

# Broome County Highway Division



Jason T. Garnar, Broome County Executive · Susan J. Brown, Deputy Commissioner

47 Thomas Street · Binghamton, New York, 13901  
(607) 648-4173 · Fax (607) 648-7053 · Website: [www.gobroomecounty.com](http://www.gobroomecounty.com)

CALL DIG SAFELY NY  
BEFORE YOU DIG, DRILL OR BLAST  
1-800-962-7962

FAILURE TO NOTIFY THE DIVISION WITH 24 HOURS PRIOR TO WORKING  
WILL RESULT IN A \$500.00 FINE (as per Resolution 505).

YEAR **2019**  
DATE PAID

FEE  
REVISED – April 2015

OFFICIAL USE ONLY

PERMIT NUMBER

ISSUED UNDER SECTION 136 OF THE NEW YORK STATE HIGHWAY LAW

The Superintendent of Highways, of the County of Broome, on \_\_\_\_\_, hereby grants permission to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Hereinafter referred to as the APPLICANT as provided in Section 136 of the New York State Highway Law to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

24 HOURS – IN AN EMERGENCY – MORE THAN ONE IF NECESSARY

On the County Highway described as follows: \_\_\_\_\_

This permit is issued to the Applicant subject to the following conditions, requirements and specifications:

Work must begin THIRTY (30) days from issue or permit becomes void and you must apply for a new permit with an additional \$250 fee before being allowed to commence work.

All excavated material within a paved area shall be replaced with only NYSDOT Spec crushed gravel.

1. All work authorized under this permit shall be performed in a manner satisfactory to the Superintendent of Highways of Broome County or his authorized representative and this permit will terminate unless work is started within 30 days from date of issuance.
2. The Applicant shall save the County of Broome harmless from any and all damages which may arise or accrue by reason of the work performed by him within the right-of-way of the County Highway covered by this permit including any public or private facilities now located in the County Highway right-of-way.
3. The Applicant agrees to make any and all repairs required for the protection and preservation of the highway pavement, ditch, curbs and gutters, shoulders, drainage facilities or other related highway appurtenances caused by or resulting from the work performed by applicant in the right-of-way of the County Highway authorized under this permit upon notice by the Superintendent of Highways of Broome County or his/her authorized representative and further agrees that upon the failure of the Applicant to make such repairs, they may be made by the Highway Department at the expense of the Applicant and that such expense will be paid by the Applicant.
4. Adequate provision shall be made at all times for the protection of the traveling public using the highway and entrance there to and all necessary flagmen, signs, barricades and lighting shall be provided to furnish such protection.

Traffic is to be maintained at all times during the progress of this work with adequate signs, a minimum of one flag person and barricades and lights shall be provided in accordance with the provisions of sub-chapter H of the NYS Department of Transportation's Manual of Uniform Traffic Control Devices. A maintenance and protection of traffic plan may be required. No lanes shall be closed without prior approval.

5. At least one way traffic properly directed is to be maintained at all times on the highway and into entrances to the highway where work is actually being performed and two way traffic is to be maintained at all other locations on the highway covered by this permit.
6. The Applicant shall notify the County Highway Department Office, Phone No. (607) 778-2228 at least 24 hours before any work is started in the County Highway Right-of-Way.
7. A maintenance bond is to assure maintenance of the replacement elements essential to the proper functioning of the highway will also be required. Minimum Amount of Bond - \$10,000.

A permittee shall not hold the Department liable for any claim for damages arising from his/her negligence, or his/her contractor's negligence in operations covered by the permit. Protective liability insurance to cover the permittee during the period of working within the right-of-way is mandatory

#### **REQUIREMENTS**

1. All the current requirements of the following shall apply:

Occupational Safety and Health Administration, Federal Department of Labor, Safety and Health Standards (29 CFR 1926/1910); Part 131, Title 17, New York Code of Rules and Regulations, Accommodations of Utilities Within Right-of-Way; New York State Department of Labor, Industrial Code Rule 23, Protection of Persons Employed in Construction and Demolition work; Industrial Code Rule 53, Construction Excavation and Demolition Operations at or near Underground Facilities; all materials and methods of construction shall be in accordance with NYSDOT Standard Specifications, Construction and Materials, January 2, 1990 with current additions and modifications.

2. All Highway Work Permit applications shall be accompanied by two (2) sets of prints showing plan and profile of all proposed installations and excavations. The Department maintains the right to require that all installations and excavations be designed or approved by a professional engineer licensed in the State of New York.

