Rev 10/01/23

Town of Indian River Shores
Building Department

UTILIZATION PERMIT

PERMIT NO: _____

THE TOWN OF INDIAN RIVER SHORES, a political subdivision of the State of Florida, hereinafter called the Permitter, hereby grants to _____ of _____
(Name) *(Street Address, City, State, Zip)*

hereinafter called the Permittee, a Permit to construct □, operate □, maintain □, renew □ and/or remove □ on attached plan along, across, beneath, or over right of way and/or property of Permitter at the following location:

_____ between _____
(Street Name) *(Intersection Street Name)*

and _____, subject to the following provisions and conditions:
(Intersection Street Name

1. Construction, operation, and maintenance of such utility shall not interfere with property and rights of prior occupant.
2. The construction, operation and maintenance of such utility shall not create obstruction or conditions which are or may become dangerous to the traveling public.
3. All work must be done in keeping with standards of the Florida Department of Transportation Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways, Roadway and Traffic Design Standards, Florida Department of Transportation Standard Specifications for Road and Bridge Construction, AASHTO and by the Town Building Official or his agent.
4. All materials and equipment shall be subject to inspection by an Engineer of the Town or his agent.
5. Prior to beginning any work hereunder, Permittee shall, through the State of Florida's Department of Environmental Protection Online Contamination Locator Map, first evaluate the property herein as to any environmental risks. If after the start of any work herein Permittee encounters any environmental hazard or abnormal conditions, Permittee shall immediately cease work and notify the Town. Permittee may only resume work upon written notification by Town.
6. The Permittee shall and does hereby agree to indemnify, pay the cost of defense, and save harmless the Permitter from and against payment of all claims, suits, actions, costs, attorneys' fees, expenses, damages, judgments, or decrees by reason of any person or persons or property being damaged or injured by the Permittee, its employees, agents or sub-contractors or in any way attributable to the performance, prosecution, construction, operation, or maintenance of work herein permitted by Permitter and resulting from negligent acts or omissions of said Permittee in connection with the work herein permitted.
7. The Permittee shall repair any damage or injury to the road or highway or other Town property by reason of the exercise of any of the privileges granted in this Permit, and shall repair the same promptly, within seven (7) days of opening, restoring it to a condition at least equal to that which existed immediately prior to the infliction of such damage or injury. (Note: All portions of the right of way other than paved areas disturbed by the construction of this utility will be compacted, grassed, and mulched or sodded as required.)
8. All overhead installations shall conform to clearance standards of the State Utilities Accommodation Guide and all underground crossing installations shall be laid at a minimum depth of 36" below pavement, or at such greater depth as Permitter may require.
9. In the event of widening, repair, or reconstruction of said road, the Permittee shall move or remove said utility installation at no cost to the Permitter.
10. This permit creates a permissive use only and the placing of facilities upon Town property pursuant hereto shall

not operate to create or to vest any property rights in said Permittee and is granted in perpetuity subject to termination by the Permitter upon the giving of 30-days' notice in writing to the Permittee.

11. The Permittee shall furnish the Permitter with a survey showing the exact locations of all facilities to be installed pursuant to this permit, said survey to be sufficiently detailed to allow location of said installation by reference thereto. The attached plan, covering details of this installation, shall be a part of this permit. Upon completion of installation, if field adjustments are made, an as-built drawing will have to be submitted.
12. Section corner monuments and other permanent references subject to displacement shall first be referenced and later reset by a Florida Registered Land Surveyor.
13. All activities in accordance with this permit will require conformance to the "Manual on Traffic Control and Safe Practices for Street and Highway Construction, Maintenance and Utility Operations." (Chapter 316 Florida Statutes)
14. The Permittee's attention is directed to the provisions of the Trench Safety Act (Florida Statutes, Section 553.60 et. seq.) and the Occupational Safety and Health Administration Excavation Safety Standards (29 C.F.R. Section 1926.650, Subpart P) which shall apply to construction, operation, and maintenance pursuant to this permit.
15. Compaction within right of way to meet standards reviewed/approved in accordance with the Town's Engineer and/or Engineering standards.
16. The Town Building Department must be notified a minimum of 48 hours prior to beginning work at 772-231-4453, otherwise the Permit will be voided.
17. If this permit is for a monitor well, copies of all testing reports are to be forwarded to Town of Indian River Shores Building Department.
18. The Permittee shall commence construction within 60 days from the date of this permit and it shall be completed within _____ days.
19. This permit does not create any vested rights, and except for governmental entities and utilities, is revocable at will upon reasonable prior written notice. Permittee bears all risk of loss as to monies expended in furtherance of the permitted use. Upon revocation, the permittee shall promptly modify, relocate or remove the permitted use and properly restore the right of way to the Town's satisfaction. In the event of failure to so comply within the specified time, the Town may remove the permitted use and permittee shall be responsible for all removal and restoration costs.
20. For non-Town run projects, the permittee shall post a cash or other acceptable surety as a performance guarantee with the Town. The guarantee will be based on a cost estimate for the project prepared by the permittee's engineer and approved by the Town. In the event a surety bond is posted, the said surety bond shall be made payable to the Town of Indian River Shores and shall obligate the surety to hold the Town harmless in the event the holder of this permit should fail to meet any of its obligations, hereunder. The bond shall also indemnify the Town of Indian River Shores for all court costs and reasonable attorney fees in the event legal action is required to collect on said bond.
21. It is the obligation of the applicant/permittee to obtain proper permitting/permission from additional affected property owners, including, but not limited to, municipalities, Florida Department of Transportation, Homeowner's Associations, and private property owners.

