1. Traffic shall be maintained, unless permission is granted by the Engineer to close the road. Requests for road closings must be submitted 5 weeks prior to the desired closing time, for review and approval by the Engineer, and approval, by Resolution, for the road closure, by the Board of County Commissioners of Montgomery County, Ohio. Should a road closing be requested, you, the permit holder, must also provide a Detour Plan. At all times during the progress of work, adequate protections shall be provided by you, the permit holder, for the protection of the traveling public. Such protections shall include signs, barricades, lights and flaggers. All traffic controls shall be maintained in accordance with the Ohio Department of Transportation Manual of Uniform Traffic Control Devices latest edition. In the case of a true emergency, such as a water main break, the permit applicant shall immediately contact the Montgomery County Engineer’s Operations Division at 937 837-2528 to report the need for the closure and to insure proper warning signing is in place as soon as practicable.

2. You, the permit holder, shall hold harmless, defend and indemnify the Board of Montgomery County Commissioners and the Montgomery County Engineer, its elected and appointed officials, all employees and volunteers, all boards, commissions and/or authorities and board members, including employees and volunteers thereof against all claims, suits, actions, costs, counsel fees, expenses, damages, judgements, or decrees, of every name and description, by reason of any person or persons or property being damaged or injured by you, the permit holder, or any of your assigns, or any person employed by you, or any subcontractors, or in any capacity during the progress or arising or growing out of the work, whether by negligence or otherwise.

3. Storage of any material, equipment, or other items within the road right-of-way is not permitted.

4. All areas disturbed or damaged by operations shall be restored to their original condition and the satisfaction of the Engineer. Any drainage tiles, culverts, or other utilities or facilities encountered during the course of work under this permit shall be replaced or repaired to the satisfaction of the utility or facility owner and the Engineer. Existing drainage, water, electrical, telecommunications and all other facilities shall be maintained during the course of the work. Any liability or problems arising out of the cutting, blocking, or interference with any of these items shall be the sole responsibility of you, the permit holder.

5. Upon completion of work associated with this permit, all rubbish, trash, and construction debris shall be removed and the roadway and right-of-way shall be restored to a condition that is acceptable to the County Engineer. This shall include, but is not limited to: backfilling, grading, raking, seeding and mulching. You, the permit holder, shall be responsible for restoration of, in most cases, healthy, thick growing grass in appropriate areas. Your responsibility does not end with seeding.

6. Any excavations made within the limits of the highway for conduits, drains, or other underground structures shall be properly backfilled with approved material. All trenches and openings within 5 feet of the edge of the pavement must be backfilled with compacted, acceptable, granular material. Buried cables shall be installed to a minimum of 30 inches below the surface of the subgrade in paved areas and 30 inches below the surface of the ground in unpaved areas. Backfilling and restoration shall follow completion of excavation, as closely as possible. At a minimum, each day’s excavation shall be backfilled to the current excavation site and restored to an acceptable rough condition. Roadside drainage shall be maintained at all times. The pavement and berms must be kept clean of dirt, mud, and debris at all times. Excavated material shall not be piled or broadcast upon the road surface. Material is to be loaded onto trucks as excavated for removal or reuse. Operation of construction equipment from or on the roadway shall be prohibited unless approved by the Engineer. You, the permit holder, shall be responsible for any pavement and/or berm damage and/or failure or trench settlement occurring within 12 months of completion of the project, if determined by the Engineer, to have resulted from your operations within the right-of-way.
7. The pavement over open cut roadways shall be saw cut in a straight line parallel to, and 12 inches beyond, the edge of the trench. Any pavement or berm area less than four (4) feet in width shall also be removed and replaced in its entirety. Preferred backfill for areas under the pavement shall be No 57 stone, ODOT Item 304 Aggregate Base, ODOT Item 703.11.B Structural Backfill Type 2, or as approved by the Engineer. In the case of granular material, each course shall be compacted by the use of mechanical compactors in maximum 6 inch lifts, or alternate methods as approved by the Engineer. Pavement and base materials shall be replaced “in kind” to include the type and depth of existing material. At a minimum, pavement repairs shall consist of 6 inches of ODOT Item 304, variable thickness of ODOT Item 301 asphalt concrete base, PG64-22, ODOT Item 407 Tack Coat, and 2 inches of ODOT Item 441 asphalt concrete surface course, Type 1, (448), PG64-22. Thickness of Item 301 Asphalt Concrete Base, PG64-22 shall be thickness of existing asphalt concrete pavement section, less two inches. You, as the permit holder, shall maintain a suitable temporary driving surface of gravel or bituminous material until final pavement restoration is completed. You, the permit holder, at your sole expense, shall restore damages to roadway areas outside of the trench limits. You as permit holder, shall be responsible for any deficiency occurring in the restored pavement for a period of not less than 12 months following final completion of the work under this permit.

8. Any object, structure, line, or facility erected by you, the permit holder, shall be located outside the roadway “clear zone”, as defined by the Ohio Department of Transportation Location and Design Manual, Volume 1, Section 600, or at the outer limits of the established road right of way, whichever is greater. Any such object, structure, line, or facility shall be constructed so as not to interfere with drainage courses within the existing road right of way.

9. Traffic will be maintained at all times, unless permission is granted by the County Engineer to close the road. All work requiring workers or vehicles in the right-of-way shall comply with all applicable requirements of the Ohio Department of Transportation Manual of Uniform Traffic Control Devices, and Standard Construction Drawings (MT Series), and Item 614 (Maintaining Traffic) of the Ohio Department of Transportation Construction and Material Specifications, latest edition.

10. Lights, barricades, and if necessary, steel plates, flaggers, or watchmen will be placed on the site for the protection of traffic at all times, day and night, during the time this work is being done.

11. If any grading or construction performed under this permit interferes with the drainage of the highway in any way, it shall be the responsibility of you, the permit holder, to correct same to the satisfaction of the County Engineer.

12. It is agreed that the maintenance and repair of the above facility installation shall be the responsibility of the owner.

13. The Board of County Commissioners of Montgomery County, Ohio and the County Engineer assume no responsibility or liability for the work done under this permit.

14. The owner shall be responsible for all damages to persons or property due to or resulting from any work performed under this permit.

* The Montgomery County Engineer's Office reserves the right to require the permit applicant to include a scaled drawing, prepared by a Professional Engineer registered in the State of Ohio, which shall include plans for maintenance of traffic. Additionally, the Montgomery County Engineer's Office reserves the right to require the permit applicant to provide a drawing that shall show the right of way lines as established by a Professional Surveyor registered in the State of Ohio and sealed by said Professional Surveyor.