

PERMIT # \_\_\_\_\_ (FOR COUNTY USE ONLY)



**KARNES COUNTY APPLICATION FOR PERMIT  
TO LAY TEMPORARY WATER LINE  
IN ROAD RIGHT OF WAY**

COMES NOW \_\_\_\_\_ (company name) (hereafter "Company"), a \_\_\_\_\_ (state) , \_\_\_\_\_ (type – corporation, partnership, sole proprietorship, etc.) with the right to transact business in Texas, acting by and through its duly authorized representative, and hereby petitions Karnes County (hereafter "County") for the right to lay a temporary water line over and along certain County Roads and rights of way as shown on map(s) and lists(s) attached hereto in the following manner: (insert description of line, Example "10 inch poly"):

\_\_\_\_\_  
\_\_\_\_\_

Within a length along the right of way of approximately \_\_\_\_\_ feet, along (describe roads)

\_\_\_\_\_  
\_\_\_\_\_

We propose to begin our operations on or about \_\_\_\_\_ (mm/dd/yyyy) and complete our operations by \_\_\_\_\_ (mm/dd/yyyy) .

Company agrees that:

1) To induce the County to grant the requested permit, Company agrees, and stipulates as follows:

- a. That it is expressly understood that Karnes County does not grant any right, claim, title, or easement in or upon the County right of way.
- b. The temporary waterline will be laid on the surface, as close to the edge of the County Road right of way or fence line, as is possible.
- c. Where necessary, Company agrees to remove, and dispose of, at its own expense, brush, debris, and other impediments when installing the temporary water line. Company also agrees to mow or maintain County right of way until temporary water line is removed.
- d. Company will cross a County Road right of way, or culvert, only with the permission of the County Road and Bridge Department. Temporary water lines crossing a roadway may use existing drainage structures. If no existing drainage structure is available, applicant shall bore under the roadway using a steel casing.

Open cuts of the roadway will not be permitted. If a bore is use, a separate crossing permit is required, contact the County Permit Clerk. If an existing drainage structure is used to cross a roadway, the following is the allowable number and size pipe for each drainage structure. This information shall also be shown on the attached location map.

24" drainage structure:	one 8" or one 10" temporary water pipe(s).
36" drainage structure:	three 8", two 10", or one 12" temporary water pipe(s).
48" drainage structure:	four 8", three 10", or two 12" temporary water pipe(s).

- e. The temporary water line shall not be laid or maintained by the Company in such manner as to interfere with the use, construction, maintenance or repair of roads, or utilities, and in the event it shall develop, that the line, in the opinion of the Road and Bridge Department, or his designee, in any manner interferes with the use, construction, maintenance or repair of any existing road, or utility, because of the depth at which the same has been laid, or for any other reason, the Company, upon request of the Road and Bridge Department Foreman(s) or Engineer shall promptly change or alter, at Company's sole expense, the temporary water line, in such manner that the same will no longer interfere with such construction, maintenance or repair.
- f. Company will not maintain any pump, switch, storage facility, or anything else, except the above described temporary water line, in the County Road right of way.
- g. Karnes County may require Company to relocate, or to permanently or temporarily remove the temporary waterline when deemed necessary, for any reason, by Karnes County, by giving 5 day's notice.
- h. Karnes County may require Company to relocate, or to, permanently or temporarily, immediately remove the temporary waterline, if adverse weather, or other factors, create an emergency condition, or if, in the opinion of the Road and Bridge Department, the Company is in any way in violation of this permit.
- i. That the temporary waterline be maintained in such a manner that is acceptable to the Road and Bridge Department Engineer, or his designee.
- j. Adequate signs, barricades, flares, flagmen, etc., shall be maintained as necessary to protect the traveling public during installation, moving, maintenance, or any other situation and or emergency that may arise. Company shall comply with the Texas Manual of Uniform Traffic Control Devices.

