

Utility Permits

SECTION 3

OF THE
REQUIREMENTS, REGULATIONS AND
SPECIFICATIONS
FOR
CONSTRUCTION WITHIN THE RIGHT-OF-WAY
OF PUBLIC ROADS
UNDER THE JURISDICTION OF THE

EMMET COUNTY ROAD COMMISSION

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SECTION 3

Utility Permits

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3.1 Introduction

A. The purpose of these regulations and specifications is:

1. To establish a uniform plan for the use of the road right-of-way by adjacent property owners and public and private utility companies.
2. To ensure the safety of the public.
3. To ensure proper drainage of the public roads.
4. To prevent damage to public roads.
5. To ensure that all proposed work in the right-of-way is approved by the commission and is performed by individuals who meet the insurance requirements of the Emmet County Road Commission.

3.2 General Conditions

A. Definitions

1. Applicant - Owner of the utility (service provider)
2. Contractor - Any Company doing permit related work on behalf of the applicant, in the right-of-way.
3. Commission - The Emmet County Road Commission (ECRC)
4. Permittee - Also referred to as "Permit Holder" is the applicant and Contractor (including sub-contractors)
5. Utility Structure Driveway - A driveway serving a utility structure such as a pump house or substation which operates automatically and requires only occasional access.
(See Section 1 - Driveway and Miscellaneous Permits)

B. Applicability

1. The requirements listed in this section constitute the "supplemental specifications" referred to in item 15 of the permit terms listed on the reverse side of the APPLICATION AND PERMIT form.
2. **These rules apply to all right-of-way under the jurisdiction of the Commission.** These rules and specifications do not apply outside of the road right-of-way. Nothing in these rules shall be construed to prevent the application of the provisions of any other statute of this state or any local ordinance which is more restrictive than these rules, nor to preclude any city or village from requiring city or village permits with respect to any street or roadway within its corporate limits and under its jurisdiction. No permit will be issued pursuant to these unless unless there is compliance with other provisions of law and ordinances.

3. **State Highways**

Utility work in the right-of-way of state highways require permits from the Michigan Department of Transportation (MDOT). MDOT permit applications are available at the Road Commission. The Emmet County Road Commission does not have jurisdiction over MDOT highways in Emmet County. All MDOT permit applications must be sent directly to the MDOT at the address below:

MDOT Gaylord TSC
1088 M-32 East
Gaylord, MI 49735

Voice: (989) 731-5090

Fax: (989) 732-3637

C. Permit Necessity

1. **All work in the road right-of-way**

A person, organization, or governmental unit may not undertake any work within the road right-of-way, unless a permit has been obtained from the Commission. The following are examples of activities that require a permit:

- a.) Construct, reconstruct, relocate or surface a driveway or related construction.
- b.) Install public or private utilities.
- c.) Cutting, trimming or removing of trees.
- d.) Landscaping, grading, ditching, and ditch clean out

2. **Annual, Construction, and Emergency Work permits**

a.) **Annual Maintenance and Service permit**

A permit to perform routine maintenance on existing facilities, onstruct overhead and underground "short side" service extensions to properties adjacent to existing facilities, and construct overhead transverse service extensions to attachments outside of the road right-of-way.

b.) **Construction Permits**

The utility shall obtain separate permits for any and all work in the right-of-way not covered by an Annual Maintenance and Service permit such as new distribution or service lines.

c.) **Emergency Operations**

In time of disaster or emergency when utility facilities are so damaged as to constitute a danger to life and property of the public, the utility may proceed with all work necessary to eliminate hazards and restore service to the community. The utility shall notify the Commission as soon as possible, and no later than the next working day after the emergency. The Commission may require a permit and/or as built drawings of the work performed.

3. **Seasonal Roads:**

A permit is required for work activities on seasonal roads and is subject to the following maintenance provisions.

- a.) If a seasonal road is used as an access road by construction vehicles and equipment, the road shall be maintained by the permit holder in a condition equal to or better than the condition of the road prior to use

by said vehicles. The reason for this maintenance requirement is that seasonal roads are unimproved, in so far as they lack adequate base to support commercial truck traffic, and can become impassable to the public.

