



**APPLICANTS CHECK LIST FOR TOWN ROAD PERMIT**

Before you submit your permit please check to make sure the following items have been completed.

- 1.) Complete the permit. Pay special attention to items f and g, and submit the appropriate copy of the Liability Insurance Company Policy.
- 2.) Stakes should be visible. Mark only the entrance of the driveway. Unless otherwise requested. Red stakes preferred.
- 3.) Permit will not be issued if Conditions & Restrictions are not signed.
- 4.) Two checks are required when the permit is submitted.

**PERMIT FEE CHECK** ..... \$25.00 NON-REFUNDABLE  
Make check out to Town of Montgomery Highway Dept.

**SECURITY CHECK** .....RESIDENTIAL (Minimum) \$350.00  
Refundable upon the completion of the project  
Make check out to Town of Montgomery

**OR**

**SECURITY CHECK** .....COMMERCIAL (Minimum)\$500.00  
Refundable upon completion of the project  
Make check out to Town of Montgomery

- 5.) Applicants are responsible for requesting the return of the Road Bond Security. In the event that the Town Highway Superintendent has not received a written request for the return of the Road Bond Security within sixty (60) days after the completion of the job, the Town may consider the Road Bond Security forfeited without further notice.

If you have any questions regarding this application please contact the Highway Superintendent at 457-2610, Monday-Thursday 9:00am. – 2:00pm.

Town of Montgomery Highway Dept.  
110 Bracken Rd.  
Montgomery, NY 12549-2627

Permit No. \_\_\_\_\_  
Date \_\_\_\_\_

LOCAL LAW #2 OF 1998

**PERMIT FOR WORK ON TOWN ROAD OR PROPOSED TOWN ROAD**

APPLICANT SHALL FURNISH FULL INFORMATION AS TO THE NATURE OF THE WORK TO BE UNDERTAKEN, LOCATION, DETAILS OF STRUCTURES(S) INVOLVED, ETC. AND SHALL ATTACH A SKETCH SHOWING LOCATION AND AREA AFFECTED.

One (1) copy of this application is to be executed by Applicant with approved signatures. When approved by Highway Superintendent, one copy will be returned to applicant. **AS OF JANUARY 1, 1995 – All driveways require a blacktop apron (minimum width 10ft. – minimum length 20ft.).** Upon completion of house or building.

A PROPERLY EXECUTED COPY OF THIS PERMIT MUST ALWAYS BE AVAILABLE ON THE WORK UNDERTAKEN, TO BE SUBMITTED TO THE ENGINEER AT HIS REQUEST.

Application is hereby made for permission under Local Law #2 of 1988 to enter upon and construct a **road opening or driveway entrance** (circle one) on the following named or proposed Town of Montgomery road:

Town of Montgomery road \_\_\_\_\_

Proposed Town of Montgomery road \_\_\_\_\_

Tax Map Designation: Section \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

**THE FOLLOWING SHOULD BE TYPEWRITTEN OR PRINTED IN INK.**

OWNER NAME: \_\_\_\_\_ CONTRACTOR NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

CITY, STATE, ZIP: \_\_\_\_\_ CITY, STATE, ZIP: \_\_\_\_\_

PHONE: \_\_\_\_\_ PHONE: \_\_\_\_\_

- a.) Work to start: .....To be completed .....
- b.) Shoulder to be disturbed (type) .....Length.....
- c.) Pavement to be disturbed (type).....Length.....
- d.) Location on a sketch map all drainage systems, water main and/or public utility conduits as well as all details of work as required by Highway Superintendent. An engineer’s plan may be required.
- e.) Nature and purpose of proposed work \_\_\_\_\_
- f.) Name of Liability Insurance Co. (Attach copy of policy) \_\_\_\_\_
- g.) Name of Liability Insurance Co. of Contractor if work on road is to be performed by individual other than owner or builder. Contractor must be insured between \$100,000 - \$300,000. (Attach a copy of policy)

\_\_\_\_\_

h.) The following shall be extra conditions of this permit pursuant to Local Law #2 of 1988:

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If permit is granted, I hereby agree to conform to all the conditions and restrictions forming a part of this permit and to restore to its original condition, and portion of the road, shoulders or drainage that may be disturbed.

