

GENERAL PROVISION IN FORCE IN SO FAR AS THEY APPLY TO THE WORK TO BE DONE UNDER THIS PERMIT

(Sec. 1020.04 City Code)

General Provisions Applicable to All Permits

The granting of this permit does not in any way abridge the right of the City of Defiance in his/her jurisdiction over the city streets. If, in the process of any future work for the benefit of the traveling public, it becomes necessary, in the opinion of the City Administrator to order the removal, reconstruction, relocation, or repair, this shall be done wholly at the expense of the owners thereof, and be made as directed by the City Administrator.

The Defiance City Engineer shall act for and in behalf of the City Administrator in the issuance of and the carrying out of the provisions of all permits.

The City Administrator shall have full authority to insure that the provisions of this permit are fully complied with; and retains the right to reject any materials or workmanship in the restoration of Defiance City facilities. Failure on the part of the permittee to conform to the provisions of this permit will be cause for suspension, revocation, or annulment of this permit as the City Administrator deems necessary.

If the party or parties to whom this permit is issued does anything contrary to the orders of the City Administrator and after due notice, fails to correct such work or to remove such structure or material as he or they may be ordered to remove, the City of Defiance may, with or without notice, correct such work or remove such structure or material; and the party or parties to whom this permit is issued shall reimburse the City of Defiance for any expense incurred in correcting the work or removing the structure or materials.

The right is reserved, during the time any or all the work is being performed, to appoint an inspector over the work who shall represent the interest of the City on the work, and any compensation arranged for shall be paid wholly by the permit holder.

All the work herein contemplated shall be done under the supervisor and to the satisfaction of the City Engineer, and the entire expense thereof, shall be borne by the party or parties to whom this permit is issued.

Except as herein authorized, no excavation shall be made or obstacle placed within the limits of the highway in such manner as to interfere with the travel over the road.

If any grading, sidewalk, or other work done under this permit interferes with the drainage of the highways in any way, such catch basins and outlets shall be constructed as may be necessary to take proper care of said drainage.

The acceptance of this permit or the doing of any work thereunder shall constitute an agreement by the party or parties to whom the permit is granted to comply with all of the conditions and restrictions printed or written herein.

All of the above conditions shall be applicable to the herein authorized, unless the same are inconsistent with the conditions on the face of the permit, in which case the conditions written or printed on the face of the permit shall apply.

City property, distributed by the permittee, shall be restored using materials, design and workmanship in conformance with the Ohio Department of Transportation Construction and Material Specifications, normal construction practices or existing City Standards.

All work requiring men or vehicles on the pavement or shoulders shall comply with all the requirements of the Ohio Manual of Uniform Traffic Control Devices and Item 614 (Maintaining Traffic) of the Ohio Department of Transportation Construction and Material Specifications. Failure to comply with this requirement will be cause for the immediate suspension of the permit until the proper traffic controls have been provided.

The permittee, upon completion of the work, shall leave the highway clean of all rubbish, excessive materials, temporary structure, and equipment, and all parts of the highway shall be left in an acceptable condition.

The permittee shall save harmless the City of Defiance and all of its representatives from all suits, actions, or claims of any character, brought on account of any injuries or damages sustained by any person or property in consequence of any neglect or on account of any act or omission as a result of the issuance of this permit.

If the permittee fails to comply with the provisions of the Permit, then the permittee will be subject to the City's "Penalty; Equitable Remedy" code 1020.99.

Provision of AP-3-09 issued by the Ohio Department of Health re: Air Pollution shall be complied with.

