

**Town of Paonia**  
**EXCAVATION PERMIT APPLICATION**

DATE of Application \_\_\_\_\_

**PERMIT #** \_\_\_\_\_

WORK LOCATION: \_\_\_\_\_

Is the area paved? [ ] Yes [ ] No

SIZE OF EXCAVATION

Length \_\_\_\_\_

Width \_\_\_\_\_

Depth \_\_\_\_\_

ESTIMATED COST/BID: \_\_\_\_\_

Owner: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Contractor (if applicable) : \_\_\_\_\_

Address: \_\_\_\_\_

PURPOSE OF WORK: \_\_\_\_\_

START DATE: \_\_\_\_\_

COMPLETION DATE: \_\_\_\_\_

*A bond, letter of credit, or cashier's check is required before work is started. The amount will be \$1,000 or 25% of the estimated cost of the project, whichever is greater.*

TYPE OF DEPOSIT	
Bond	Cashier's Check
Letter of Credit	Other _____

<b>COST OF PERMIT</b> <b>\$50.00</b>
---

**FEES PAID HEREUNDER ARE NON-REFUNDABLE UPON ISSUANCE OF PERMIT DEPOSITS NOT PICKED UP 30 DAYS AFTER COMPLETION SHALL BE FORFEIT**

Contractor Signature: \_\_\_\_\_

Permitee Signature (if different than Contractor): \_\_\_\_\_

Town Comments: _____	
_____	
Approved: _____ Public Works Director	Date: _____
Work Completed Per Town Specifications _____	Deposit Refunded _____

## TERMS AND CONDITIONS OF THE PERMIT

- No work shall be conducted on Town property without an approved permit.
- All work shall be done subject to and in accordance with the requirements of this Permit, Town Code and ordinances, Town standards and regulations for streets and other improvements, and good engineering practice.
- Work shall not commence prior to date specified and all work shall be completed, including all restoration and clean up by specified completion date. Thereafter, the Town may cause the work to be completed, excavation backfilled, surfaces restored and damages repaired and collect the cost of so doing from the Permittee unless the Town has provided a written extension to this permit.
- Permittee shall notify Town Hall no later than 48 hours prior to beginning of excavation.
- Prior to commencing construction, Permittee shall call 811 for location of utilities. Magnetic marking tape shall be placed 12 inches above all buried lines and pipes or as otherwise required by Town specifications. Unless otherwise approved by the Town, utility lines and pipes shall be perpendicular or parallel to the rights-of-way lines in a location designated by the Town.
- Any utilities, facilities, improvements which are disturbed or damages by the work shall be repaired at the Permittee's expense. The surface area shall be restored to its prior condition or better. Street and sidewalk surfaces and subsurfaces which are cut or disturbed shall be restored to their pre-existing conditions. Backfill, compaction, gravel, and paving requirements are as set out in the Town specifications.
- Allowance shall be made to avoid interrupting the flow in any drainage ditches, flumes, canals or similar facilities.
- At the close of each day, all work shall be completed, excavations properly cleaned up unless otherwise authorized by the Town. Thereafter, the Town may cause the work to be completed, excavation backfilled, surfaces restored and damages repaired and collect the cost of so doing from the Permittee.
- No cleated or tracked equipment shall work on any pavement without mats or other appliances adequate to prevent damage to such surfaces.
- Signs and barricades and other safety provisions shall be provided by the Permittee, and comply with Part VI of the Manual of Uniform Traffic Control Devices.
- The Town shall have access to the work site at all times to inspect the progress of the work. The Town may stop the work on account of violations of the terms of this Permit or to insure safety or traffic movement and require the surface and subsurface to be restored. No more than one half a street may be blocked at one time without specific Town permission and in conformance with the Town's General Specifications.
- Compliance with terms of this Permit must be guaranteed by a Surety Bond or a Cashier's Check in favor of the Town in penal sum of 25% of the estimated cost of the project or the bid to complete the project or \$1,000.00, whichever is greater and conditioned upon the faithful performance of such work in strict compliance with Ordinance 99-07 and other specifications, rules, regulations and ordinances of the Town and within the specified time limit. The bond shall be discharged or the cashier's check returned to the applicant upon completion of the work as set forth herein, a review of said work by the Director of Public Works or his designee and a sworn statement by the applicant that he has done the work in strict compliance with Ordinance 99-07 and this permit, and other specifications, rules, regulations and ordinances of the Town of Paonia, Colorado. Approval of the work shall be in accordance with the requirements of Ordinance 99-07.
- Permittee agrees to hold the Town, its officers, consultants, and employees harmless on account of any damages suffered to the persons or property of Contractor or Permittee arising out of their operations hereunder or the installation and maintenance of their facilities, utilities or improvements upon Town owned property. The Permittee agrees to defend and indemnify the Town, its officers, consultants, and employees from any damages claimed or adjudged against the Town, its officers, consultants, and employees arising out of Permittee's operations or installation and maintenance of Permittee's utilities, improvements, encroachment or facilities installation or maintenance within Town owned property by Permittee.
- Permittee agrees to properly maintain Permittee's encroachment, utilities, improvements or installations and shall be responsible to repair any damages to Town property, street surfaces or improvements which result or are caused in any manner by the excavation, installation, operation or maintenance of Permittee's encroachment, pursuant to this permit.
- In the event it is necessary to relocate any utility, improvement or facility of the Permittee installed within Town property, pursuant to this permit, on account of change of any street grade, relocation, realignment or expansion of any street, or other improvements to Town property, or installation, replacement, maintenance or operation of any Town property, utility or facility, the Permittee shall be responsible to relocate such facilities to a location approved by the Town at the Permittee's sole expense.
- The individuals signing on behalf of the Permittee and Contractor are hereby designated as agents for service of process on behalf of Permittee and Contractor.
- In the events the Town incurs any cost, including reasonable engineering and/or attorney's fees, enforcing any provision of the Permit, the Town may recover such costs from the Permittee.
- All obligations, terms and conditions of this Permit upon Permittee shall be the joint and several obligations of the Permittee and Contractor.
- The Permittee and Contractor represent that they have read and understand the foregoing terms and conditions of the Permit, that they have read and understand the Town requirements including Town specifications and standards pertaining to the work being done under this Permit and that the undersigned have authority to sign for and bind Permittee and Contractor.
- The work shall be conducted and encroachment maintained pursuant to the plans attached as Exhibit "A."
- Any breach of the conditions set forth in this Permit or of Town standards, specifications or requirements pertaining to work authorized by this Permit may cause the revocation of the permit and the stoppage of the work.
- By their signatures, Permittee and Contractor acknowledge receipt of the Town of Paonia Ordinance 99-07 and Paonia's Standards and Specifications and agree to comply with all the terms and conditions of this Permit.
- This permit may be revoked by the Paonia Town Board or the Paonia Town Manager for any reason as deemed appropriate in the Town's sole discretion. Upon revocation, any encroachment shall be removed and the surface restored at Permittee's expense.
- The additional conditions imposed by the Town set out in Exhibit "B," if applicable, shall apply.