

Sec. 13b-17-7. Issuance of permit

A permit to use the highway right of way or to plant, remove or trim trees and shrubs may be issued by the District Maintenance Manager only after receiving a report from the Permit Investigator subsequent to completion of the examination of all aspects of the proposal and upon receipt of the surety bond, properly executed and in the correct amount. A permit form must be signed by the District Maintenance Manager before it becomes valid. The first two copies of the permit shall be sent or handed to the applicant. The applicant shall sign both copies of the permit. The original shall be retained by the permittee and the second copy returned promptly to the District Maintenance Manager. The permittee is forbidden to commence work until the above-mentioned second copy of the permit has been received by the District Maintenance Manager and the permittee has notified the Permit Inspector of the exact date and hour work is to begin. Contractors who are performing work for a permittee, including municipalities and utility companies, must have a copy of the permit issued to the permittee with them while work is being performed.

If a municipality or a utility company has any utility facilities located within the right of way of an interstate highway or any other designated limited access highway, a continuing permit may be issued, upon written request, for emergency operations and servicing of such facilities in accordance with the terms of a Master Maintenance Agreement executed between the State and the municipality or utility company, covering the interstate highway system, or a similar agreement covering limited access highways. Emergency work shall be covered by a written permit issued after the emergency, even though the continuing agreement justified the work during the period of urgency. Upon written request from the municipality or utility company, a permit may be issued to authorize each instance of inspection and servicing which is not an emergency. (See Sec. 13b-17-24 concerning emergency permits for work on State highways other than those mentioned in this paragraph.)

(Effective August 27, 1992)