**STAKES TO BE PLACED NEAR ROAD TO DETERMINE DRIVEWAY ENTRY PRIOR TO INITIAL INSPECTION.**

IF AFTER SUFFICIENT TIME AS DETERMINED BY THE SUPERINTENDENT OF HIGHWAYS OR HIS REPRESENTATIVE, THE WORK TO BE PERFORMED UNDER THIS PERMIT IS NOT COMPLETED, SAID PERMIT SHALL BE CANCELLED AND THE DEPOSIT WILL BE FORFEITED.

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(APPLICANT'S SIGNATURE) (TITLE) (DATE)

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(ADDRESS)

**PERMIT WILL NOT BE ISSUED IF CONDITIONS & RESTRICTIONS ARE NOT SIGNED**

**\*\*\*\*\* RETURN ALL DOCUMENTS TO THE BUILDING DEPARTMENT \*\*\*\*\***

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**FOR OFFICE USE ONLY**

Permission is hereby granted to applicant to perform work enumerated above, subject to attached conditions and restrictions. Security in the sum of \$\_\_\_\_\_, payable to the Town of Montgomery, is to be deposited as a guarantee that the applicant will comply with this permit and that the road will be restored to its original condition at the expense of the applicant. Upon final approval, if the work has been performed timely and satisfactorily, the security shall be returned. See condition #12 in Conditions & Restrictions.

Date: \_\_\_\_\_

Town of Montgomery  
Superintendent of Highways

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**CONDITIONS AND RESTRICTIONS**

THE FORGOING PERMIT IS GRANTED SUBJECT TO THE FOLLOWING GENERAL CONDITIONS AND SUBJECT TO THE "SPECIFICATIONS AND RESTRICTIONS GOVERNING WORK DONE UNDER PERMITS"

- 1.) This permit shall not be assigned or transferred except with written consent of the Town Highway Superintendent.
- 2.) The work authorized by this permit shall be done to the complete satisfaction of the Town Highway Superintendent or his representative. In replacement of pavements, the Town Road Specifications, therefore, shall be followed.
- 3.) Notice shall be given by said Applicant to the Town Highway Superintendent at least 48 hours in advance of the date when the work is to begin.
- 4.) The Applicant hereby agrees to indemnify and save harmless the Town of Montgomery and its Highway Department from all suits, actions or damages of every kind whatsoever which may arise from or on account of the work to be done under this permit. General Liability Insurance for the protection of the Applicant and the Town will be maintained in such an amount and in such company and in such case as the Town Highway Superintendent may require.
- 5.) The Applicant agrees, in consideration of this permit that any present or future injury to or disturbance of the road, its pavement, shoulders, its slopes or gutters, caused by the work proposed under this permit, shall be repaired by the Applicant at its own expense and to the complete satisfaction of the Town Highway Superintendent.
- 6.) The Town Highway Superintendent reserves the right to revoke or cancel this permit at any time should the Applicant fail to comply with the terms and conditions herein prescribed.
- 7.) Applicant's approved copy of this permit shall be in possession of the parties actually doing the work. It must be furnished on demand, to the Town Highway Superintendent or his representative.
- 8.) This permit application is subject to such other consents as are required by law.
- 9.) Traffic shall be maintained on this section of the road by the Applicant during the life of this permit.
- 10.) The Applicant hereby certifies that he has secured Compensation for the benefit of, and will keep insured during the performance of the above described work, such employees as are required to be insured by the provisions of Chapter 41 of the Laws of 1914 and Acts amendatory thereof, known as the Workmen's Compensation Law.
- 11.) If necessity arises in future, because of this work on the highway, to make repairs pertaining to this permit, said work shall be done at the expense of the Applicant.

12.) In the event that the Town Highway Superintendent has not received a written request for the return of the Road Bond Security within 60 days after the completion of the job, the Town may consider the Road Bond Security forfeited without further notice.

**I HEREWITH AGREE TO THE ABOVE “CONDITIONS AND RESTRICTIONS”**

\_\_\_\_\_  
DATE

\_\_\_\_\_  
APPLICANT

\_\_\_\_\_  
DATE

\_\_\_\_\_  
WITNESS

**“CONDITIONS AND RESTRICTIONS” MUST BE SIGNED AND RETURNED WITH  
PERMIT APPLICATION**

**ALL FORMS MUST BE RETURNED TO BUILDING DEPARTMENT**