D. Activities NOT permitted in the Right-of-Way

1. Filling of roadside ditches with dirt, rocks, leaves, debris etc..
2. Planting of trees, shrubs, seedlings or bushes of any kind.
3. Construction of a retaining wall or culvert head wall along the side of a driveway.
4. Placement of any type of fence.
5. Placement of rocks, boulders or earth berm.
6. Any other encroachment considered potentially hazardous by the Commission.
7. The road right of way shall not be used as a construction staging area.
 - a.) Overnight stockpiling of materials or parking equipment in the right-of-way is not permitted.
 - b.) Steel tracked vehicles shall not be unloaded, loaded or operated in the traveled portion of the road including shoulders without proper protection of the road surface. Protection can be: plywood, planks, tires, etc.... The permit holder is responsible for any damage to the road and right-of-way.

E. Processing of Permits

1. **Processing time:**
 - a.) Permits will usually be processed and issued in five (5) or less business days from the date received, provided that all required information, signatures, plans, sureties, etc. are received at the time of application.
 - b.) Incomplete applications will be delayed or not be processed until all required information is received.
 - c.) Additional processing time may be needed for complicated applications, heavy application volume, reduced staffing levels, or Road Commission priorities.

F. Permit Period and Seasonal Limitations

1. **Permit Period**
 - a.) A permit is valid for a maximum of one year from date of issuance. The permit period applies to work activities in the right-of-way required by the permit.
 - b.) Work authorized by the permit shall be completed to the satisfaction of the Commission on or before the completion date specified on the permit or one year after the issuance date whichever comes first. A request for extension of time for completion of this work shall include reasons for the request, anticipated completion date, and proof of insurance for that period. Approval for extension of time shall be based on circumstances and absence of neglect by the permit holder.

- c.) If work authorized by the permit is not completed during the authorized extension, or an extension is denied by the Commission, one of the following shall apply:
 - The applicant will be allowed to renew the permit (see item d below)
 - The Commission will undertake whatever enforcement action it determines to be appropriate in the interest of the Commission or the public.
- d.) Permit renewal, if allowed, is the issuance of a new permit including the following:
 - New permit number.
 - Statement that this is a renewal of permit number (original permit number).
 - Applicant information and signature.
 - Contractor information and signature.
 - Same fee as original application to be paid.
 - Insurance and surety requirements maintained.
 - If a surety and/or cash deposit were not required in the original permit, it may be required for the renewal of a permit, at the discretion of the Commission.

2. **Seasonal Limitations**

- No work (except overhead and work covered by the annual permit) shall be performed in the road right-of way during the period of November 14 through April 16 without specific permission from the Road Commission. Each request will be evaluated based on weather, public safety concerns, impact on winter maintenance activities, etc.
- The traveled portion of the road including shoulders and driveway approaches shall be completed or restored by November 1, in preparation for winter maintenance (snow plowing). The Road Commission will take corrective action without notice and at permit holder's expense if in the opinion of the Commission, there is a hazard to its equipment, personnel, or the public, arising out of the permit holder's incomplete or unsatisfactory work covered by a permit.
- The Commission may allow construction activities during seasonal limitations if favorable weather and road conditions exist. The permit holder must get authorization from the Commission and is subject to any Supplemental Conditions deemed necessary by the Commission.
- **SAFETY IS THE NUMBER ONE PRIORITY**
THE PERMIT HOLDER SHALL SHUT DOWN OPERATIONS AND REMOVE ALL EQUIPMENT FROM THE RIGHT-OF-WAY IF ROAD CONDITIONS OR VISIBILITY BECOME POOR, CREATING A HAZARD TO THE PUBLIC AND WORKERS.

G. Protection of Existing Utilities

1. Miss Dig

The permit holder must comply with the requirements of Act 53 of Public Acts of 1974, as amended. CALL MISS DIG AT (800) 482-7171 AT LEAST THREE (3) FULL WORKING DAYS, (EXCLUDING SATURDAYS, SUNDAYS AND HOLIDAYS) BUT NO MORE THAN TWENTY ONE (21) CALENDAR DAYS, BEFORE YOU START WORK. Permit holder assumes all responsibility for damage to or interruption of underground utilities.

2. Nonparticipating Utilities with regard to Miss Dig.

Not all utilities participate in the Miss Dig program. Calling Miss Dig does not relieve the permit holder of any responsibility for damage to nonparticipating utilities such as sewer or water lines. The permit holder is responsible for investigating the existence of, and contacting nonparticipating utilities.

