

PERMIT NO. _____

**Town of Thomson
Right-Of-Way Permit Application**

Obstruction Permit

Boulevard Feature Permit

Excavation Permit

Job Site Address: _____ Date: _____

Location (to and from) _____

Plans Submitted: Yes No

Applicant is: Owner/Occupant Contractor

Applicant

Name: _____ Contact Person: _____

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Cell: _____ Email: _____

License No: _____ Emergency Contact: _____ Phone: _____

PROPERTY USE	TYPE OF WORK	
<input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Multi-Family <input type="checkbox"/> Other	<input type="checkbox"/> Gas <input type="checkbox"/> Communications <input type="checkbox"/> Electric <input type="checkbox"/> Other	<input type="checkbox"/> New <input type="checkbox"/> Repair <input type="checkbox"/> Disconnect <input type="checkbox"/> Replacement
TYPE OF CONSTRUCTION	<input type="checkbox"/> Trench <input type="checkbox"/> Hole <input type="checkbox"/> Other (Describe) <input type="checkbox"/> Aerial <input type="checkbox"/> Bore (Specify):	
Note: All underground cables, wires, fiber optics, etc. shall be placed in conduit		
OBSTRUCTION PERMIT	<input type="checkbox"/> Sidewalk <input type="checkbox"/> Parking Lane <input type="checkbox"/> Alley <input type="checkbox"/> Boulevard <input type="checkbox"/> Median <input type="checkbox"/> Bus Turnout <input type="checkbox"/> Drive Lane <input type="checkbox"/> Other	STREET CLASSIFICATION: <input type="checkbox"/> Arterial/Collector/Distributor <input type="checkbox"/> Residential
EXCAVATION PERMIT:	Required Drawing Attached: <input type="checkbox"/> Yes <input type="checkbox"/> No	Type of surface to be disturbed: <input type="checkbox"/> Concrete <input type="checkbox"/> Asphalt <input type="checkbox"/> Gravel <input type="checkbox"/> Sod <input type="checkbox"/> Other _____
Excavation Permit Agreement Required	Excavation Size: Length: _____ Width: _____ Depth: _____ Total Linear Footage: _____	
	Structures: <input type="checkbox"/> Curb & Gutter <input type="checkbox"/> Sidewalk <input type="checkbox"/> Signals <input type="checkbox"/> Apron <input type="checkbox"/> Other:	
CONSTRUCTION SCHEDULE:	Est. Start Date: _____	Weekend Dates: _____
	Est. End Date: _____	After Hour Dates: _____
TRAFFIC CONTROL:	Detour Route Needed: <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe route:	

COMMENTS / NATURE OF REQUEST: _____

Attach additional sheet if necessary

PERMIT FEES: *PLEASE NOTE: Fees double if permit received after work has begun*

Excavation Permit (\$125 per cut and per 100' of linear)

- _____ ft/100 x **\$125.00** (per 100' linear)
- No. potholes required _____ x \$20.00

Use **\$250.00** (If applied for after work has begun.)

Boulevard Feature Permit

- \$30.00**
- \$60.00** (If applied for after work has begun.)

Obstruction Permit

Off peak and less than 4 hours

- \$0.00 Short term (less than four hours)**

Between 7 – 9 a.m. or 3:30 – 6 p.m. or greater than 4 hours

Arterial

- \$ 60.00 Day / Lane**
- \$300.00 Full Closure / Day**

Parking lane

- \$ 7.50 Day**
- \$31.25 Week**

Collector

- \$ 30.00 Day / Lane**
- \$ 75.00 Full Closure / Day**

- \$30.00 Day**

Local / Residential

- \$ 15.00 Day / Lane**
- \$ 45.00 Full Closure / Day**

Certificate of Insurance for \$1,000,000.00 listing the "Town of Thomson" as Also Insured

TOTAL FEES:

\$

- Check
- Cash
- Card

For Office Use Only: Auth. No. _____ Receipt No. _____

Detours: All detour plans &/or traffic control plans are required as part of this permit and must be pre-approved in writing by the Public Works Dept & the Town Engineer. A 3 working day advance notice is required prior to any approved detour being established, changed or discontinued.

By accepting this Right-Of-Way Permit, permittee agrees: (1) to abide by the permit terms and the Town's Right-of-way Ordinance, (2) to pay all applicable fees and provide any required insurance, and (3) to indemnify and hold harmless the Town, its officials, employees and agents from any liability, claim or damage including reasonable attorney's fees arising out of the permittee's actions or inaction undertaken pursuant to the permit.

I acknowledge that the information above is complete and accurate. All work will be in conformance with the ordinances and codes of the Town of Thomson, rules adopted by the MN Office of Pipeline Safety, and with the Minnesota Plumbing Code.