## **SPECIFICATIONS FOR WORK WITHIN THE TRAVELED WAY**

1. The location of all excavations (jacking and boring pits) shall be shown in plan and profile.
2. The construction equipment and procedures to be used shall be described in the permit application.
3. The design of all excavations, including ground and surface water control where necessary, shall be made available for review by the Department. Soil erosion and water pollution controls shall be used in accordance with NYSDOT "Standard Specifications, Construction and Materials" latest edition.
4. The limits of an open excavation shall not be closer than seven (7) feet to the edge of the pavement unless approved by the Department. Open excavations shall be protected with the required controls for safety, in accordance with OSHA, Federal Department of Labor, Safety and Health Standards, and for the maintenance and protection of traffic in accordance with the New York State Department of Transportation Manual of Uniform Traffic Control Devices.

## **COMPLETION OF WORK**

1. All surplus construction and demolition materials shall be cleaned up and removed from the Highway Right-of-Way as the work progresses and upon completion of the work. The Highway shall be maintained in a neat and orderly condition.

## **UTILITY INSTALLTION**

All highways – Depth of bury and vertical and lateral clearance.

1. All poles, pedestals, markers or other above ground devices shall be set behind the back slope of the ditch. Where ditches are not present, all utilities, (inc. underground cable) shall be a minimum of 10' from the edge of the shoulder. Buried cable in these locations shall be a minimum of 48" below grade.
2. Depth of bury: The desirable minimum cover for underground facilities shall be 48 inches below the bottom of any pavements and 36 inches below finished grade in other portions of the right-of-way. Where these dimensions are infeasible, installations at lesser depths shall require specific approval of the Broome County Highway Department. Buried cable shall be placed beyond the back slope of any roadside ditches unless otherwise approved by the Superintendent of Highways or a representative thereof.

Vertical and lateral clearance: The minimum vertical clearance for overhead power and communication lines and the lateral clearance from such lines for structures shall conform to the following or to the current issue of the National Electric Code, whichever is more stringent:

- 1) Minimum vertical clearance above all roadways and lateral clearance to structures must be 18 feet for the following:
  - a) Wires carrying less than 750 volts;
  - b) Guys, message wires, and communication cables;
  - c) Supply cables encased in a continuous metal sheath;
  - d) Insulated supply cables fastened to an effectively grounded messenger cable
- 2) Minimum clearances must be increased for wires carrying more than 750 volts as follows:
  - a) 750 to 15,000 volts – minimum clearance of 20 feet.
  - b) 15,000 to 50,000 volts – minimum clearance of 22 feet.
  - c) Over 50,000 volts – minimum clearance of 22 feet plus 4/10 inch for each 1,000 volt increase.

3. Buried cable shall be placed below all culverts a minimum of 12". Cable placement over culverts or other structures within the County R.O.W. shall not be permitted without prior approval from the County Superintendent of Highways or a representative thereof.
4. Cable plows or other "Tracked" vehicles or equipment shall be required to be fitted with "street pads" at all times when crossing a paved roadway, driveway, walkway, parking lot, etc. Tracked vehicles shall not be permitted to travel along any portion of any paved County road at any time, or under any circumstances.
5. Highway Lighting. Highway lighting facilities and appurtenances may be installed within the right-of-way in accordance with the following:
  - a) The preferred location of frangible (breakaway) supports is 15 feet from the edge of the shoulder or curb. If the support is not frangible, then the preferred support location is 30 feet from the shoulder or curb.
  - b) Non-frangible lighting supports are considered to be in the same category as above-ground utilities and therefore must be located in the manner prescribed. Existing utility lines also applies to lighting installations where supports are non-frangible.
  - c) Underground conduit and other related appurtenances for highway lighting shall be located both vertically and horizontally in a manner appropriate for the specific highway. In general, longitudinal runs, directly between lighting supports, are permissible and exceptions to depth of bury as contained in the Depth of Bury of this part may be permitted after study.
6. New Existing Utility Lines
  - a) Active projects. Existing above-ground and underground facilities on active projects which may or may not have to be relocated due to their lack of conflict with the actual construction may nevertheless be required to relocate because of a finding by the Commissioner that the facility is likely to have a high accident potential.
  - b) Completed projects. The Provisions of subdivision (a) of this section shall also apply to completed projects. Expansion of above-ground existing facilities within the right-of-way and closer than 30 feet from the edge of the pavement shall be subject to adequate justification. Generally the only in-place change allowed is that new supports may replace the failing ones.

#### **RESETTING OF UTILITIES**

1. If necessity arises in the future, because of work in the highway Right-of-Way, to relocate, replace, or reset poles, guys, cables, conduits, or other devices, said work shall be done at the expense of the applicant.
  - a) Exceptions. Whenever it becomes physically impossible to comply to location of utilities, alternative proposals may be submitted to the Broome County Highway Department together with an explanation justifying why a deviation is necessary. Acceptance of such proposals shall depend upon whether the spirit and intent is being followed.