3. Drainage Structures

The permit holder is responsible for identification and protection of drainage structures such as culverts in the work area.

H. Indemnity and Insurance Indemnification:

1. The permit holder shall hold harmless and indemnify the Commission, its officers, and employees for all claims, suits, and judgments to which the Commission, its officers or employees may be subject and for all costs and attorney fees which may be incurred on account of injury to persons or damage to property, including to property of the Commission, whether due to the negligence of the permit holder arising out of the work under this permit, or in connection with work not authorized under this permit, or resulting from failure to comply with the terms of the permit, or arising out of the continued existence of the work product, which is subject to the permit.

2. **Insurance requirements:**

Any company, contractor, or individual performing permitted work in the right-of-way shall provide a certificate of insurance with the following coverages and minimum limits. The certificate must be on file with the Road Commission, prior to issuance of a permit. **The certificate must contain the additional insured wording listed below*** and will cover a period not less than that of the permit, and shall provide that it cannot be canceled without ten (10) days advance written notice by certified mail to the Commission. If the insurance is canceled without providing a new policy that meets these requirements the permit becomes void and shall be considered revoked on the same day and time that insurance coverage ends, with or without notice to permit holder.

UTILITY WORK:

Automotive liability

Bodily Injury – per person.....	\$500,000.00
Bodily Injury – per accident.....	\$1,000,000.00
Property Damage.....	\$1,000,000.00
Combined Single Limit.....	\$1,000,000.00

General Liability

Each Occurrence.....	\$1,000,000.00
General Aggregate.....	\$1,000,000.00

****The following wording must be added to the certificate of insurance:***

“Additional insured per attached Endorsement #4”

-See page 3-14 for example of Endorsement #4

I. Conditions and Limitations in Permits

A permit is subject to the following conditions and limitations:

1. The Commission reserves the right of inspection by its authorized representatives of any work within the road right-of-way. The permittee shall reimburse the Commission for the services of an on-the-job inspection, deemed necessary by the Commission.
2. **The Commission requires 24 hour notice before commencement of an operation covered by the permit and notification within 5 days of completion.**
3. A copy of the permit shall be available at the site during construction.
4. The permit holder shall take, provide, and maintain necessary precautions, to prevent injury or damage to persons and property from operations covered by the permit, and shall **maintain traffic in accordance with SECTION 2 Maintaining Traffic.**
5. The permit holder shall surrender the permit and all rights thereunder when notified to do so by the Commission, because of its need for the area covered by the permit, or because of default of any provisions of the permit.
6. The permit holder shall remove all surplus materials to an area outside of the right-of-way daily unless the permit provides otherwise. Excavated material shall be stockpiled so it does not adversely affect the safety of traffic.

7. The applicant, or the applicant's representative, shall perform all work and pay all costs in connection with permitted activities.
8. All utility service connections made in conjunction with the construction of a new driveway will be allowed under the driveway permit, provided that the traveled portion of the road, including the shoulder, are not disturbed. Utility connections that require the disturbance of the traveled portion of the road require a separate permit.

J. Fees, Costs, and Sureties

1. **Application Fee:** See Fee Schedule and Instructions for Determining Fees
2. **Costs**
 - a.) The Commission is authorized by law to collect from the permit holder, his agent, or the property owner, all costs incurred by the Commission related to, or arising out of, the permitted activity, including, but not limited to, the following:
 - Costs for extended reviews of complicated or incomplete applications.
 - Cost for enforcement action taken.
 - Cost for on-site inspections deemed necessary by the Commission.
 - Costs for repairing damage to right-of-way that occurred as a direct result of construction activity, or failure to restore the right-of-way
 - b.) The collection of costs will be at the discretion of the Commission. The permittee shall immediately reimburse the Commission in full for all such costs incurred by the Commission upon receipt of billing and that upon failure to pay, the Commission may affect payment with the performance surety deposit. If a surety deposit was not required, or if the surety deposit is insufficient to cover expenses incurred by the Commission, the permittee shall pay such deficiency upon billing by the Commission. If a surety deposit exceeds the expense incurred, upon completion of the work to the satisfaction of the Commission, any excess will be returned or released to the depositor.
 - c.) Costs for actions undertaken by Commission personnel and equipment shall be determined as follows: labor (charged at the current labor rate, plus fringe benefits), published equipment rates, any material at cost, all plus 13.4-percent (or current rate) for comprehensive general liability and overhead.
 - d.) All other costs. Including, but not limited to, the following:
 - Services provided by others for the Commission.
 - Legal services
 - Professional engineering, testing, or inspection services
 - Professional surveying services
 - Construction or maintenance contractor services for repair of