Applicant's Signature: _____ Date: _____

I hereby acknowledge my agreement to the excavation permit terms listed on the Excavation Permit Conditions and of the requirements of Minnesota Statute Sections 216D.03 through 216D.07.

Approved by _____ Date _____

- REQUIRED INSPECTIONS:**
- Start of Work
 - Routine
 - Concrete Form
 - Final
 - Follow-Up Restoration
 - Inspection Notes Attached

Excavation Permit Conditions

- An excavator shall contact the notification center and provide notice at least 48 hours, excluding Saturdays, Sundays, and holidays and not more than 14 calendar days before the beginning the excavation.
- The excavator shall determine the precise location of the underground facility, without damage, before excavating within two feet of the marked location of the underground facility.
- Trenchless excavations are prohibited deeper than 4 feet.
- Trenchless excavations must be daylighted when crossing existing service laterals or other facilities to determine precise location of existing facility or have video confirmation.
- All new installations must be inspected, mapped, locatable and placed in conduit.
- Any excavators found not determining the precise location, or potholing, of underground facilities will be reported to the Office of Pipeline Safety.
- If the excavator cancels the excavation, the excavator shall cancel the notice through the notification center.
- **The excavator shall provide as-built information, within 30 days, to the Town following the completion of the excavation. As-built information should be in the form of a map, diagram, drawing or geospatial information regarding the actual location of the underground facility.**
- Locating wire shall be required on any nonconductive underground facilities placed within a public right-of-way.

SPECIAL PROVISIONS (CEAM REFERENCE)

(2600) TRENCH EXCAVATION AND BACKFILL/SURFACE RESTORATION

The provisions of CEAM Section 2600 are hereby revised or supplemented as follows:

2600.2 MATERIALS

All utility trenches in the Town of Thomson shall be backfilled as follows:

- **Pipe Bedding:** All pipe bedding for flexible pipe shall be Fine Filter Aggregate, as defined in MnDOT 3149.2.H.
- **Backfill:** Select granular material meeting the requirements of MnDOT 3149. In-situ material may be used upon approval of the Town but only above the pipe zone. In areas where utilities are under turf, the final 6 inches of soil shall be salvaged topsoil from the excavation.

2600.3 CONSTRUCTION REQUIREMENTS

(2600.3F) RESTORATION OF SURFACE IMPROVEMENTS

Restoration of all excavation shall be done to match existing conditions and meet the requirements of all permitting authorities.

Restoration should occur no less than 7 days after final grading operations and no less than 24 hours in areas deemed to be draining to special or impaired waters within the Township limits.

Turf restoration shall be done by seeding, in accordance with MnDOT Section 2575. The selected seed mixture shall be seed mixture 25-131 for all general seeding. Specialized seeding, such as within stormwater features, ditches or wetland areas shall be reviewed and approved by the Town Engineer and may require specialized seed mixtures appropriate to each specific application.

All ditches and slopes greater than 3:1 shall be protected with erosion control blankets. All erosion control netting shall be Category 3N or 4N, with natural fiber and specified to biodegrade as the installation warrants. Any proposed restoration by hydroseeding shall meet the requirements of MnDOT 3884 and will negate the need for erosion control matting.

All turf shall be maintained by the Contractor through the germination process and maintained under MnDOT 2575.3I. The Town will not accept requests for final inspection until all turf is restored. Partial payments for turf restoration will be as follows:

Action	Payment Request
Seeding/Turf Installed	50%
Seed Germination	100%

(2611) WATERMAIN AND SERVICE LINE INSTALLATION (RESERVED)

Any need to install watermain piping facilities shall be coordinated with the Town Engineer.

216D.03 NOTIFICATION CENTER.

Subdivision 1. **Participation** An operator shall participate in and share in the costs of one statewide notification center operated by a vendor selected under subdivision 2.

Subd. 2. **Establishment of notification center; rules.** (a) The notification center services must be provided by a nonprofit corporation approved in writing by the commissioner. The nonprofit corporation must be governed by a board of directors of up to 20 members, one of whom is the director of the Office of Pipeline Safety. The other board members must represent and be elected by operators, excavators, and other persons eligible to participate in the center. In deciding to approve a nonprofit corporation, the commissioner shall consider whether it meets the requirements of this paragraph and whether it demonstrates that it has the ability to contract for and implement the notification center service.

(b) The commissioner shall adopt rules:

- (1) establishing a notification process and competitive bidding procedure for selecting a vendor to provide the notification service;
- (2) governing the operating procedures and technology needed for a statewide notification center; and
- (3) setting forth the method for assessing the cost of the service among operators.

