

ROCKLAND COUNTY HIGHWAY DEPARTMENT

26 SCOTLAND HILL ROAD, CHESTNUT RIDGE, NY 10977; PH. (845) 638 5060; FAX (845) 638 5037; HIGHWAY@CO.ROCKLAND.NY.US

APPLICATION AND PERMIT FOR ROAD WORK IN ROCKLAND COUNTY NEW YORK

Road Work Permit Type (Check Applicable):

- checkbox Road Opening (Utility works that include disturbances to pavements and shoulders)
checkbox Non-Utility Road Work (Other than utility works having frontage on, access to or being otherwise related to County Roads)

Applicant: _____ checkbox Owner checkbox Other _____

Address: _____ State: _____ Zip Code: _____

Applicant Phone: _____ Email ID: _____

Emergency Contact: _____ Emergency Phone: _____

Description of Proposed Work:

Location of Work: _____ in the checkbox Town / checkbox Village of _____

Between Nearest Intersecting: Street 1 _____ and Street 2 _____

Attached: checkbox Site Plan and Details Dated: _____ checkbox Boards Resolution

Anticipated Duration of Work: Start on _____ Complete on _____

checkbox For Road Opening Work Only (provide following details):

Size of Road Opening: checkbox In Pavement (Length) _____ (Width) _____ on checkbox NB checkbox SB checkbox EB checkbox WB checkbox Full Width
checkbox In Shoulder (Length) _____ (Width) _____ on checkbox North checkbox South checkbox East checkbox West

checkbox For Driveway Work Only (provide following details):

Existing Driveway Width: _____ Proposed Driveway Width: _____ Type of Finish Surface: _____

Acknowledgement: On behalf of the Applicant, I hereby request a road work permit, and do agree to comply with all the Rules and Conditions established by the Superintendent of Highways, as well as all Laws, Ordinances and Resolutions relating to said work and acceptance of the permit shall be deemed an agreement to abide by all its terms and conditions. It will be the applicant's responsibility to protect underground facilities prior to an excavation, as outlined under New York State Law.

Pursuant to Chapter 278 of the Laws of 2023, If the permittee is a Utility Company, the Utility and its contractors must follow all provisions in the Roadway Excavation Quality Assurance Act which amends section 224-F of the Labor Law. The provisions include having a contract in place to pay prevailing wages and maintaining certified payrolls during the period of work.

Signature of Authorized Representative: _____ Date: _____

Name of Authorized Representative: _____ Title: _____

Applicant do not write below this line

Remarks: _____

Approved by RC Superintendent of Highways: _____ Approved Date: _____

Permit Number: _____ Expiration Date: _____ Tax Lot No.: _____

A. Fee Schedule for Road Opening Permit

Operational Type and Description		Permit Fee				
		Base Fee (\$)	Qty.	Unit Rate (\$)	Sub Total (\$)	Total Fee (\$)
1	Application Process	75				
2	Inspection (Base Fee provided with application)	50		50 ea.		
3	The Applicant other than Utility or Municipal Corporation must deposit a security for the proper performance of the work in an amount to be determined based on the size, type, and location of the opening with the application					
4	The future maintenance charges for road openings after completion of final pavement/shoulder resurfacing and approval by the issuer of the permit (Only applies to the Applicant other than Utility or Municipal Corporation)					
4.1	In pavement areas, for openings up to and including 30 sq. yds. in area with a minimum charge of \$50			5 per sq. yd.		
4.2	In pavement areas, for that portion of the area more than 30 sq. yds.			4 per sq. yd.		
4.3	In shoulder areas, for openings up to and including 30 sq. yds. in area with a minimum charge of \$25			4 per sq. yd.		
4.4	In shoulder areas, for that portion of the area more than 30 sq. yds.			3 per sq. yd.		