- damages, or for completion of work called for in a permit.
- e.) All court costs and related legal fees associated with collection of funds due the Commission or enforcement of permit regulations.
3. **Sureties and Cash Deposit:**
- a.) **Necessity**
The permittee shall, upon the request of the Commission, furnish a performance surety deposit in the form of cash, certified check, or irrevocable letter of credit. The Commission may specify the type and amount of surety deposit. The amount of the deposit will be as deemed necessary by the Commission to guarantee performance under the conditions of the permit, completion of work, and restoration of the right-of-way to the satisfaction of the Commission.
- b.) **Release of Surety or Deposit:**
Final Inspection and acceptance by the Commission are required for the release of a Surety or Deposit. The applicant shall submit the ***Request for Final Inspection*** form. Funds due the Commission will be deducted from any cash deposit before release. A Irrevocable Bank Letter of Credit will not be released if there are outstanding funds due the Commission. If Engineering Certification and a cash deposit was required by a permit, the permit holder shall provide the certification to the Commission, no later than 90 days after a *Request for Final Inspection*, or permit expiration, whichever comes first. Failure to provide Engineering Certification as specified constitutes a forfeiture of the cash deposit.

K. Enforcement.

1. Michigan law authorizes the Road Commission to initiate both criminal and civil action. If a person fails to comply with any provisions of a permit, fails to obtain the appropriate permit, or undertakes activities in the right-of-way that are not permitted or are prohibited, the Commission will initiate whatever enforcement action it deems necessary to correct for the noncompliance. Costs incurred by the Commission in correcting for noncompliance, defective workmanship or materials shall be borne by the permit holder, person undertaking the activity, or the property owner.
2. Enforcement guidelines. The following permit violations and corresponding corrective actions are outlined for the purpose of examples and shall not be construed to limit the Commission to the actions listed here.
- a.) **Failure to obtain a permit**
- Obtain appropriate permit and pay the permit fee.
 - The Commission may halt the activity until a permit is obtained and the fine paid.
 - The Commission may deny future permits until there is compliance with these requirements.

b.) **Failure to comply with permit requirements:**

- The Commission may halt construction activity and/or use of the right-of-way until adequate corrections have been made.
- The Commission may undertake repairs, maintenance, or complete the restoration of the right-of-way. The Commission may elect to do the work with its forces, or by contracting the work, at the expense of the owner or permit holder.
- Emergency work deemed necessary by the Commission for public safety or protection or repair of the right-of-way may be done without notice to the owner or permit holder, and will be at the owner or permit holder's expense.

3.3 Specifications and Standards

A. **Drainage**

1. All permit work shall be conducted so that it does not adversely effect the drainage of the road or the right-of-way. The drainage and stability of the road subgrade shall not be altered unless authorized by the permit.

B. **Restoration**

The entire right of way shall be maintained and restored in a condition equal to or better than its condition prior to activities authorized by the permit.

1. **Turf Establishment**

All disturbed areas shall be restored with topsoil, seed, fertilizer, and mulch in a timely manner for the purpose of erosion control. All restoration shall be completed no later than 5 (five) days after completion of earthwork activities. The Commission may require other temporary and permanent soil erosion control measures deemed necessary for protection of the road right-of-way and adjacent properties.

2. **Shoulders**

Road shoulders and driveway approaches shall be maintained daily, flush with the road surface, free of ruts, and in a stable condition (no loose or soft material). If shoulders are not maintained daily, per above, Lighted Barrels or Type II Barricades must be placed along the shoulder, with a maximum spacing in feet equal to the speed limit of the road (55 mph = 55 feet spacing, etc.). Advance warning signs must be placed to advise motorists of the up coming condition.

