

## UTILITY USE OR RIGHT-OF-WAY PERMIT APPLICATION

STATE OF LOUISIANA  
PARISH OF CALCASIEU  
CITY OF SULPHUR  
DIRECTOR OF PUBLIC WORKS PERMIT

Serial No. \_\_\_\_\_

WHEREAS: \_\_\_\_\_  
(Name of Applicant)

Hereinafter termed the applicant, requests permission and authority to construct, operate, and maintain the following described property:

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In the right-of-way of City Street or Public Road in the City of Sulphur, Louisiana, located as follows:

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**NOTICE: A sketch of location needs to be submitted with permit.**

Subject to the following restrictions:

First: That the rights and privileges granted herein shall be nonexclusive.

Second: That all fixtures and appurtenances thereto, after having been erected, shall at all times be subject to inspection and the right is reserved to require such changes, additions, repairs and relocations to be made as may at any time be considered necessary to permit the relocation, reconstruction, widening, improving and maintaining of the street or public road and to provide proper and safe protection to life and property on or adjacent to the street or public road, or in the interest of safety to traffic on the street or public road, and that the cost of making such changes, additions, repairs and relocations shall be borne by the applicant.

Third: That the proposed facilities or their operation or their maintenance shall not unreasonably interfere with the facilities or the operation or maintenance of the facilities of other persons, firms or corporations previously issued permits of use and occupancy, and that the proposed facilities shall not be dangerous to persons or property using or occupying the street or public road or using facilities constructed under previously granted permits of use and occupancy.

Fourth: That clearances, types of construction and other specifications shall be in accordance with the provisions of the National Safety Code for supply and communication lines, and for all other facilities, and shall be in accordance with accepted standard practice.

Fifth: That data relative to the proposed location, relocation and design of fixtures or appurtenances as may be required by the director of public works shall be furnished to the director of public works by the applicant free of cost, and that the applicant shall make any and all changes or additions necessary to make the proposed fixtures and appurtenances thereto satisfactory to the director of public works.

Sixth: That the falling or trimming of trees and shrubs on the street or public road right-of-way is expressly prohibited.

Seventh: That the applicant agrees to hold harmless the city and it's duly appointed agents and employees against any action for personal injury or property damage sustained by reason of the exercise of this permit.

Eighth: That the standards for installations or construction on streets or public roads that are printed on this form shall be strictly adhered to and that if none of these apply, these standards and specifications as do apply shall be attached to and become a part of the application for permit and the amount of guarantee deposit required to ensure the satisfactory completion of the work shall be fixed by the director of public works.

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This permit is hereby accepted and its provisions agreed to this: \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signed: \_\_\_\_\_  
(Owner)

Address: \_\_\_\_\_

Amount of guarantee deposit accompanying application: \_\_\_\_\_

Permit granted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Subject to the following conditions:

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CITY OF SULPHUR, LOUISIANA

By: \_\_\_\_\_  
Director of Public Works or Superintendent

NOTIFY THE DIRECTOR OF PUBLIC WORKS OR SUPERINTENDENT OF PUBLIC WORKS AT LEAST TWO (2) DAYS BEFORE THE ACTUAL CONSTRUCTION WILL START, IN ORDER THAT HE MAY HAVE A REPRESENTATIVE ON THE GROUND TO SEE THAT WORK IS DONE IN ACCORDANCE WITH ARTICLE II OF CHAPTER 17 OF CODE OF ORDINANCES OF THE CITY.

(Code 1960, 11-16)

## ARTICLE II. - UTILITY USE OR RIGHT-OF-WAY REGULATIONS

### **Sec. 17-16. - Permit—Required; fee.**

Before any person shall be allowed to use the city streets, roads, sidewalks, lanes, alleys, avenues, or rights-of-way for the purpose of traversing or crossing any of them with any oil, gas, water, sewerage, or any other pipeline, communication line, or other similar line, or for the purpose of installing any supply or communication lines and pipelines or any other similar line on, across or under any of them, the applicant shall secure a permit from the city council through the director of public works to do so, and the use shall be subject to the rules and regulations imposed in this article. The city shall charge a fee of ten dollars (\$10.00) for each permit so granted.

(Code 1970, § 11-15)

**State Law reference—** Permit and deposit for excavation on state highways, R.S. 48:381.

### **Sec. 17-18. - Same—Penalty for failure to obtain.**

Any person who uses any city street, public road, sidewalk, lane, alley, avenue, or right-of-way for the purposes specified in this article, without first securing a permit as set out in this article, shall be punished as provided in section 1-11 for each violation as a separate offense.

(Code 1970, § 11-17)

### **Sec. 17-19. - Piping installation standards.**

The standards for the installation of pipelines on city streets, roads and rights-of-way shall be as follows:

#### **(1) General.**

- a. All materials and workmanship shall conform to accepted standards practices.
- b. All safety precautions for the protection of the traveling public must be observed. Undue delay to traffic will not be tolerated.
- c. All excavations within the limits of the right-of-way shall be backfilled and tamped in six-inch layers. Where sod is removed or destroyed, it shall be replaced. Where it is necessary to make excavations in the shoulders, the top six (6) inches of backfill shall be sand, clay, gravel or equivalent.
- d. Protruding valves and other fittings shall not be installed at any point within the back of side ditches of the streets or public roads.
- e. A guarantee deposit to ensure the satisfactory completion of the work shall accompany the application for permit. This deposit shall be in the form of a certified check made payable to the city. The amount of the guarantee deposit shall be calculated in accordance with schedules given below. No inspection fee is charged and the guarantee deposit will be refunded promptly upon receipt of notice from the director of public works that the work has been satisfactorily completed.
- f. It shall be the duty of the permittee to restore the street, sidewalk, avenue, lane, alley or right-of-way to the original condition within such reasonable time as the director of public works shall order and such restoration shall be done in a good and workmanlike manner and to the satisfaction of the director of public works. In the event of the refusal or neglect by the permittee to make the repairs in not less than two (2) days and not more than ten (10) days from the date permittee is notified by the director of public works as he shall direct, the director of public works shall cause the repairs necessary to restore the

proper grade and original condition of the street, sidewalk, avenue, lane, alley, or right-of-way to be made and the cost of the repair shall be deducted from the guarantee deposit of permittee.

- g. If the deductions from the guarantee deposit on this account exceed sixty (60) percent of the total amount deposited, the permission herein provided shall automatically terminate unless and until the permittee deposits an additional sum to bring the guarantee deposit up to the amount originally required in the application.

(2) Parallel to the street or public road. Pipelines paralleling the street or public road:

- a. Shall occupy the last two (2) feet of the right-of-way back of the ditch except where, upon showing of actual necessity, a permit is issued for another location;
- b. Shall have a minimum earth cover of eighteen (18) inches;
- c. Shall have a minimum clearance of eighteen (18) inches below existing or proposed drainage structures.