B. Fee Schedule for Non-Utility Road Work Permit

Work Class and Description		Permit Fee			
		Base Fee (\$)	Qty.	Unit Rate (\$)	Total Fee (\$)
1	Simple Repave – Remove and resurface existing in kind	25			
2	Relocation/Circular/ Curbing/Widening or complex in nature	100			
3	Temporary Access Permit	100			
4	Additions to existing Dwellings/Fences/Walls/Landscaping	100			
5	Residential and Commercial Construction/Development/Housing/Institutions/Subdivisions				
5.1	Single Family with Residential Dwelling	125			
5.2	Multi-Family Residential Dwelling plus \$25 per parking space	100		25	
5.3	Commercial Subdivisions including Institutions and Retail Buildings plus Improvement Fees as per Item 6, if applicable	250			
5.4	Major Commercial or Subdivision (> 10 lots or > 6 housing units per building) plus Improvement Fees as per Item 6, if applicable	350			
6	Improvement Fees:				
6.1	Parking			25 ea.	
6.2	Drainage tie into catch basin			100 ea.	
6.3	Sidewalks			2 per ft.	
6.4	Curbing			2 per ft.	
6.5	Road Widening			0.30 per ft.	
6.6	Road Restriping	100		2 per ft.	
7	Inspection (Base Fee provided with application)	100		100 ea.	
8	Banner	50			
9	Drainage Maintenance Performance Deposit of \$750 (is required for implementation of onsite stormwater pollution prevention plan. The deposit is refundable upon written notification that the permit has been successfully closed out.)				

Permit Fee Received: \$ _____ Check # _____ Permit # _____

Performance Guarantee Deposit Received: \$ _____ Check # _____

Drainage Maintenance Deposit Received: \$ _____ Check # _____

Additional Charges for the Permit: \$ _____ Remarks: _____

Deposit Amount Refunded to the Permittee: \$ _____ Date Processed: _____

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RESPONSIBILITIES OF THE PERMITTEE
PURSUANT TO ROAD OPENING PERMITS FOR UTILITY WORKS

GENERAL CONDITIONS:

1. WHEREVER THE WORD "Local Government" used in the sentence below it shall also mean the Rockland County or the Town Highway Department, or the Village and/or the Rockland County or the Town Superintendent of Highways or his/her Representatives or Village Representative that issued the Permit.
2. It shall be unlawful for any Person, Firm, Utility or Municipal Corporation to make an excavation in or disturb the surface of a Road without a Road Opening Permit in writing from the Superintendent of Highways having jurisdiction over the Road.
3. The specific site identified in the Road Work Permit, and only that site identified, will be available for use by Permittee only for the purpose stated in this Permit and only on the date(s) and for the duration designated in this permit.
4. To obtain a permit, an application must be made in writing on the form provided by the Local Government, signed by a duly Authorized Representative of the Company or Officer of the Utility or Municipal Corporation. The Corporation may by resolution, a certified copy of which shall be filed with the Superintendent of Highways, designate an Agent or Officer to execute applications for permits.
5. The Permittee agrees to assure compliance with New York State Laws, Industrial Regulations, and OSHA regulations, and to assure the safety of all workers who will be engaged to do the permitted work.
6. Before any Road Opening Permit will be issued, the Applicant and their Contractors (if any) will be required to file with the Local Government adequate and satisfactory evidence that each is covered by public liability insurance in the limits of not less than \$1,000,000 - \$2,000,000 BODILY Injury and \$500,000 Property Damage and that under this coverage, or by separate policies in the above limits, the Local Government and/or its Boards and/or Local Government Engineers are named among the insured and fully indemnified. In the event, Utility Company or Municipal Corporation is self-insured, it may submit a letter of commitment in lieu of the insurance required above stating that the Utility or Municipal Corporation is self-insured and that it will guarantee to indemnify the parties named above.
7. The Permittee employing its own labor forces or their Contractor, if the work is being done by contract for the road opening covered by the permit, must file with the Town/Village adequate and satisfactory evidence of statutory coverage for Worker's Compensation and Disability Insurance.
8. The future maintenance charges will be made to the Permittee other than Utility or Municipal Corporation per the permit fee schedule to compensate the Local Government for the cost of future maintenance of openings after the final surface has been completed and approved by the Local Government.
9. Utility or Municipal Corporation or its Contractor shall restore all road openings in accordance with the methods and procedures set forth in the guidelines and thereafter maintain them during a period of not less than two years by doing such additional work as may be necessary to make good any deficiencies which may develop due to settlement, shrinkage, or other causes. The two-year maintenance period shall start from the date of the bill to the utility or municipality on which the inspection charges for an opening appear.
10. Before a permit will be issued, the Applicant other than Utility or Municipal Corporation must deposit as security for the proper performance of the work with the Local Government cash or a certified check in an amount to be determined by the Local Government based on the size, type and location of the opening. Upon completion and approval of the final wearing surface, this deposit will be refunded after deduction of the charges for inspections, future maintenance and any other charges incurred under the regulations.
11. Utility or Municipal Corporation may elect to provide a fully executed letter of commitment as a substitute for providing proof of insurance coverage, or any other financial security otherwise required.