(c) The commissioner shall select a vendor to provide the notification center service. The commissioner may advertise for bids as provided in section [16C.06](#), subdivisions 1 and 2, and base the selection of a vendor on best value as provided in section [16C.06, subdivision 6](#). The commissioner shall select and contract with the vendor to provide the notification center service, but all costs of the center must be paid by the operators. The commissioner may at any time appoint a task force to advise on the renewal of the contract or any other matter involving the center's operations.

(d) An operator may submit a bid and be selected to contract to provide the notification center service under paragraph (a) or (c). The commissioner shall annually review the services provided by the nonprofit corporation approved under paragraph (a) or the vendor selected under paragraph (c).

Subd. 3. **Cooperation with local government.** In establishing operating procedures and technology for the statewide notification center, the board of directors or the commissioner must work in cooperation with the League of Minnesota Cities, the Association of Minnesota Counties, and the Township Officers' Association. The purpose of this cooperation is to maximize the participation of local governmental units that issue permits for activities involving excavation to assure that excavators receive notice of and comply with the requirements of sections [216D.01](#) to [216D.07](#).

Subd. 4. **Notice to local government.** The notification center shall provide local governmental units with a master list, by county, of the operators in the county who are participants in the notification center, and the telephone number and mailing address of the notification center.

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216D.04 EXCAVATION; LAND SURVEY.

Subdivision 1. **Notice required; contents.**

(a) Except in an emergency, an excavator shall and a land surveyor may contact the notification center and provide notice at least 48 hours, excluding Saturdays, Sundays, and holidays and not more than 14 calendar days before beginning any excavation or boundary survey. An excavation or boundary survey begins, for purposes of this requirement, the first time excavation or a boundary survey occurs in an area that was not previously identified by the excavator or land surveyor in the notice.

(b) The notice may be oral or written, and must contain the following information:

- (1) the name of the individual providing the notice;
- (2) the precise location of the proposed area of excavation or survey;
- (3) the name, address, and telephone number of the individual or individual's company;
- (4) the field telephone number, if one is available;
- (5) the type and extent of the activity;
- (6) whether or not the discharge of explosives is anticipated;
- (7) the date and time when the excavation or survey is to commence; and
- (8) the estimated duration of the activity.

Subd. 1a. **Plans for excavation.**

(a) Any person, prior to soliciting bids or entering into a contract for excavation, shall provide a proposed notice to the notification center to obtain from the affected operators of underground facilities the type, size, and general location of underground facilities. Affected operators shall provide the information within 15 working days. An operator who provides information to a person who is not a unit of government may indicate any portions of the information which are proprietary and may require the person to provide appropriate confidentiality protection. The information obtained from affected operators must be submitted on the final drawing used for the bid or contract and must depict the utility quality level of that information. This information must be updated not more than 90 days before completion of the final drawing used for the bid or contract.

(b) This subdivision does not apply to bids and contracts for:

- (1) routine maintenance of underground facilities or installation, maintenance, or repair of service lines;
- (2) excavation for operators of underground facilities performed on a unit of work or similar basis; or
- (3) excavation for home construction and projects by home owners.

(c) A person required by this section to show existing underground facilities on its drawings shall conduct one or more preliminary design meetings during the design phase to communicate the project design and coordinate utility relocation. Affected facility operators shall attend these meetings or make other arrangements to provide information.

(d) A person required by this section to show existing underground facilities on its drawings shall conduct one or more preconstruction meetings to communicate the project design and coordinate utility relocation. Affected facility operators and contractors shall attend these meetings or make other arrangements to provide information.

(e) This subdivision does not affect the obligation to provide a notice of excavation as required under subdivision 1.

Subd. 2. Duties of notification center; regarding notice. The notification center shall assign an inquiry identification number to each notice and retain a record of all notices received for at least six years. The center shall immediately transmit the information contained in a notice to every operator that has an underground facility in the area of the proposed excavation or boundary survey.

Subd. 3. Locating underground facility; operator. (a) Prior to the excavation start time on the notice, an operator shall locate and mark or otherwise provide the approximate horizontal location of the underground facilities of the operator and provide readily available information regarding the operator's abandoned and out-of-service underground facilities as shown on maps, drawings, diagrams, or other records used in the operator's normal course of business, without cost to the excavator. The excavator shall determine the precise location of the underground facility, without damage, before excavating within two feet of the marked location of the underground facility.

b) Within 96 hours or the time specified in the notice, whichever is later, after receiving a notice for boundary survey from the notification center, excluding Saturdays, Sundays, and holidays, unless otherwise agreed to between the land surveyor and operator, an operator shall locate and mark or otherwise provide the approximate horizontal location of the underground facilities of the operator, without cost to the land surveyor.