Print Name & Title: _____ Signature: _____

Mailing Address _____

Phone: _____ Email: _____

Rev 10/01/23

Application Submittal Instructions

1. Description and nature of the proposed installation shall be attached with all appropriate reference documents to this application.

2. The Application shall be signed by applicant or their agent.

3. On the attached plan, the following data shall be supplied:

   a. The plan shall show the right of way lines and the widths of right of way. The offset distance from the centerline of the proposedinstallation shall be shown and the scope of the proposed project, with all the distances and sizes clearly indicated.

   b. Typical cross section shall be furnished showing width of pavement, width of right of way on each side, offset distance from centerline to proposed installation and any pertinent data to sidewalks, curbs and gutters, etc.

   c. Indicate type of installation on both typical cross section and plan view.

   d. All pertinent drainage information and calculations or justification for size of pipe and/or grading.

   e. MOT (Maintenance of Traffic) Plan.

4. All improvements within Town maintained right of way shall conform to Florida Department of Transportation requirements and/or Town of Indian River Shores requirements.

5. All applications for water and sewer lines must be separate applications and countersigned by the utility involved prior to submittal.

6. This form is to be returned to the Building Department with two (2) drawings as well as one electronic (PDF) copy; one fully executed copy will be returned to you after approval.

7. *There is a $154 .00 fee that must be received prior to the issuance of the permit. A check may be made payable to the Town of Indian River Shores. We accept all major credit cards.*

8. Prior to permit approval, the permittee shall deliver proof of insurance Town of Indian River Shores Building Department.

THE UTILITY NOTIFICATION CENTER "CALL SUNSHINE" (1-800-432-4770) MUST BE NOTIFIED TWO FULL BUSINESS DAYS IN ADVANCE OF CONSTRUCTION.

TO BE FILLED OUT BY TOWN OF INDIAN RIVER SHORES BUILDING DEPARTMENT

Sod required ☐ Yes ☐ No
Open cut ☐ Yes ☐ No

Jack and bore ☐ Yes ☐ No
Directional bore ☐ Yes ☐ No

Town of Indian River Shores, FLORIDA

Date: _____ _____
for Building Department

CONSTRUCTION AND SERVICE PARKING ADDENDUM

Please read and sign the following statement.

I, _____ of _____ do understand that all
(Print Name) (Company Name)
construction, service vehicles and equipment must always be parked on *one side* of the street, located at the project property address. All parking must be compliant with the provisions of Section 162.021 – Parking, and Chapter 71 – Parking, Code of Ordinances.

When large vehicles used for delivery of material or equipment, such as tractor trailers, cement mixers, or similar apparatus will be on the site of a project and may disrupt normal traffic flow, the Building Department must be notified of the date, time, and type of vehicles and activity. The Building Official reserves the right to require a Maintenance of Traffic plan.

_____
(Authorized Signature)

STATE OF FLORIDA, COUNTY OF INDIAN RIVER:

The foregoing instrument was acknowledged before me this _____day of _____, 20__ by _____who:

____ is personally known to me -OR-
____ produced _____as identification.

Notary Signature:_____

Printed name of Notary:_____

Commission No/Exp:_____
Affix Seal

Effective 1-27-26