#### **SPECIAL CONDITIONS**

1. In addition to the aforementioned conditions, if it is found necessary by this department to add to or otherwise modify the same, it is to be understood such changes shall form a part of the Highway Work Permit.
2. Failure to adhere to any of the aforementioned conditions, or any attachments, addendum sketches, etc., constitutes violation of section 136 of the New York State Highway Law. Any person, firm, or corporation violating this section shall be "liable to a fine of not less than one hundred dollars, nor more than one thousand dollars for each day of violation, to be recovered by the County Superintendent of Highways".

**REINSTATEMENT SPECIFICATIONS**

All trenches or other excavations under the road pavement, curbs or shoulders shall be backfilled with a good grade Bank Run Gravel placed in not more than 12" layers and thoroughly compacted by means of a power tamping device.

If it is deemed necessary, the County Superintendent of Highways may require that compaction tests be taken by a certified testing laboratory at the contractor's expense, with the testing results given to the County Superintendent in writing, prior to the installation of the asphalt concrete.

All pavement reinstatement shall consist of at least (SEE NOTES) inches of Plant Mixed Macadam laid in two courses on top of the run of Bank Gravel backfilled and be thoroughly compacted.

All existing shoulders, curbs, ditches or guard rail or posts which are removed, destroyed or damaged in the course of work shall be replaced as the now exist.

**NOTES:**

- 1) PAVEMENT REINSTATEMENT: REPLACE DISTURBED OR EXCAVATED PAVEMENT TO MATCH THE EXISTING STRUCTURE (I.E. SAME DEPTH OF GRAVEL AND ASPHALT). TOP ASPHALT COURSE TO BE PLACED IN MINIMUM LIFTS (LAYER THICKNESS) OF ONE (1) INCH. TOP ASPHALT COURSE TO BE STATE D.O.T. TYPE 403.18 (TYPE 7 TOP)
- 2) IF IT IS DEEMED NECESSARY, THE COUNTY SUPERINTENDENT OF HIGHWAYS MAY REQUIRE THAT THE ENTIRE ROADWAY BE RESURFACED WITH A 1-1/2" ASPGALT CONCRETE OVERLAY.
- 3) AFTER COMPLETION OF THE ASPHALT TOP COURSE, THE JOINTS BETWEEN THE NEWLY INSTALLED ASPHALT TPO COURSE AND THE EXISTING PAVEMENT SHALL BE FILLED WITH NEW YORK STATE ITEM NO. 702-3301-HFMS-2H WITH 3% LATEX ADDED

**ADDITIONAL INFORMATION:**

**NOTICE**

APPLICANT SHALL NOTIFY THE COUNTY HIGHWAY DEPARTMENT OFFICE (607) 778-2228, AT LEAST 24 HOURS BEFORE ANY WORK IS STARTED IN THE BROOME COUNTY RIGHT-OF-WAY.

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**FEE**

**BROOME COUNTY HIGHWAY WORK PERMIT FEE**

IN ACCORDANCE WITH BROOME COUNTY LEGISLATIVE RESOLUTION NO. 15-188, AS ADOPTED ON MAY 21, 2015, THE BROOME COUNTY HIGHWAY DEPARTMENT WILL BE IMPOSING A \$250 HIGHWAY WORK PERMIT FEE AS OF MAY 26, 2015.

IF AN EMERGENCY ARISES AND IT IS NECESSARY TO OPEN THE PAVEMENT WHEN THE ASPHALT PLANTS ARE CLOSED – SUPERMODIFIED COLD PATCH SHALL BE USED TO REINSTATE THE PAVEMENT UNTIL A HOT MIX ASPHALT CAN BE OBTAINED. BEFORE PLACEMENT OF THE HOT MIX ASPHALT, THE COLD PATCH SHALL BE COMPLETELY REMOVED.

The Applicant shall maintain and keep in satisfactory repair all reinstate pavement, shoulders, curbs, drainage facilities or other highway facilities including entrance facilities which may be damaged or destroyed in the course of the work or as a result of such work in a manner satisfactory to the County Superintendent of Highways of Broome County or his authorized representative for a period of one (1) year after the completion and acceptance of the complete work.

Dated: \_\_\_\_\_

\_\_\_\_\_  
County Superintendent of Highways of Broome  
County/or Authorized Representative

REVIEWED BY COUNTY ENGINEER

Dated: \_\_\_\_\_

\_\_\_\_\_  
Broome County Engineer

The Applicant hereby agrees to conform to the conditions, requirements and specifications contained in the forgoing permit.

\* \_\_\_\_\_  
Firm Name

Dated: \* \_\_\_\_\_

\* \_\_\_\_\_  
Authorized Signature

REVIEWED BY ENGINEERING

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

\_\_\_\_\_  
Authorized Signature