3. **Tree and Stump Removal**

If trees are removed from the right-of-way, the stumps shall be removed as follows:

- a.) **Within the 10 feet clear zone**, (defined as: 10-feet from the edge of the outside driving lane (white line if present). Driving lanes are typically 11-12 feet in width. The clear zone begins at the outside edge of the outermost driving lane, not the outside of the road shoulder), **all stumps shall be completely removed, or ground to below surface elevation.**

- b.) **Outside the 10 feet clear zone**, stumps shall be flush cut, removed or ground.

4. **Road**

If the road surface is damaged it shall be repaired or replaced. The Commission will determine the extent and type of repairs required.

C. **Location, Depth, and Height of Utilities**

1. **Depth of cover over underground utilities**

Minimum Depth (inches)

Telephone	32
Cable Television	32
Fiber Optic	48
Sewer (Sanitary & Storm)	36
Gas	36
Electric	36
Water	48

2. **Location restrictions**

a.) **10-foot Clear Zone**

All utility apparatuses that extend above the ground surface, such as poles, pedestals, transformers, etc., shall be located a minimum of 10-feet from the edge of the outside driving lane (white line if present). Driving lanes are typically 11-12 feet in width. The clear zone begins at the outside edge of the outermost driving lane, not the outside of the road shoulder.

b.) **Shoulders**

No underground utilities shall be installed in the road shoulder unless specifically approved on the individual permit. If allowed they shall be located a minimum of 4 feet from the edge of pavement or 17 feet from centerline whichever is greater.

c.) **Road**

No utilities will be allowed in the traveled portion of the road (paved or gravel) unless specifically approved on the individual permit. Bore pits shall be located a minimum of 6 feet from the edge of pavement. For transverse OPEN CUT ROAD CROSSING REQUIREMENTS see Figure 3-1. For longitudinal installations see Plan Requirements

3. **Overhead Utility Lines**

All aerial wire crossings shall have a minimum under-clearance of 18 feet.

D. **Material and Density Requirements**

Applies within the 1 on1 influence area of the road and shoulders

1. **Trench Backfill and Road Subbase**

a.) **Material**

Granular Material Class II (MDOT Spec.) or existing material approved by

the Commission. When material that is excavated from a trench has high concentrations of clay, silt, muck, peat, or topsoil, the material may not be allowed to be placed back into the trench as backfill.

b.) **Density**

Place in 1-foot maximum lifts and compact to 95-percent density. A minimum of one test per lift per 100 feet of lane or trench is required.

2. **Aggregate Base Under Bituminous Asphalt Pavement**

a.) **Material**

MDOT Spec. 22A gravel (6 inch minimum thickness)

b.) **Density**

Compact to 98-percent density. A minimum of one test per 100 feet of lane or trench but no less than four tests per project.

3. **Gravel Surface and Shoulders**

a.) **Material**

MDOT Spec. 23A gravel (6 inch minimum thickness)

b.) **Density**

Compact to 98-percent density. A minimum of one test per 100 feet of lane or trench but no less than four tests per project.

E. **Engineer Certification Requirements**

When called for as a condition of the permit a registered professional civil engineer shall be hired by the applicant or permit holder to certify compliance with the plans and permit requirements, including material and density requirements. Density testing reports shall be included in the certification.

F. **Plan Requirements**

1. **Utility Installation Plan**

- a.) Plan view of work area and right-of-way including road names, driveway locations, and distance to nearest road or street.
- b.) Facility to be constructed, including all related appurtenances, such as catch basins, manholes, vaults, pedestals, poles, etc.
- c.) Offset dimensions of the facility referenced to the centerline of the road and depth of any proposed underground utility installation.
- d.) Bore pit locations, dimensions of the pit, and the distance between the forward wall and the edge of the road.
- e.) Open cut and road crossing locations and proposed installation depth

