

Applicant certifies and acknowledges that his/her/its signature below and approval of this permit constitutes an agreement that applicant will abide by its terms and shall further defend, indemnify, and hold the City of Corning, its officers, agents, independent contractors, volunteers, and employees harmless from any and all damages, losses, awards, claims, causes of action, fees, costs, and/or judgments arising out of or in any way connected to the issuance of this permit and/or completion of the work authorized herein.

Applicant certifies that he/she/it is the property owner, contractor, or authorized to act on the property owner's or contractor's behalf. This permit applies for permission to encroach, as the term is defined at Section 12.08.020 of the City of Corning Municipal Code, on a City right-of-way and/or improvement.

All work shall be subject to the inspection and approval of the Public Works Department. Applicant shall notify the Public Works Department at least 24-hours prior to starting work and 24 hours prior to any required inspection. Work on Saturdays, Sundays, and/or Holidays will require prior approval of the City's Public Works Department.

All proposed road closures requests require prior approval by the City Public Works Department before the issuance of any encroachment permit. Applicant will be required to notify the City Police Department, City Fire Department, and the nearby businesses and residents 72 hours before the start of work.

Applicant agrees to complete the proposed work in accordance with the City of Corning Construction Standards; to comply with all applicable City and County Ordinances, Rules and/or Regulations, and State and Federal laws relating to public works construction; and with all of the conditions and terms of this permit.

Applicant agrees that any portion of the City right-of-way, including but not limited to any surface, street, curb, gutter, or sidewalk, that is excavated or physically disturbed will be replaced or repaired so as to be in as good a condition as it was prior to the issuance of the encroachment permit. If the City of Corning is not satisfied with the condition of the improvement after applicant has completed the encroachment and made the repairs, the City of Corning may repair, through itself or an independent party, the right-of-way, or any part thereof, and thereafter charge applicant with the reasonable costs of repair incurred. Any such expense/cost incurred by the City shall be transmitted to the applicant by United States mail service and paid by applicant within 30-days of the date of mailing the information to applicant.

The City of Corning may further require a Performance and Guarantee Bond or Irrevocable Letter of Credit effective during performance of the work and up to **a year** thereafter to insure completion of the work in a satisfactory manner, and if required, the amount of the bond shall be set forth above under the item Performance and Guarantee Bond on page 1 of this document. No work shall commence until such bond is posted, if required.

Applicant's Name (printed)

Date

Applicant's Signature