12. The Permittee agrees to maintain liability insurance in full force and effect throughout the term of the road opening permit. Expiration of, or lack of, liability insurance automatically terminates the permit.
13. The Permittee agrees, in accepting a permit to open a road, to save harmless the County of Rockland, its officers and servants from and against any injury, loss, damage, or legal action resulting from any negligence or fault of the permittee, its agents or servants in connection with the work covered by the permit.
14. Before any Contractor may do any work within the Right-of-Way Lines of a Local Government Road, the Contractor must first be approved in accordance with regulations established by the Superintendent of Highways. A list of approved contractors is one file in the office of the Superintendent of Highways.
15. The Local Government will assign an Inspector from the time the road is opened, until the final wearing course is applied and approved by the Local Government. The applicant shall specify on the application the approximate date the excavation is to be made. The application will include an inspection fee per the fee schedule.
16. The actual work shall not be started without at least 24 hours' notice to the Local Government. However, openings are not permitted on Saturdays, Sundays, or Holidays, unless an emergency exists, such as a water leak, gas leak or sewer stoppage.
17. Should a hazardous condition develop in connection with a road opening and the Permittee is not available or does not remedy the condition promptly, the Local Government reserves the right to do, or to have done, such work as it deems necessary to eliminate the hazard and charge the cost of such work to the Permittee.
18. If, in the opinion of Superintendent of Highways or his representative, work is not being performed in accordance with the conditions, the Superintendent or his representative may in writing stop the work at any time and work shall not be resumed without the consent in writing of the Superintendent of Highways. In the event of such work stoppage, the Local Government will immediately notify the Permittee of the stoppage and the cause thereof.
19. In making the excavation the permittee shall preserve the roadway from unnecessary destruction and shall complete the excavation, installation, or repair of utility facilities, and backfilling in one continuous operation.
20. The Permittee shall maintain safe crossing along the line of the opening and keep the same properly guarded by suitable barricades and warning signs during the day and by barricades and lights at night.
21. If the excavation were to extend the full width of the road, only one-half of the road shall be opened, and this is to be properly backfilled before the other half is opened, so as allow the free flow of traffic. In some cases, it may be possible to open on each side of the road and jack or drive a pipe from one opening to the other. This should be done whenever possible. The road must be always kept open to traffic and the Permittee shall take all necessary precautions for the safety of the traveling public, whenever necessary supplying flagmen, lights barricades, signs etc. A permit to close the road to traffic will only be issued in the most unusual circumstances.
22. Tunneling or mechanical methods of boring under the road for service installations may be permitted only on written approval of the Superintendent of Highways, or his representatives.
23. Within the Right-of-Way Lines (Property Lines) of a Local Government Road only a Utility Corporation, or a Contractor working directly for a Utility Corporation under contract with it, will be permitted to make road openings for the purpose of constructing or installing utility lines or facilities or for making connections to existing utility lines or facilities or for making connections to existing utility lines or facilities. Sewer mains may only be installed within the Right-of-Way Lines (Property Lines) of a Local Government Road by a Municipal Corporation or a Contractor working directly for a Municipal Corporation. House connections to sewer lines may be made by Contractors working for private individuals provided a permit for each opening is obtained from the Superintendent of Highways.
24. Nothing contained herein shall prevent the Superintendent of Highways modifying or adding to these regulations, if, in his/her opinion, the best interests of the Local Government will be served thereby.
25. On all matters pertaining to the interpretation of these regulations or to the quantity or quality of materials or workmanship called for by these regulations, the decision of the Superintendent of Highways shall be final and binding.
26. This permit is issued pursuant to Section 136 of the Highway Law and Section 239-k of the General Municipal Law. Approval is granted to the rules and regulations for Control of Development issued by the Rockland County Superintendent of Highways to any and all conditions listed hereon or attached hereto and/or on the plot plan which shall be considered a part hereof.