2. **Road Reconstruction Plans**

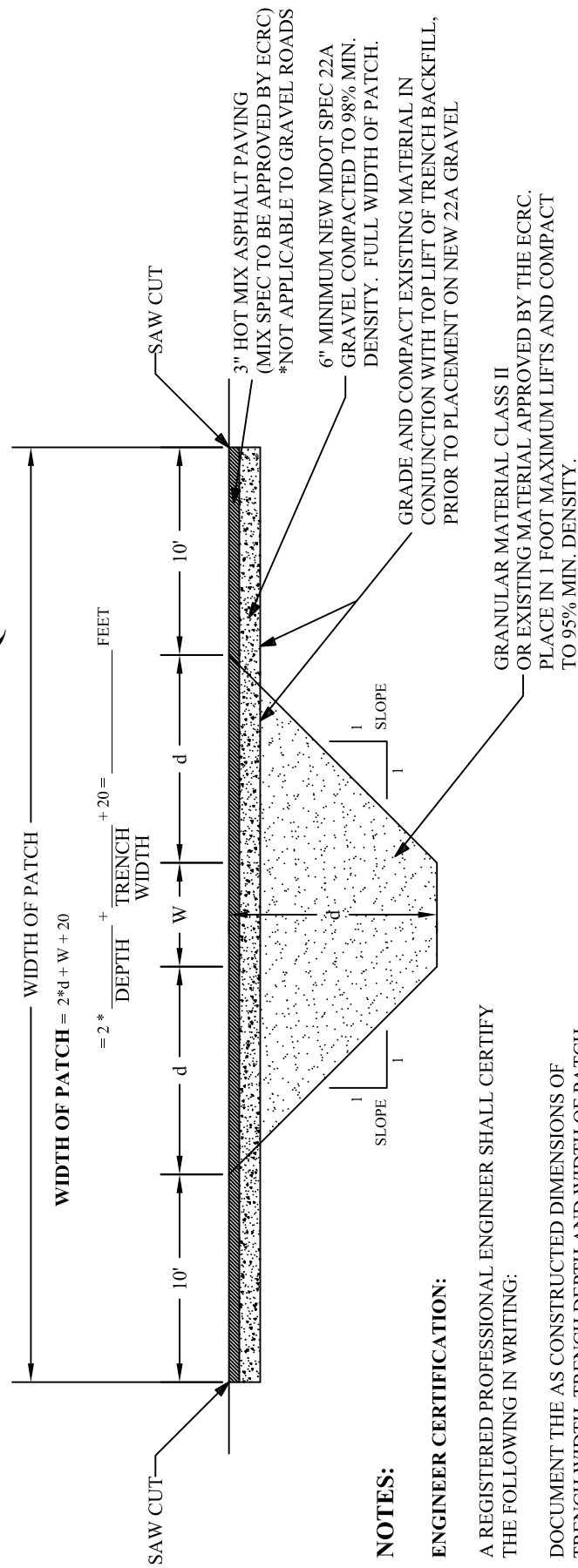
For longitudinal open cut installations within the traveled portion of the road, road reconstruction plans are required and shall be prepared by a registered professional engineer. The Commission reserves the right to deny open cut construction and to specify the extent of reconstruction if a permit is allowed. The plans shall include all items required for utility installation plans and road reconstruction details.

PERMIT / LAND DIVISION FEE SCHEDULE

Effective July 1, 2019

DRIVEWAYS	FEE
Residential Driveway, Rural (shoulder/ditch)	\$ 50.00
Upgrade Residential Driveway Approach	\$ 40.00
Commercial Driveway Approach	\$ 200.00
Private Road Approach (5 access points or more)	\$ 200.00
Farm Field Driveway Approach	\$ 50.00
Temporary Construction Driveway Approach	\$ 150.00
UTILITIES	
Overhead Utility Installation	\$ 200.00
Underground Utility Installation	\$ 200.00
Utility Service Connection	\$ 125.00
Sanitary, Water Main, or Storm Connection	\$ 200.00
Open Cut Road Crossings (+Restoration Cash Bond)	\$ 500.00
Bore Road Crossings (+Restoration Cash Bond)	\$ 150.00
OTHER	
Grading / Drainage (ditch enclosure / sealed plans)	\$ 100.00
Soil Borings	\$ 75.00
Landscaping including vegetation removal	\$ 50.00
LAND DIVISION	<p>\$ 150*, plus \$50 for each additional split. *Fee includes one residential permit of \$50.</p>

FIGURE 3-1
OPEN CUT ROAD CROSSING REQUIREMENTS



NOTES:

ENGINEER CERTIFICATION:

A REGISTERED PROFESSIONAL ENGINEER SHALL CERTIFY THE FOLLOWING IN WRITING:

DOCUMENT THE AS CONSTRUCTED DIMENSIONS OF TRENCH WIDTH, TRENCH DEPTH AND WIDTH OF PATCH, CERTIFY THAT THE DIMENSIONS COMPLY WITH ECRG REQUIREMENTS.

