



**Town of Port Royal**  
P.O. Drawer 9  
Port Royal, SC 29935  
(843) 986-2237  
Email [dlemieux@portroyal.org](mailto:dlemieux@portroyal.org)



## **INSTRUCTIONS FOR COMPLETING ENCROACHMENT PERMIT APPLICATION**

The following provides instruction for properly completing the RIGHT OF WAY ENCROACHMENT PERMIT APPLICATION for the Town of Port Royal, SC.

### ***Completing the Form:***

The Permit Application is provide to as a protected .doc file (MSWORD). Two hard copies and one electronic copy should be submitted with the Permit Application package. The electronic Permit Application file should open so all blanks and check offs can be inserted by the preparer.

### ***Clarification of Form Terms:***

***Applicant:*** The applicant is the name of the individual, company or utility that will retain ownership of any infrastructure installed within the Town's right-of-ways. The address for the applicant shall be provided in the "Address" space.

***Permit Type:*** Check as many categories that apply to the proposed project. For those not covered, use the "Other" category and state the type of encroachment.

***Project Name:*** This should be the name of the project as it will appear on the Plans and Specifications or other similar documentation.

***Contact Person:*** This should be the name and phone numbers of the individual who is either the applicant or represents the applicant. The individual listed as the contact person will be the individual who the Town will communicate with concerning the permit application.

***Emergency Request:*** Emergency requests are categorizes as those types of repairs that are needed to correct utility interruptions (i.e. unplanned cutting of utilities) or present an immediate danger to public or private property or safety. In the case of an emergency, the effected party should contact the Town via telephone as soon as possible after the occurrence of the emergency and then within 48 hours of the occurrence, complete the Encroachment Permit Application to detail the extent of repairs and impacts to the Town's right-of-way.

***Anticipated Start Date and Length of Permit:*** The start date and duration should be the best estimated start time and duration known when the Permit Application is submitted. Should these dates change after the Permit is approved, the Applicant shall advise the Town in writing of such a change (either via letter or email) of the change in date **prior** to commencing any work within the Town's right-of-ways.

***Contractor Performing the Work:*** The Applicant shall provide the name, and telephone numbers of the contractor and the contractor's field representative. Once work commences within the Town's right-of-way, the Town will contact this individual as well as the Applicant should any problems arise with the performance of the work in the Town's right-of-ways. If the contractor is not known at the time of the submittal of the Encroachment Permit Application, the Town will review the Applicant's Permit Application but will not approve it until such time as this information is provided. Any Permit Application that is reviewed without the contractor information included will contain a Special Condition stating that such information is needed and that the Permit Application will need to be resubmitted before approval by the Town can be granted.

## ***Instructions for Completing Encroachment Permit – Page 2***

***Information on Encroachment Location:*** This information should include the street name and range of addresses where the encroachment is requested. The Applicant should provide the requested information as well as a brief narrative of the work to be undertaken. The Applicant must include as part of the Permit Application two hard copies of the plans and specifications, one .pdf file of the plans and specifications, a traffic control plan (if applicable) and a general location map (8 ½ X 11).

***Utility Locates:*** The Town strongly encourages the Applicant to obtain the location of all utilities within the Town's right-of-ways during the development of the plans and specifications and prior to submitting a Permit Application. As the Town has little history as to the specific location of underground utilities, the Town cannot provide information or be responsible for verification related to the specific location of any underground utilities including but not limited to water, sewer, storm drainage, natural gas, electric, cable TV, telephone or other such underground utilities.

***Signature:*** The Applicant, or their legally designated representative, shall sign and date two hard copies of the Permit Application where shown (the electronic copy can be submitted unsigned). The name of the individual signing the Permit Application shall be printed where shown. By signing and dating the Permit Application, the applicant agrees to accept and abide by the *Encroachment Permit Application Conditions* as well as any *Special Conditions* that may be required by the Town.

***One Year Maintenance Bond:*** Depending upon the extent of the disturbance of the Town's right-of-way, the Town reserves the right to require the Applicant to post with the Town a one year Maintenance Bond that will cover the cost of any restoration of the Town's right-of-way disturbed by the project. The bond can be in the form a Surety Bond or a bank certified Letter of Credit callable by the Town upon written request. The value of the bond shall be 25% of the value of the completed work to be installed in the Town's right-of-way.

