

LICENSE TO OCCUPY RIGHT-OF-WAY PERMIT
CITY OF DEFIANCE
ENGINEERING DIVISION

Section 131.03, Codified Ordinances

RECEIPT: _____ CHECK NO. _____ PERMIT NO. _____

Processing Fee: \$25.00

OWNER: _____ CONTRACTOR: _____
ADDRESS: _____ ADDRESS: _____

TELEPHONE NO. _____ TELEPHONE NO. _____

Registration No. _____

PROJECT ADDRESS _____

LOT NUMBER: _____ ADDITION: _____

COUNTY AUDTOR'S PARCEL I.D. NUMBER: _____

DETAILS OF PROJECT:

START DATE: _____ COMPLETION DATE: _____

OVERHEAD R/W: _____ BELOW GRADE R/W: _____

OWNER SIGNATURE

Date

Signature by Owner

AUTHORIZATION

APPROVED THIS ____ DAY OF _____, 20____.

Building & Zoning Commissioner

City Engineer

City Administrator

Section 131.03, Codified Ordinances

Terms and Conditions of License

The filing of this application does not guarantee that the requested License will be issued. No improvements may be installed on, under or over a public right-of-way until a formal license is issued and filed for record with the Recorder of Defiance County. If a License is issued, the applicant will be responsible for payment of the County Recorder's fees. These fees are in addition to the processing fee filed with this application and will be assessed at the time the license is issued.

The City Administrator has only limited authority to issue a License pursuant to Section 131.03 of the Codified Ordinances. All Licenses granted pursuant to this section are revocable by the City without cause. You may desire a more permanent right to use public land. Such permission may only be granted by City Council. If you are in doubt about the type of permission you need to construct the improvements you seek to locate within the right-of-way, you are advised to consult legal counsel.

In the event the City Administrator determines that he does not have authority to grant the license requested by this Application, you may seek permission to use the right-of-way from City Council.

Any License issued pursuant to this application will expire 180 days following the date on which it is issued unless the improvements for which permission is requested are installed. If the improvements are installed, permission to retain them within the right-of-way will continue until such time as you sell the property benefited by the improvements or the License is revoked. A License issued by the City Administrator pursuant to this application is revocable by the City for cause on 10 days notice to you and without cause on 30 days notice to you. In the event of revocation, you must remove the improvements within the 10 or 30 day period. Improvements not removed within the time allowed will be removed by the City and the cost charged to the Licensee.

The City will not be liable for any cost or expense incurred by you incident to the installation, use or removal of the improvements nor for any injury or damage caused others by the improvement. This application must be accompanied by a Certificate of Insurance certifying that the premises are covered by one (1) or more policies of commercial general liability, homeowners, or other premises liability insurance written upon forms acceptable to the Law Director in a sum of not less than \$300,000.00 and naming the City of Defiance as an insured. The insurance required for issuance of a license must be maintained at all times and additional Certificates must be provided on request during continuance of the License.