within Township of Edwardsburgh Cardinal (ROW) is not permissible without Municipal Consent from the Public Works Department.

There is a **\$75.00** fee upon the submission of the Road Cut permit applications.

The applicant must obtain the necessary approvals from all the appropriate authorities that will be impacted by this application.

INSURANCE REQUIREMENTS

Proof of Insurance must be presented at the time of the permit application. Without valid proof of insurance, this application may not be processed and a permit may not be issued.

The completed work must reference the following insurance coverage:

Insurance against public liability for the bodily injury and property damage in respect of such work in the minimum amount of \$5,000,000.00 and be endorsed to provide that the policy will not be cancelled, or allowed to lapse without 30 days prior written notice to the Township of Edwardsburgh Cardinal and keep in force all liability insurance policies in respect of such work for a period of twelve months from the date of final completion and acceptance by the Township of Edwardsburgh Cardinal.

The applicant assumes all maintenance and liability for temporary repairs until such time as permanent repairs are completed for the work described herein

It shall be the applicant's responsibility to request marking or other location information to determine the location and provide safeguards for all utilities, both public and private, in accordance with current regulations.

All barricades, signs, signals, traffic control person(s), traffic control devices, detour design and signage shall meet current Ontario Traffic Manual – Book 7 for Temporary Conditions requirements and shall be the sole responsibility of the applicant.

A copy of the Municipal Consent form and issuance of approval must be available on the job site at the time of construction.

The applicant must notify the Public Works Department prior to commencing work and before any backfilling operation on Township property begins by email at cleblanc@twpec.ca.

All restorations required as a result of completed projects are to be reinstated in accordance to Ontario Provincial Standard Specifications OPSS 510.

MUNICIPAL CONSENT APPLICATION CONDITIONS

Applications require the necessary sketch or drawings attached, for approval by the Township by way of the Public Works Department to allow an Applicant to perform work related to the installation and maintenance of plant within the Township's right-of-way.

The approval of a Municipal Consent is valid for a period of one year from the date of issuance or until such time as the described project is deemed completed. If the work is not completed in its entirety within a one-year period, the applicant must reapply.

By submitting an application to perform work within the public right-of-way, the Applicant agrees to:

Indemnify and hold harmless the Township of Edwardsburgh Cardinal and its elected officials, officers, directors, employees, representatives, successors and assigns (collectively the Indemnities) from all claims of injury, damage or loss, including legal costs, howsoever arising, due to the construction, operation and/or maintenance of the work or temporary repairs referred to in this application unless such injury or damage was caused by the negligence or willful misconduct of the Township.

Indemnify and hold harmless the Indemnities from all claims and actions resulting from any preserved or perfected lien under the Construction Lien Act (Ontario) in connection with the construction, operation and/or maintenance of the work or temporary repairs referred to in this application. The Applicant shall cause any such lien or claim which may be filed or made to be released, vacated or otherwise discharged within 20 days of receiving notice of the lien or claim by the Township or otherwise. If the Applicant fails to release, vacate or discharge any such lien or claim, the Township may, but is not obligated to, obtain a discharge or release of the lien or claim or otherwise deal with the lien or claim, and the Applicant shall pay all costs and expenses, including legal fees, incurred by the Township in so doing.

Conform to and comply with all applicable laws and regulations including, but not limited to, the Occupational Health and Safety Act (OHSA). The Applicant will indemnify and hold harmless the Township from and against all liability resulting from any and all failures to meet the responsibilities referred to in the OHSA, including any fine(s) levied against the Township as a result of any breach of the responsibilities of the employer for the project, to the extent attributable to the Applicant's failure to fulfill its obligations.

Perform all work in accordance with any legislated or negotiated agreements, such as municipal access agreements, applicable bylaws, the permit and this document.

Applicant is responsible for any damages caused to public or private infrastructure during construction. Applicant must restore any damaged infrastructure to its original condition or better, to the satisfaction of the applicable agency and/or utility company.

Applicant is solely responsible for coordinating design and construction with all applicable agencies and utility companies.

Applicant acknowledges that they have reviewed the above disclaimer information for Municipal Consents for the Township of Edwardsburgh Cardinal:

Yes: No:

APPLICATION FOR MUNICIPAL CONSENT

APPLICATION CLASSIFICATION:

STANDARD **ROAD CUT**

This form shall be completed in its entirety prior to processing by the Township. Incomplete forms will be returned to applicant for clarification.

APPLICANT: _____

MAILING ADDRESS: _____

CELL: _____ **FAX:** _____

PHONE: _____ **EMAIL:** _____

CONTACT: _____ **JOB#** _____

CIVIC NO: _____ **LOCAL ROAD NAME:** _____

LOT(S): _____ **CONCESSION:** _____

SIDE OF ROAD: _____ **ROAD CUT REQUIRED: YES NO**

IF YES SIZE OF EXCAVATION REQUIRED (AT SURFACE): _____ m x _____ m

AREA MARKED BY A STAKE / PAINT: YES NO

DETAILED DRAWINGS /SKETCH ATTACHED: YES NO

PROPOSED START DATE: _____ **PROPOSED COMPLETION DATE:** _____

PROPOSED WORK WILL BE CONSTRUCTED BY OUR OWN FORCES OR BY THE FOLLOWING CONTRACTOR: _____

NAME: _____ **CONTACT:** _____

TELEPHONE/CELL: _____ **FAX:** _____

I/We hereby apply to the Township of Edwardsburgh Cardinal for permission to construct, alter, change as described above and do hereby agree to conform to the Townships conditions, standards and specifications in accordance to OPSS 510.

SIGNATURE: _____ **DATED:** _____

APPROVAL: _____ **DATE APPROVED:** _____

Public Works Manager - Chris LeBlanc, CRS (Approval valid for 12months from date of approval)