

**APPLICATION FOR PRIVILEGES TO TOWN PROPERTY**

**Ordinance 2019-0715 and Ordinance 2019-0715A**

APPLICANT NAME \_\_\_\_\_

APPLICANT ADDRESS \_\_\_\_\_

APPLICANT PHONE NUMBER \_\_\_\_\_

APPLICANT E-MAIL \_\_\_\_\_

WORK TO BE PERFORMED BY: \_\_\_\_\_

**PRIVILEGE ADDRESS OR LOCATION:**

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

**FULL DESCRIPTION OF PRIVILEGE REQUESTED:**

Check those that apply to your request. Drainage: \_\_\_ Excavation: \_\_\_ Placing an Obstruction: \_\_\_  
Alteration: \_\_\_ Removal: \_\_\_ Other: \_\_\_ **DESCRIBE IN SUMMARY DETAIL BELOW:**

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

**PROPOSED START DATE:** \_\_\_\_\_

**PROPOSED END DATE:** \_\_\_\_\_

**CONTRACTOR'S CONTACT INFORMATION:**

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

**BONDING RESPONSIBILITY:** Who will file a bond? And in what amount? \_\_\_\_\_

**OVERWEIGHT PERMITS MAY BE REQUIRED:** Please note equipment accessing Town highways and note if by the prime contractor, sub-contractor, or contracted services. Provide a contact number for subs and contracted services.

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**SUPPORTIVE DOCUMENTS ATTACHED – NOTE AND DESCRIBE:**

CSM: \_\_\_\_\_

PLAT PLAN: \_\_\_\_\_

ENGINEERING PLAN: \_\_\_\_\_

ARCHITECTS RENDERING: \_\_\_\_\_

PRELIMINARY/EXPLORATORY DESCRIPTION OR PLAN:

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**PERMIT TERMS AND CONDITIONS THAT ARE GENERAL AND APPLY TO ALL PRIVILEGES:**

**No. 1** The holder of a privilege Permit that may be granted by the Town Board Chair under ORD. 2019-0715A or by Resolution of the Town Board under ORD. 2019-0715 assumes primary liability for damages to person or property by reason of the granting of the privilege; is obligated to remove an obstruction or excavation upon 10 days' notice by the town; and waives the right to contest in any manner the validity of these terms and conditions or the amount of compensation charged. In granting a privilege by Permit the, the applicant agrees to the conditions specific to the permit.

The Town Board may attach the conditions of a privilege by Resolution as follows:

- A.** The applicant may be required to file a bond that does not exceed \$10,000 that runs to the town and to 3rd parties that may be injured, and that secures the performance of the conditions specified in the terms and conditions and the applicants project plans.
- B.** If there is no established lot line by certified survey map or other-wise, a plan view rendering of the property and the project location may be required and the town may impose any conditions on the privilege that it considers advisable.
- C.** Engineering, design plans or other project plans may be required by the Plan Commission for their thorough review of a proposed privilege by resolution.

**No. 2** The applicant, successors, or assignees agree to hold harmless the Town of Sumner, its Town Board and its duly appointed agents and employees against any action for personal injury or property damage sustained by the issuance of a privileges permit.

**No. 3** The holder of this privilege is not entitled to damages for removal of an obstruction or excavation; and if the holder does not remove the obstruction or excavation upon due notice, it shall be removed at the holder's expense.

**No. 4** Third parties whose rights are interfered with by the granting of this privilege have a right of action against the holder of the privilege only.

**No. 5** Any exceptions to these permit conditions must be approved in writing by the Town Board Chair and included in the privileges Resolution with signatures by the Board Chair and Plan Commission Chair.

**No. 6** No revisions or additions shall be made to the privilege permit without written permission from the Town Board Chair.

**No. 7** Any use of the privilege other than the applied for purpose may result in the permit being revoked and the excavation, obstruction, or alteration ordered removed.

**No. 8** Access shall be constructed and maintained by the holder of the privilege to ensure safe, timely, and proper access and travel by emergency vehicles.

**No. 9** The Town of Sumner does not assume any responsibility for the removal or clearance of snow, ice, or sleet, or the opening of windrows of such material, upon any portion of the privilege other than by its authorized representatives engaged in normal winter maintenance operations.

**No. 10** The Town Board and its agents shall have the right of entry for inspection purposes.

**No. 11** The applicant shall notify the Town Clerk within 10 days of completion of the project to facilitate inspection.

**No. 12** The Town Board and its Designee may consider the Town of Sumner Comprehensive Plan and other Town ordinances when considering the application for a privilege.

**No. 13** The project related to the privilege must start within 6 months of obtaining the permit, with one available request for renewal.

**No. 14** These terms and conditions apply to any other municipality's project within the Town.

**No. 15** When a request for a privilege in the Town right-of-way is located in any of the flood districts regulated under Jefferson County Zoning, the applicant will be responsible for the permits that may be required by Jefferson County or other authorities with jurisdiction over floodplains

**No. 16** This permit and its approval is only valid when the holder contacts Digger's Hotline, requests, and receives utility location and clearance marking at the entirety of the project site.



**CERTIFICATION AND SIGNATURE PAGE:**

I certify that all of the above statements and the plans submitted with this application are true and accurate and the location and construction under this permit will accord with said statements and plans. I consent to the Town's Terms and Conditions No. 1 – No. 16 and those that are specific to this permit and those by Resolution. I further certify that I will adhere to Town of Sumner Ordinances as they may relate to this privilege permit.

**Property Owner's Signature (Required):**

\_\_\_\_\_

Return Mailing and E-Mail Address:

\_\_\_\_\_

\_\_\_\_\_

**Ordinance 0715A PERMIT AUTHORIZATION:**

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

Signature – Town Board Chair

**Ordinance 0715 PERMIT BY RESOLUTION AUTORIZATION: ATTACHED**

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

Signature – Town Board Chair

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

Signature - Plan Commission Chair

Permit Application Fee:	\$100.00 paid by Check # _____
Resolution Plan Commission Hearing Fee	\$240.00 paid by Check # _____
Resolution Town Review Fee:	\$100.00 paid by Check # _____
After the Fact Fee: _____	Paid by Check # _____

Date Application was received: Attest \_\_\_\_\_

Town Clerk