- k. Company must not interfere with the free and safe flow of traffic, along the County Road right of way, or to and from driveways. All driveways shall be crossed by using road crossings. The intent is to not cause damage to a driveway. The traveling surface of the road crossing must extend the entire width of the driveway.
- l. When operations are immediately adjacent to the County Road right of way, all equipment should be parked and/or operating on one side of the roadway only.
- m. Operations will be postponed when the ground conditions are such that operations within the County Road right of way would, in the opinion of the Road and Bridge Department, cause extensive rutting and/or tracking of mud onto the roadway surface.
- n. Company agrees to indemnify and hold County harmless from any personal injury, property damage, subservient estate, mineral estate related claims, or other tort claims, against County, its officers, agents or employees, that result from Company's operations under this permit, or the County's action in granting this permit, **EVEN IF SUCH CLAIMS RESULT IN WHOLE OR PART FROM THE NEGLIGENCE (INCLUDING FAILING TO TAKE AN ACTION REQUIRED BY THE TEXAS UTILITY CODE) OF COUNTY, ITS OFFICERS, AGENTS OR EMPLOYEES, OR FROM THE INTENTIONAL CONDUCT OF THE OF COUNTY, ITS OFFICERS, AGENTS OR EMPLOYEES, IN RELOCATING, OR REMOVING, THE LINE, OR ANY ASSOCIATED EQUIPMENT, OR MATERIAL, IF AN EMERGENCY CONDITION EXISTS, OR IF COMPANY IS, IN THE OPINION OF THE ROAD AND BRIDGE DEPARTMENT, OR THE ROAD AND BRIDGE DEPARTMENT'S DESIGNEE, IN VIOLATION OF THIS PERMIT, OR IF COMPANY HAS NOT COMPLIED WITH A STOP WORK ORDER, OR IF COMPANY HAS NOT COMPLIED WITH A NOTICE TO REMOVE, OR RELOCATE, THE TEMPORARY WATERLINE, OR OTHER OBJECTS PLACED IN THE COUNTY ROAD RIGHT OF WAY.**
- o. Company agrees to release the County, its officers, agents and employees, any utility, or the officers, agents and employees of such utility, and any emergency services organization, or emergency services personnel, operating on behalf of the County, from any and all claims for damages done to Company's property, during emergency operations, road maintenance operations, or utility installation, removal or maintenance operations.
- p. Company will promptly and fully reimburse the injured party for any damage to utility lines, utility property, or other real or personal property, or personal injury, arising out of the installation, use or removal of the temporary waterline.

- q. Company will submit with this application a current Certificate of Insurance in the amount of not less than \$1,000,000 and a certificate of Workers Compensation insurance. Company will insure, and shall demonstrate to the County, that such insurance remains in full force and effect, while any operations continue under the permit. Such insurance policy will list Karnes County as an additional insured.
- r. The permit, if granted, will give Company permission to conduct allowed operations within County Road rights of way only, and does not authorize Company to conduct any operations on other property.
- s. Company shall arrange an onsite inspection of the proposed route of the temporary water line, by the Road and Bridge Department, before approval may be granted.
- t. Company shall notify the Road and Bridge Department at least 48 hours before any operations begin under this permit.
- u. Posting of Permit. A copy of the permit, including the full Application, shall be posted, in a rain proof form, at the jobsite, before any work is begun, and shall remain posted until after all operations have been completed. If the line runs along the County Road right of way for more than 100 feet, additional copies of the permit shall be posted at each location where the line enters, or leaves, the County Road right of way.
- v. Education about Permit: Company shall insure that all of its employees, agents, contractors, and sub-contractors, are familiar with all terms of the permit.
- w. Issuing Stop Work Order. If, at any time the Road and Bridge Department, or the designee of the Road and Bridge Department, believes that Company is in violation of the terms of the permit, he may issue a Stop Work Order. A Stop Work Order shall be in writing, shall include the date, and time, it was issued, shall describe generally the violation, and shall include the name, and telephone number, of the Road and Bridge Engineer or Foreman who is empower to release it. The Stop Work Order shall be either delivered personally to the Company representative at the job site, or to any employee, or agent, of the Company, or any contractor, or subcontractor, present at the job site. If no one is present, or will accept the Stop Work Order, a copy will be sent by certified mail return receipt requested and electronic mail to the addresses listed below.
- x. Effect of Stop Work Order. No work, except emergency operations designed to protect human life, or property, shall take place under the permit, until the Stop Work Order is released.

- y. Release of Stop Work Order. When the Company has presented a satisfactory plan to the Road and Bridge Department, or the designee of the Road and Bridge Department, to remediate the violation, both the Company, and the Road and Bridge Department, or his designee, shall sign a Release of Stop Work Order that allows operations to resume under the permit.
- z. The provisions about Stop Work Orders, and Release of Stop Work Orders, do not in any way impair the County's right to take any action under any other section of the permit.
- aa. Revocation of Permit. The County may revoke the permit at any time for failure to pay permit fees, failure to comply with any sections of this permit application, failure to maintain insurance, or any other violation which may arise regarding the temporary water lines.
- bb. Company shall by \_\_\_\_\_(mm/dd/yyyy) remove the temporary water line, not to exceed ninety days from date of permit issuance. Company shall restore the right-of-way to its original condition, free of any damage, including ruts or any injury to vegetation, except that brush, debris and other impediments need not be restored. Any costs incurred by the County for replacement signs, delineators, etc., for the removal of debris, or for any other necessary restoration work performed by the County to place the County right-of-way into a condition equal to that prior to survey operations will be billed to the company at cost.
- cc. "Company" includes the Company, and all officers, agents, employees, contractors and sub-contractors, and its heirs, assigns and successors.
- dd. Renewal of temporary water line permit. In the event Company anticipates exceeding the ninety day issuance of the temporary water line permit, the Company shall apply to renew permit with the Road and Bridge Department. The renewal notice must be submitted to the Road and Bridge Department no later than ten days (10) before the expiration of the existing permit. If all information in existing permit remains the same, Company shall just sign declaration page certifying to all information in previous application. In the event information from original application has changed, Company shall be required to complete application again in full.
- ee. Renewal Fees and Insurance. In the event Company applies for a renewal of the existing permit, Company shall provide at time of renewal notice an updated Certificate of Insurance and shall submit the renewal fees as listed below.