### ***Permit Processing by the Town:***

The Town's goal will be to review, if at all possible, Permit Applications within seven calendar days of receipt of the same by the Town. Permit Applications will either be:

- Issued with Special Conditions
- Required to resubmit with additional information as may be noted
- Not approved

If a Permit Application is Not Approved, then a new Permit Application will be required should a revised plan be proposed to the Town. Otherwise, the original Permit Application can continue to be used until all issues with the Permit Application are resolved and the Permit is granted.

The Town encourages those with larger projects to request a Pre-application Meeting with the Town to review the proposed project prior to submitting a Permit Application so as to avoid undue delays in the permitting process. The Applicant can contact Mr. Dan Lemieux with the Town to arrange a Pre-application Meeting.

Any questions related to the Permit Application process should be addressed to Mr. Dan Lemieux at the address shown above. All permit applications should be submitted to Ms. Traci Haddock, Administration Assistant. Ms. Haddock is located at Town Hall.



Town of Port Royal  
 P.O. Drawer 9  
 Port Royal, SC 29935  
 (843) 986-2237  
 Email: dlemieux@portroyal.org



**RIGHT OF WAY ENCROACHMENT PERMIT APPLICATION**

(To be completed by the Applicant)

Applicant: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 Zip Code: \_\_\_\_\_

Project Name: \_\_\_\_\_  
 Contact Person: \_\_\_\_\_  
 Phone No. (\_\_\_\_) \_\_\_\_\_--\_\_\_\_(Main Contact)  
 (\_\_\_\_) \_\_\_\_\_--\_\_\_\_(Mobile)

**Permit Type** (check all that are applicable):

- Road Opening (spot cut)
- Drilled Road Crossing or Longitudinal Installation
- Open Cut Road Crossing
- Longitudinal Open Cut
- Drainage Ditch Repair/Maintenance/Connection
- Driveway Curb Cut/Installation
- Utility (water, sewer, gas or electric)
- Other: \_\_\_\_\_

Is this an Emergency Request?  Yes  No

If YES state type of emergency: \_\_\_\_\_  
 Anticipated Date of Start of Work: \_\_\_\_\_ (month) \_\_\_\_\_ (day) 20 \_\_\_\_\_ (year)

Requested Length of Permit applied for: \_\_\_\_\_ calendar days

Contractor Performing the Work (if different from above): \_\_\_\_\_  
 Contractor Representative: \_\_\_\_\_Phone (office) \_\_\_\_\_ (mobile)\_\_\_\_\_

**Information on Encroachment Location:**

Street Name: \_\_\_\_\_  
 Street Number(s): \_\_\_\_\_ Existing Road Surface:  Paved  Gravel  Dirt  
 Nearest Intersecting Street/Road: \_\_\_\_\_

Brief Description of Work to be Performed in the Town's right-of-way: \_\_\_\_\_

***Attach two copies of plans and specifications, traffic control plan (if applicable) and location map***

Have Utility Locates been completed?  Yes  No, Are there any conflicting utilities  Yes  No

I have read the Permit Conditions and agree to comply with the terms and conditions set forth in this Encroachment Permit as issued by the Town including any such Special Conditions required by the Town.

Submitted by:

Signed: \_\_\_\_\_ Date \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
 Print Name: \_\_\_\_\_

## **ENCROACHMENT PERMIT APPLICATION CONDITIONS**

The applicant for this Permit agrees to abide by all the terms and conditions listed. This Permit shall grant limited access only for the described work site and only for the time frame indicated within the context of the Permit Application. It shall in no way be considered to grant permanent right of access to other Town owned right-of-way outside the work site.

