

**CITY OF FOLEY**  
**APPLICATION FOR UTILITY PERMIT on**  
**CITY RIGHT-OF-WAY**

Application is hereby made for: permission to place, construct and thereafter maintain a \_\_\_\_\_ along or across \_\_\_\_\_ in accordance with the sketch shown on the inside hereof, or attached thereto.

**I. AERIAL CONSTRUCTION**

Pole Type \_\_\_\_\_  
Voltage \_\_\_\_\_  
Size of Conductors \_\_\_\_\_  
Minimum height along street right-of-way \_\_\_\_\_  
Extent and location of tree trimming \_\_\_\_\_

**II. UNDERGROUND**

Type of Underground  
\_\_\_\_\_ Electric      \_\_\_\_\_ Phone      \_\_\_\_\_ Gas  
\_\_\_\_\_ CATV      \_\_\_\_\_ Oil      \_\_\_\_\_ Other

Conduit Construction  
\_\_\_\_\_ PVC      \_\_\_\_\_ Concrete      \_\_\_\_\_ Clay Tile  
\_\_\_\_\_ Steel Pipe      \_\_\_\_\_ Other \_\_\_\_\_

Casing Construction Type \_\_\_\_\_

Type of Conductors \_\_\_\_\_

Size of Conductors \_\_\_\_\_

Depth to be buried \_\_\_\_\_

Method of Installing Under Roadbeds  
\_\_\_\_\_ Jacking      \_\_\_\_\_ Pneuma Gopher  
\_\_\_\_\_ Boring      \_\_\_\_\_ Open Trench, why \_\_\_\_\_

Extent and location of tree clearing \_\_\_\_\_

**III.** Work to start on or after \_\_\_\_\_ and to be completed on or before \_\_\_\_\_

**IV.** The applicant in carrying on any and all of the work herein above mentioned or referred to in its application and in the Permit issued herefore, shall strictly conform to the terms of such Permit, and the regulations of the City of Foley, as set forth herein together with the Special Provisions, all of which are made a part hereof. The applicant specifically agrees to be bound hereby. The applicant shall also comply with the regulations of all other governmental agencies for the protection of the public. The work shall be accomplished in a manner that will not be detrimental to the highway and that will safeguard the public.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

By \_\_\_\_\_  
Signature

\_\_\_\_\_ Address

\_\_\_\_\_  
Name of Company Making Application

\_\_\_\_\_  
Title

\_\_\_\_\_  
Phone

## **DEFINITIONS**

**UTILITY** Under this order “utility” shall mean and include all privately, publicly or co-operatively owned communication lines and facilities, any systems, lines and facilities for the distribution and transmission of electrical energy, oil, gas, water, sewer, steam and other pipe lines, railways, ditches, flumes or other structures which under the laws of this State or the ordinance of any town or city may be constructed, placed or maintained across, along or on city right-of-way. Dependent upon the meaning intended in the context, “utility” shall also mean the utility company, inclusive of wholly owned subsidiary.

## **GENERAL**

- I. Except as otherwise permitted, utility construction and relocation on city right-of-way shall not be commenced until an application for a Permit has been made and such Permit granted. The Permit sketch shall show the location of the proposed utility with reference to highway center line. A copy of the sketch shall be provided for each copy of such Permit.
- II. Burning or disking operations and/or the use of chemicals to control or kill trees, brush and other vegetation is prohibited without prior approval from the City of Foley.
- III. All waterways and lines of drainage shall remain operative.
- IV. Wherever topsoil and sod are disturbed they shall be replaced and maintained satisfactorily on the city right-of-way.
- V. The utility facility and installation shall not interfere with any existing utility facilities on the city right-of-way.
- VI. When necessary, barricades, warning devices and flagmen shall be provided by the Utility during all phases of their construction and maintenance operations on city right-of-way
- VII. At the time of construction of the utility and at times of subsequent maintenance, prior approval shall be obtained from the City of Foley for the cutting and trimming of trees within the right of way. Wherever trees are cut the resulting stumps shall be removed unless otherwise provided in the Special Provisions of the Permit. Any holes caused by stump removal shall be backfilled, the area leveled and all materials associated therewith disposed of off site. The utility shall advise the City of Foley at least 48 hours in advance of its intent to start clearing and grubbing operations so that proper supervision can be provided.
- VIII. The Utility shall notify the City of Foley of its intent to perform service and maintenance operations which will interfere with the flow of traffic on city streets, and shall obtain their approval prior to performing such operations. However, the Company may perform service and maintenance operations on city streets including opening and disturbing the surface of the right-of-way without prior approval in those instances where an emergency exists that is dangerous to the life or safety of the public and which requires immediate repair. The utility shall take all necessary and reasonable safety measures to protect the traveling public and shall notify the City of Foley at the earliest possible moment.
- IX. If at any time the City of Foley shall deem it necessary to make any improvements or changes on all or any part of the right-of-way of the city highway which affect a utility located on city right right-of-way, then and in such event, the owner of the utility shall within 15 days after written notice from the City of Foley, or its authorized agent, proceed to alter, change, vacate or remove said utility from the city highway right-of-way so as to conform to said highway changes and as directed by the City of Foley. Such work shall be done without any cost whatsoever to City of Foley and shall be completed within the date specified in said written notice. The Utility shall assume all liability and save City of Foley harmless from any and all claims of damage of any nature whatsoever occasioned by reason of not having removed said utility within the time specified in said notice.

