

MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT (MHCS D) GENERAL PROVISIONS

1. This permit is issued under and subject to all laws and ordinances of agencies governing the encroachment herein permitted. (Including Ordinance No. 4162, "Street Opening and Pavement Restoration Regulations").
2. It is understood and agreed by the Permittee that doing any work under this permit shall constitute an acceptance of all the provisions contained herein and failure on the Permittee's part to comply with any provision will be cause for revocation of this permit. Except as otherwise provided for public agencies and franchise holders, this permit is revocable on five days notice.
3. All work shall be done subject to the supervision of and to the satisfaction of MHCS D. The Permittee shall at all times during the progress of the work keep the MHCS D streets in as neat and clean a condition as is possible and upon completion of the work granted herein, shall leave the MHCS D streets in a thoroughly neat, clean and usable condition.
4. The Permittee agrees by the acceptance of this permit to properly maintain any encroachment structure placed by the Permittee on any part of the MHCS D streets and to immediately repair any injury to any portion of the street, which occurs as a result of the maintenance of the said encroachment structure, until such time as the Permittee may be relieved of the responsibility of such maintenance of the encroachment structure by the MHCS D.
5. The Permittee also agrees by the acceptance of this permit to make at its own expense, such repairs as may be deemed necessary by the MHCS D Public Works Manager or his/her representative. All work shall conform to the MHCS D Standard Specifications and Standard Plans.
6. It is further agreed by the Permittee that whenever construction, reconstruction or maintenance work upon the street requires the installation provided for herein to be relocated, the Permittee shall relocate the installation at his/her sole expense as directed by the MHCS D.
7. No material used for fill or backfill in the construction of the encroachment shall be borrowed or taken from within the MHCS D right-of-way.
8. All work shall be planned and carried out so that there will be as little inconvenience as possible to the traveling public. No material shall be stored within right-of-way unless otherwise provided herein. Adequate provision shall be made for the protection of the traveling public. Barricades shall be placed, with approved signs and lights at night, and flagmen shall be employed, all as may be required by the particular work in progress.
9. The Permittee, by the acceptance of this permit, shall assume full responsibility for all liability for personal injury or damage to property which may arise out of the work herein permitted or which may arise out of the failure of the part of the Permittee to do the work provided for under this permit. In the event any claim of such liability is made against the MHCS D, or any official or employee thereof, the Permittee shall defend, indemnify, and hold them and each of them harmless for such claim.
10. All backfill material is to be moistened as necessary and thoroughly compacted with mechanical means. If required by the MHCS D Public Works Manager, such backfill shall consist of gravel and crushed rock. The Permittee shall maintain the surface over structures placed hereunder as may be necessary to insure the return of the roadway to a completely stable condition and until relieved of such responsibility by the MHCS D. Wherever a gravel, crushed rock or asphalt surfacing is cut or damaged in the work of placing an encroachment structure, such material shall either be separately stored and replaced in the roadway as nearly as possible in its original state or shall be replaced in kind, and the roadway shall be left in as good a condition or better as it was before the commencement of placing the encroachment structure. (Comply with Ordinance No. 4162, "Street Opening and Pavement Restoration Regulations").
11. Whenever it is necessary to secure permission from abutting property owners, such authority must be secured by the Permittee prior to starting work.
12. Water use by the permittee shall be in accordance with guidelines set forth in MHCS D water use application. Water use load count sheet shall be filled out and submitted to the MHCS D inspector every two weeks. The water meter must be installed prior to any water usage is allowed. The contractor shall coordinate installation of the water meter with MHCS D.
13. The permittee shall positively identify and protect all utilities in the right-of-way. Utilities include boxes, vaults, conduits, poles and other facilities associated with power, telephone, CATV and other underground utilities. The permittee accepts all responsibility for damages and costs to repair said utilities.