---

***Permit issued with the following conditions without exceptions:***

1. The Department of Building Codes shall be notified in writing or by fax, no later than forty-eight (48) hours prior to the commencement of Permitted work. Failure to do so shall be grounds to revoke this Permit. Work undertaken without a valid Permit may be subject to legal action and stop work orders by The Town.
2. All excavations for placement of water mains and service mains and services, telephone cable and conduit, TV Cable and conduit, water and sanitary sewer laterals, gas mains and service lines and all other installations, any of which require excavation, shall be installed to a minimum depth of thirty-six (36) inches. Extension of existing main lines or service lines (as described above) shall be considered “new” and will be required to conform to the required “minimum cover”. Failure to comply shall require the removal of all non-conforming work at no cost or reimbursement to the applicant, from the Town of Port Royal.
  - The ditches and/or shoulders disturbed by this installation will be re-established to proper grade, original cross section and stabilized to match the pre-construction condition. All stormwater structures will be cleaned as needed during and upon completion of the work.
  - The applicant is responsible for maintenance of disturbed areas until a satisfactory stabilization has been established. Any erosion or lack of stabilization will be immediately repaired upon notification of the same by the Town to the Applicant.
  - There is to be a minimum of 36” of cover for all utilities crossing a ditch and stormwater pipe.
3. All other applicable State or Federal Permits related to the work shall be required to be obtained and in full effect prior to this Permit being issued and put into effect. However, this Permit in no way alleviates the Applicant from conformance with such state or federal Permit requirements.
4. To the fullest extent permitted by law, the Applicant shall indemnify and hold harmless the Town of Port Royal, SC its elected officials, employees and agents from and against any and all claims, costs, losses and damages (including but not limited to all fees and charges of engineers, architects, attorneys and other professionals and all court or arbitration or other dispute resolution costs) caused by the negligent acts or omissions of the Applicant’s officers, directors, partners, employees, agents and/or consultants in the performance the work to be undertaken under this Permit.
5. Town employees or their respective agents, will not monitor the work, will not direct the work in any form or fashion nor will the Town employees or their respective agents be responsible for the Applicants employees, contractors or agents compliance with any State or Federal safety regulations or actions resulting from violation of the same or for any injury to the Applicant’s employees, contractors or agents.
6. The applicant agrees to abide by, and follow the terms and conditions of the Permit, which is issued, based upon the representations provided here within or as part of the “*Town of Port Royal Encroachment Permit Application*”. Any deviation from the information provided in this Permit must be reported in writing for approval of the Town of Port Royal Building Codes prior to any work modifications being put in place. If work is put in place that has not been approved in advance by the Town, the Town reserves the right to immediately revoke this Permit and to issue a stop work order. The signer of the application shall be held responsible for any and all violations of the Permit and any subsequent legal actions that may result there from.
7. The applicant, by signing and accepting this Permit agrees and acknowledges that in the future if the work installed under this Permit conflicts either horizontally or vertically with any future improvement undertaken by the Town within the Town’s right-of-way, that they will expediently and with no undo delay to the Town relocate their work, as needed to accommodate the Town’s work no charge or cost to the Town of Port Royal.

8. Within 30 calendar days of the completion of the work, the applicant shall provide accurate as-built drawings to the Town. One AutoCAD, one .pdf and two hard copies of the as-builts will be required. No additional Encroachment Permits applications will be accepted by the Town until this requirement is met.
9. The Town reserves the right to issue a Stop Work Order should the Applicant's employees, contractors or agents not perform the work as described in the Permit, Plans and Specifications submitted with the Permit or in compliance with the Permit Conditions or Special Conditions as may be applicable.
10. Other conditions of this Encroachment Permit are included as Special Conditions to the Permit as shown below and are made part of this Permit by reference.
11. **If required by the Town**, the Applicant will provide a one year maintenance bond to ensure the Town's right-of-way is restored to its pre-construction condition. No additional Encroachment Permits applications will be accepted by the Town until this requirement is met.

**STATUS OF PERMIT AND SPECIAL CONDITIONS**

(To be completed by the Town)

**Town Project #:** \_\_\_\_\_

**Status of Permit:**  Issued with Special Conditions (see below)

- Resubmit with additional documentation:  Revised Plans  
 Additional Conditions  
 Traffic Control Plan  
 Other: \_\_\_\_\_

Not Approved - Reason: \_\_\_\_\_

**Special Conditions to the Permit**

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

Will a one year Maintenance Bond be required?  Yes  No

Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_  
 Port Royal Building Codes