METHODS, PROCEDURES AND MAINTENANCE:

1. Pavement and shoulder areas are defined as follows:
 - 1.1 The "pavement area" shall include the full width of hard bituminous or concrete paved road surface plus an additional 12" on each side thereof. It shall also include any paved gutters within the Right-of-Way.
 - 1.2 The "shoulder area" shall include any ride-able area within the right-of-way outside the pavement area.
2. Shoulder Work:
 - 2.1 Shoulder openings shall be defined as work done completely within the shoulder area as defined above.
 - 2.2 Shoulder trenches shall be backfilled with a previous material well compacted to within 6" of the surfaces. The final 6" shall consist of shoulder stone, or approved equal, thoroughly rolled, and compacted to the original grade of the shoulder and conforming to grade and crown of road pavement. In general, material excavated from shoulder openings may be reused as backfill unless this material is considered unsatisfactory by the Local Government. Unsatisfactory material would include clay, organic material (swamp muck) etc. and shall be removed from the site and replaced with satisfactory materials acceptable to the Local Government.
 - 2.3 Should settlement or washouts occur, or the shoulder area otherwise become not rideable due to trench excavation or restoration, the trench shall be brought up to grade by the addition of additional shoulder stone or approved equal which shall be re-rolled and compacted.
 - 2.4 Where steep grade or serious water conditions are encountered, the Local Government, at its discretion may require that shoulder openings be wholly or partly back filled with 1 ½" crushed stone chinked with finer material and/or that the opening be topped with 4" of NYSDOT Item 403.11, Asphalt Concrete-Type 1 Base Course.
3. Pavement Work:
 - 3.1 When excavation falls within the defined pavement area the pavement shall be scored to prevent excessive and irregular breaking of the pavement. In the case of longitudinal trenches and small openings along the edge of the pavement, the scoring line shall be minimum of 18" from the edge of the pavement.
 - 3.2 Pavement area must be saw cut.
 - 3.3 All fill material must be removed from the site and replaced with clean fill, also known as shoulder stone, quarry process, crushed stone or controlled backfill material.
 - 3.4 One exception to the backfill material is very deep sewer trench whereby backfill material must have prior approval of the Local Government. Acceptable backfill material shall be sound, hard, durable, stone, run of bank gravel, sand or other acceptable granular material, the particles of which shall be of such a size that, of that portion passing the 4" square sieve not more than 70 per cent, by weight, shall pass the number 40 mesh sieve, and not more than 10 per cent, by weight, shall pass the number 200 mesh sieve, as determined by washing through the sieve in accordance with ASTM Designation: D422. No stone nominally over 8" in diameter will be allowed in the backfill. This does not preclude the use of excavated material which may meet these specifications. The Local Government reserves the right to test any and all backfill material prior to its use.
 - 3.5 Backfill shall be done in such a manner as to achieve a minimum density of 95 per cent of the maximum density of the soil as determined by the Standard Proctor Test (AASHTO Designation T-99). The Local Government reserves the right to perform this test at any time and to make such field tests as are necessary to determine whether the proper degree of compaction has been achieved. Backfill shall be deposited in layers not to exceed 8" in depth before compaction. Equipment to be used for compaction may include vibrating tampers of the mechanical or pneumatic type, impact type rammers or trench rollers or any other type of equipment, which will produce the required degree of compaction. The Local Government may require a field demonstration of compaction equipment before approving it for use. Rolling and compaction shall be done in the longitudinal direction of the trench. If the moisture content of the soil is outside of the limits required for achieving 95 percent of maximum compaction the Superintendent of Highways will require the addition of water or the use of drier soil so that the required degree of compaction will be achieved. Puddling of water will not be permitted for compaction unless approved by the Local Government. If pavement restoration is not to be made immediately, backfill shall be carried to the finished grade of the pavement, the final 4" to consist of shoulder stone or approved equal.
 - 3.6 Within three calendar days after the opening is made a base course pavement shall be laid. Any places where the edge of the pavement has been broken outside of the neat scoring lines shall be squared up by re-scoring and removing the road metal. The backfill material shall be cut out to a depth sufficient to allow for the installation of the bituminous pavement and the subgrade then fine graded and thoroughly rolled and compacted. The base course pavement shall replace as nearly as possible the thickness of the base course or courses of the original pavement if such original pavement exceeds the thickness or specification hereinafter set forth. In any case, however, the minimum acceptable binder course shall be 5" compacted thickness of Base Course Asphalt Concrete NYSDOT Item 403.13. This course shall be thoroughly rolled or compacted with a vibrating, three wheel or trench roller in a longitudinal direction or, in the case of openings too small for such equipment, with other compaction equipment which will produce the same degree of compaction. Care shall be taken that the roller