(c) For the purpose of this section, the approximate horizontal location of the underground facilities is a strip of land two feet on either side of the underground facilities.

(d) Markers used to designate the approximate location of underground facilities must follow the current color code standard used by the American Public Works Association.

(e) If the operator cannot complete marking of the excavation or boundary survey area before the excavation or boundary survey start time stated in the notice, the operator shall promptly contact the excavator or land surveyor.

(f) After December 31, 1998, operators shall maintain maps, drawings, diagrams, or other records of any underground facility abandoned or out-of-service after December 31, 1998.

(g) An operator or other person providing information pursuant to this subdivision is not responsible to any person, for any costs, claims, or damages for information provided in good faith regarding abandoned, out-of-service, or private or customer-owned underground facilities.

Subd. 4. Locating underground facility; excavator or land surveyor.

(a) The excavator or land surveyor shall determine the precise location of the underground facility, without damage, before excavating within two feet on either side of the marked location of the underground facility.

(b) If the excavator or land surveyor cancels the excavation or boundary survey, the excavator or land surveyor shall cancel the notice through the notification center.

(c) The notice is valid for 14 calendar days from the start time stated on the notice. If the activity will continue after the expiration time, then the person responsible for the activity shall serve an additional notice at least 48 hours, excluding Saturdays, Sundays, and holidays, before the expiration time of the original notice, unless the excavator makes arrangements with the operators affected to periodically verify or refresh the marks, in which case the notice is valid for six months from the start time stated on the notice.

(d) The excavator is responsible for reasonably protecting and preserving the marks until no longer required for proper and safe excavation near the underground facility. If the excavator has reason to believe the marks are obliterated, obscured, missing, or incorrect, the excavator shall notify the facility operator or notification center in order to have an operator verify or refresh the marks.

216D.05 PRECAUTIONS TO AVOID DAMAGE.

An excavator shall:

1. plan the excavation to avoid damage to and minimize interference with underground facilities in and near the construction area;
2. use white markings for proposed excavations except where it can be shown that it is not practical;
3. maintain a clearance between an underground facility and the cutting edge or point of any mechanized equipment,
4. considering the known limit of control of the cutting edge or point to avoid damage to the facility;
5. provide support for underground facilities in and near the construction area, including during backfill operations, to
6. protect the facilities; and
7. conduct the excavation in a careful and prudent manner.

216D.06 DAMAGE TO FACILITY.

Subdivision 1. Notice; repair. (a) If any damage occurs to an underground facility or its protective covering, the excavator shall notify the operator promptly. When the operator receives a damage notice, the operator shall promptly dispatch personnel to the damage area to investigate. If the damage results in the escape of any flammable, toxic, or corrosive gas or liquid or endangers life, health, or property, the excavator responsible shall immediately notify the operator and the 911 public safety answering point, as defined in section [403.02, subdivision 19](#), and take immediate action to protect the public and property. The excavator shall also attempt to minimize the hazard until arrival of the operator's personnel or until emergency responders have arrived and completed their assessment. The 911 public safety answering point shall maintain a response plan for notifications generated by this section.

(b) An excavator shall delay backfilling in the immediate area of the damaged underground facilities until the damage has been investigated by the operator, unless the operator authorizes otherwise. The repair of damage must be performed by the operator or by qualified personnel authorized by the operator.

(c) An excavator who knowingly damages an underground facility, and who does not notify the operator as soon as reasonably possible or who backfills in violation of paragraph (b), is guilty of a misdemeanor.

Subd. 2. Cost reimbursement. (a) If an excavator damages an underground facility, the excavator shall reimburse the operator for the cost of necessary repairs, and for a pipeline the cost of the product that was being carried in the pipeline and was lost as a direct result of the damage. (b) Reimbursement is not required if the damage to the underground facility was caused by the sole negligence of the operator or the operator failed to comply with section [216D.04, subdivision 3](#).

Subd. 3. Prima facie evidence of negligence. It is prima facie evidence of the excavator's negligence in a civil court action if damage to the underground facilities of an operator resulted from excavation, and the excavator failed to give an excavation notice under section [216D.04](#) or provide support as required by section [216D.05](#).

216D.07 EFFECT ON LOCAL ORDINANCES.

(a) Sections [216D.01](#) to [216D.07](#) do not affect or impair local ordinances, charters, or other provisions of law requiring permits to be obtained before excavating.

(b) A person with a permit for excavation from the state or a public agency is subject to sections [216D.01](#) to [216D.07](#). The state or public agency that issued a permit for excavation is not liable for the actions of an excavator who fails to comply with sections [216D.01](#) to [216D.07](#).