

CITY OF MARSHALL  
 OFFICE OF ENGINEERING  
 323 W Michigan Ave.  
 Marshall, Mi 49068  
 (269) 781-3985 Fax (269) 789-4628

**APPLICATION AND PERMIT TO CONSTRUCT, OPERATE, USE AND/OR MAINTAIN  
 WITHIN THE RIGHT-OF-WAY**

This form acts as an application for the permit and upon approval becomes the final permit for the work described herein. If the contractor is to perform the construction entailed in this application and permit, and is supplying the bond, he will fill out the information required, and thereby assume responsibility, along with the applicant, for any provisions of this application and permit which apply to him.

Application			
Applicant's Name (Property Owner, Corp., Etc.)	Date	Contractor's Name (Individual, Company, Etc.)	Date
Applicant's Mailing Address		Contractor's Mailing Address	
Applicant's Signature		Contractor's Signature	

The above signed agrees to indemnify and save harmless the said City from all loss or damages by reason of granting of this permit, to at all times properly safeguard such work, and to promptly pay to the said City any bill rendered for work said City may find necessary to do, or to have done by reason of the granting of said permit.

Street Name and Address	Location (Cross streets between which property is located or nearest main intersection)	
Purpose		
	Proposed Start Date	Proposed Completion Date

City of Marshall  
Regulations for Construction in the City Right-of-Way

1. Construction within a City right-of-way may not be started until a permit for the construction has been issued by the City Engineer or designee unless of emergency.
2. The permit fee shall be the amount adopted by the City council.
3. The applicant must notify the City Engineer or designee 48 hours before starting work and must notify the engineer when work is completed.
4. The applicant shall provide proof of liability insurance before the permit is issued with the City of Marshall as an "also insured." The liability insurance shall cover a period not less than the term of the permit and shall not be canceled without ten days advanced written notice by certified mail, with return receipt required, to the city.
5. A bond or cash deposit may be required at the discretion of the City Engineer or designee and will be held for one year from the date of the final inspection to insure performance of the conditions of the permit and compliance with all the requirements of law.
6. All work under this permit shall be subject to inspection by the City Engineer or designee and shall be in accordance with the specifications of instructions of the City Engineer. The work site shall be restored to its prior condition or better.
7. Permits shall be issued under the following conditions:
  - a. A permit may include more than one opening at the discretion of the City Engineer or designee.
  - b. A plan(s) or sketch(s) of the proposed construction may be required.
  - c. The applicant shall fully indemnify and save harmless the City of Marshall against any suits, claims, or demands arising from the work of the applicant within the right-of-way.
  - d. In an emergency, outside regular hours of the engineer or designee. An application for a permit shall be made by noon of the next regular work day.
8. The applicant must comply with the requirements of PA 53 of 1974, as amended. CALL MISS DIG AT (800) 482-7171 AT LEAST THREE FULL WORKING DAYS, BUT NOT MORE THAN TWENTY-ONE CALENDAR DAYS, BEFORE THE START WORK. The applicant assumes all responsibility for damage to or interruption of underground utilities.
9. Work Conditions:
  - a. The person in responsible charge of the work shall have the permit and approved plan(s) or sketch(s) at the site of the work at all times
  - b. The applicant shall be responsible for providing and maintaining traffic control devices in accordance with the Michigan Manual of Traffic Control Devices (MMUTCD).
  - c. At least one lane of traffic shall be maintained at all times. Applicant shall be responsible for one-way traffic control in accordance with MMUTCD unless approved by the City Engineer or designee.
  - d. Excavated material not suitable for backfill, rejected material, excess or scrap materials, and similar items shall be promptly removed from the site.
10. The applicant shall be responsible for maintaining a temporary patch. If the applicant does not maintain the temporary patch, the city may, after providing the applicant with notice, maintain the temporary patch and charge the applicant.
11. Patches
  - a. The permanent patch shall be in accordance with the specification of and inspected by the City Engineer or designee. The permanent patch shall be equal to or better than the existing pavement of similar material.
  - b. If a permanent patch fails within one year after placement, the applicant shall be responsible for replacing or repairing the patch in accordance with the requirements of the City Engineer or designee. If the applicant does not replace or repair the patch within one week after receiving notice from the city, the city may repair or replace the patch and charge the applicant for the cost.
  - c. A temporary patch shall only be allowed to be used from November 15<sup>th</sup> to May 1<sup>st</sup>.
12. The applicant shall comply with the requirements of the Natural Resources and Environmental Protection Act, Part 91 of PA 451 of 1994, as amended, and implement all applicable measurements controlling soil erosion and sedimentation. Applicant must contact the Calhoun County Road Commission for SESC permits.
13. If the applicant fails to comply with the terms of the permit, the applicant shall be responsible for all cost incurred by the City.