CERTIFY THAT MATERIALS (BACKFILL, GRAVEL BITUMINOUS MIXTURE) ARE PER REQUIREMENTS.

CERTIFY THAT THE MATERIAL COMPACTION (DENSITY) REQUIREMENTS WERE MET. INCLUDE DENSITY REPORTS IN SUBMITTAL.

DEPOSIT:

\$1000.00 MINIMUM FOR PAVED ROADS
\$500.00 MINIMUM FOR GRAVEL ROADS

DEPOSIT WILL BE REFUNDED AFTER SATISFACTORY INSPECTION OF COMPLETED WORK BY ECRG AND THE ENGINEER'S CERTIFICATION IS RECEIVED. IF ENGINEER'S CERTIFICATION IS NOT RECEIVED WITHIN 90 DAYS OF NOTICE OF COMPLETION OR PERMIT EXPIRATION, THEN THE DEPOSIT IS FORFEITED.

APPLICANT/CONTRACTOR IS RESPONSIBLE FOR NOTIFYING ECRG THAT WORK IS COMPLETE.

DENSITY TESTING FREQUENCY:

A MINIMUM OF ONE TEST PER LIFT PER 50' OF TRENCH

TRAFFIC CONTROL:

APPLICANT and/or CONTRACTOR IS RESPONSIBLE FOR ALL TRAFFIC CONTROL AND SHALL NOTIFY EMERGENCY SERVICES AND ECRG WHEN OPEN CUT WILL OCCUR.

DETOUR ROUTES MUST BE APPROVED BY THE ECRG.

SEASONAL LIMITATIONS:

OPEN CUT CONSTRUCTION WILL NOT BE ALLOWED FROM NOVEMBER 1 THROUGH MAY 15, EXCEPT FOR CRITICAL UTILITY WORK AND MUST BE APPROVED BY THE ROAD COMMISSION.

BACKFILL AND PATCHES OF OPEN CUTS MADE AFTER NOVEMBER 1 OR BEFORE MAY 1 WILL BE CONSIDERED TEMPORARY AND SHALL BE RECONSTRUCTED TO MEET REQUIREMENTS DURING THE NEXT REGULAR CONSTRUCTION SEASON.

ENDORSEMENT #4 BLANKET ADDITIONAL INSUREDS GENERAL LIABILITY

Owners, Manager or Lessors of Premises

Any person or organization that is a premises owner, manager or lessor is an insured, but only with respect to liability arising out of the ownership, maintenance or use of that part of any premises leased or loaned to you.

This coverage provided to such premises owner, manager or lessor does not apply to:

1. Any bodily injury or property damage caused by an occurrence that takes place, or personal injury caused by an offense that is committed, after you cease to be a tenant in or to borrow that premises; or
2. Structural alterations, new construction or demolition operations performed by or on behalf of such premises owner, manager or lessor.

Lessors of Leased Equipment

Any person or organization that is an equipment lessor is an insured, but only with respect to liability for bodily injury, property damage or personal injury caused, in whole or in part, by your acts or omission in the maintenance, operation or use by you of equipment leased to you by such equipment lessor.

The insurance provided to such equipment lessor does not apply to any bodily injury or property damage caused by an occurrence that takes place, or personal injury caused by an offense that is committed, after the equipment lease expires.

Persons or Organizations for Your Ongoing Operations as Required by Written Contract or Agreement

Any person or organization that is not otherwise an insured under this Coverage Part and that you have agreed in a written contract or agreement to include as an additional insured on this Coverage Part is an insured but only with respect to liability for bodily injury, property damage or personal injury that:

1. Is bodily injury or property damage caused by an occurrence that takes place, or is personal injury caused by an offense that is committed, after you have signed and executed that contract or agreement; and
2. Is caused, in whole or in part, by your acts or omissions in the performance or your ongoing operations to which that contract or agreement applies or the acts or omissions of any person or organization performing such operations on your behalf.

The limits of insurance provided to such insured will be the limits which you agree to provide in the written contract or agreement, or the limits shown in Declarations, whichever are less.