**X.** The Utility shall assume all liability for, and save the City of Foley, its agents and employees, harmless from, any and all claims for damages, actions or causes of action arising out of the work to be done herein and the continuing uses by the Utility, including but not limited to the placing, constructing, reconstructing, maintaining and using of said utility under this application and Permit.

**XI.** The City of Foley may require the Utility, or its contractor, to furnish a deposit in the form of a certified check, a surety bond or corporate undertaking, in favor of the City of Foley, for any expense incurred by the City in the repairing of damage to any portion of the city highway right-of-way caused by work performed under a Permit, including any out of the ordinary engineering supervision and inspection expense provided by the City. In those instances wherein a deposit is required, the amount of the deposit shall be specified in the Special Provisions of the Permit. If a check is furnished, any monies remaining over and above such expense shall be returned to the applicant.

**XII.** The Permit as issued does not in any way imply an easement on private property.

**XIII.** The installations shall be made in conformity with all applicable laws, regulations and codes covering said installations. All installations shall be made in conformity with regulations of governmental agencies for the protection of the public.

**XIV.** Upon completion of an installation, the Utility shall restore all disturbed areas to its original condition. The Utility shall then notify the City of Foley of the completion of the work so that inspection can be made to determine its acceptability.

## **AERIAL**

**I.** In those instances in which a Utility is issued a Permit or Permits for construction on both sides of the right-of-way in a given area, such Permit is conditioned upon the Utility subsequently providing joint use to other Utilities upon reasonable terms mutually agreeable to the Utilities.

## **UNDERGROUND**

**I.** All crossings of the roadbeds of the city streets and alleys shall be made by boring inside a casing or carrier pipe, or by jacking, unless this procedure is modified in the Special Provisions of the Permit. The auger shall not lead the casing or carrier pipe by more than one inch.

**II.** When pipes with bells or flanges are installed, the crossings of the roadbeds of the city highway shall be made by boring inside a conduit as provided in paragraph I of this section or jacking a conduit of sufficient diameter to permit threading the carrier pipe through it.

**III.** All voids caused jacking or boring shall be filled by pressure grouting. The grout material shall consist of a sand-cement slurry of at least two sacks of cement per cubic yard and a minimum of water to assure satisfactory placement.

**IV.** The underground utilities shall be so installed as virtually to preclude any necessity for disturbing the roadbeds to perform maintenance operations.

**V.** Underground installations shall be accomplished without damaging or destroying the principal root structure of specimen trees.

**CITY OF FOLEY**  
**UTILITY PERMIT**

**REFERENCE:**      Project: \_\_\_\_\_

In accordance with the application, a Utility Permit is granted to

\_\_\_\_\_

to place, construct and thereafter maintain

\_\_\_\_\_

on or across, or under the right-of-way, in the location shown on the sketch which is a part of said application, or in such location as may be specified by the Department of Highways in the Special Provisions hereof.

**SPECIAL PROVISIONS:**

Approved \_\_\_\_\_  
*(Date)*

Certified Check No. \_\_\_\_\_

Surety Bond No. \_\_\_\_\_

Date of S. Bond or C. Check \_\_\_\_\_

Bank or Bonding Co. \_\_\_\_\_

City of Foley  
Foley, Minnesota

By \_\_\_\_\_  
*Signature*

\_\_\_\_\_

*Title*