- wheels are entirely on the subgrade or the newly laid pavement and that they are not partially on the existing pavement and partially on the subgrade or new pavement. After initial rolling, the surface of the base course shall be dusted with screenings or sand and re-rolled. The finished top of this course shall be as nearly as possible ½" below the abutting edge of existing pavement. In the case of longitudinal trenches or small openings along the edge of pavement the base course shall be laid to a width 6" greater than the final wearing course and in no case shall this base course width be less than 2 feet.
- 3.7 The final wearing course shall be applied within one month after the initial opening unless ordered to be laid sooner by the Local Government. All wearing courses shall be completed before bituminous concrete plants close for winter. The base course shall be thoroughly cleaned of all deleterious materials and a tack coat of approved bituminous material shall be applied to the base course surface and to the edges of the abutting existing pavement. The joint between the base course and the existing pavement shall be filled with this bituminous material. The wearing course shall conform to NYSDOT Item 403.17 Asphalt Concrete Type 6F Top Course. This course shall not be feathered over the existing pavement unless directed by the Local Government. The wearing course shall be thoroughly rolled with a vibrating, three-wheel, or trench roller or in the case of openings too small for such equipment, other compaction equipment which will produce the same degree of compaction and surface texture. The final wearing course shall conform as nearly as possible to the adjacent existing pavement grades and to the crown of the existing road. Joints between the existing and the new wearing courses shall then be sealed with the approved bituminous material.
- 3.8 Restoration of paved gutters shall be performed in accordance with the specifications outlined above for pavement replacement.
4. During the waiting period while base course only is in place, the Permittee shall be responsible for maintaining this base course in a safe, rideable condition. Should any settlement or other defect develop, the Permittee shall immediately protect the area with lights, barricades, signs, or other safety devices as may be needed, and keep it protected until repairs have been made. Should a settlement of less than 4" occur, it shall be repaired within 24 hours by patching with additional base course. If excessive (over 4") settlements occur, indicating a failure of the foundation soil, the entire base course pavement in that area shall be removed, the foundation soil shall be recompact, or removed and replaced if necessary, and the base course shall be replaced. If settlements of over 1" occur in the final wearing course during the two-year in maintenance period; the entire wearing course in this area shall be removed and replaced. Patches over the failed wearing course will not be allowed.

WINTER WORK:

No opening permits will be issued between November 15th and April 1st unless an emergency exists. In the event an emergency exists, and permits are necessary the backfill of all trenches, including shoulder openings, shall be made in accordance with the procedures outlined in paragraphs 3.2 and 3.3. Clean fill will again be used as backfill material and compacted in 8" lift layers, item 403.13, dense binder hot blacktop will be placed 5" thick and flush with the road surface, instead of ½" low. No frozen dirt shall be placed in the trench as backfill. Notwithstanding anything which may appear to the contrary in this permit application and regulations, the applicant by accepting this permit assumes all responsibility for the safe maintenance of said openings from November 15th to April 1st and further assumes all liability for damages resulting from or in any way connected therewith during this period.

PENALTY:

Section 136 of the Highway Law of the State of New York provides that no person, firm corporation or municipality shall enter upon or construct any works in or upon any County, or construct any overhead or underground crossing thereof, or lay or maintain therein drainage, sewer, gas or water pipes underground, except under such conditions and regulations as may be prescribed by the County Superintendent of Highways, and that for a violation of said section a person, firm or corporation shall be liable to a fine of not less than one hundred dollars nor more than one thousand dollars for each day of such violation, and may also be removed from said county road as a trespasser.