2) On the attached maps (two copies for the Road and Bridge Department in which Applicant seeks a permit), Company has:

- a. Outlined the general area of proposed operations
- b. Highlighted, in color, the county right of way(s) to be used.
- c. Labeled each County Road with its road number, or name.
- d. List all driveways the temporary water line will cross.

3) On the attached list(s), Company has listed in alpha-numerical order each County Road where company plans to lay temporary water lines.

4) The application fee is \$1,000.00, for temporary water lines occupying up to one mile of County Road right of way, plus \$500.00 for each additional mile, or portion of a mile. If Company has installed any portion of the proposed temporary waterline on a County Road right of way without an approved permit, the application fee is \$6,000.00, plus \$500.00 for each additional mile, or portion of a mile.

5) The renewal fee is \$1,000.00, for temporary water lines occupying up to one mile of County Road right of way, plus \$500.00 for each additional mile, or portion of a mile. The renewal fee is due ten days prior to the expiration of the existing permit.

6) Violation of permit requirements. In the event Company fails to perform permit requirements as listed above, when the Company applies for ANY application or renewal permit for ANY right of way, the Company shall receive penalties as follows :

**ADMINISTRATIVE PENALTY :**

- 1. Failure to place required signs as required. up to \$500.00
- 2. Failure to repair water leaks within 24 hours of notification. up to \$500.00
- 3. Failure to remove pipe and other materials when complete. up to \$500.00
- 4. Failure to mow and maintain ROW. up to \$500.00

**ADDITIONAL ADMINISTRATIVE PENALTIES :**

- 1. Failure to place required signs as required. up to \$1,000.00
- 2. Failure to repair water leaks within 24 hours of notification. up to \$1,000.00
- 3. Failure to remove pipe and other materials when complete. up to \$1,000.00
- 4. Failure to mow and maintain ROW. up to \$1,000.00

7) Permit application, supporting documentation, and fee are to be submitted to the Karnes County Special Projects Office, 210 W. Calvert Ave. Suite 155, Karnes City, Texas 78118. Incomplete applications will not be accepted.

**PERMIT # \_\_\_\_\_ (FOR COUNTY USE ONLY)**

**CONTACT PERSON FOR PERMIT APPLICATION**

Questions regarding the Temporary Waterline Permit Application should be addressed to:

Print or type name \_\_\_\_\_

Office Telephone \_\_\_\_\_

Title Office Fax \_\_\_\_\_

Cell Phone \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Email Address \_\_\_\_\_

PERMIT # \_\_\_\_\_ (FOR COUNTY USE ONLY)

**PRIMARY 24 HOUR CONTACT PERSON(S) FOR EMERGENCIES**

During the period of operation under the permit, Karnes County may contact this agent of Company at any time:

Print or type name \_\_\_\_\_  
Office Telephone \_\_\_\_\_  
Title Office Fax \_\_\_\_\_  
Cell Phone \_\_\_\_\_  
Address \_\_\_\_\_  
City, State, Zip \_\_\_\_\_  
Email Address \_\_\_\_\_

**SECONDARY 24 HOUR CONTACT PERSON(S) FOR EMERGENCIES**

During the period of operation under the permit, Karnes County may contact this agent of Company at any time the primary contact cannot be reached:

Print or type name \_\_\_\_\_  
Office Telephone \_\_\_\_\_  
Title Office Fax \_\_\_\_\_  
Cell Phone \_\_\_\_\_  
Address \_\_\_\_\_  
City, State, Zip \_\_\_\_\_  
Email Address \_\_\_\_\_



PERMIT # \_\_\_\_\_ (FOR COUNTY USE ONLY)

SUBMITTED this the \_\_\_ day of \_\_\_\_\_, 20\_\_.

**SWORN TO, SUBSCRIBED, AND ALL TERMS AND CONDITIONS AGREED TO:**

Print or type name \_\_\_\_\_

Office Telephone \_\_\_\_\_

Title Office Fax \_\_\_\_\_

Cell Phone \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Email Address \_\_\_\_\_

**THE STATE OF TEXAS** §

**COUNTY OF** \_\_\_\_\_ §

BEFORE ME, the undersigned authority on this day personally appeared \_\_\_\_\_ (Name), \_\_\_\_\_ (Title) known to me to be the person and officer who is subscribed to the foregoing instrument and acknowledge to me that the same was the act of \_\_\_\_\_ (Company) of \_\_\_\_\_ (City and State) for the purposes and consideration therein expressed and in the capacity therein stated. Given under my hand and seal of office this \_\_\_ day of \_\_\_\_\_, 20\_\_ .

\_\_\_\_\_  
Notary Public Signature

**ROAD AND BRIDGE REVIEW**

I have reviewed the foregoing Application, and I:

- Approve. Company may conduct the operations described in the permit application, subject to the rules and conditions in the permit application.
- Do not approve, because \_\_\_\_\_

\_\_\_\_\_  
Road and Bridge Department