

ENCROACHMENT PERMIT GENERAL PROVISIONS

1. **NOTICE PRIOR TO STARTING WORK:** Before starting the work contemplated, the Department shall be notified 24 hours in advance so that a representative may be present while the work is underway.
2. **PERMIT SUBJECT TO INSPECTION:** This permit shall be kept at the site of the work at all times while said work is underway and must be shown to any representative of the Department or law enforcement officer on demand.
3. **PROTECTION OF PUBLIC:** Adequate provisions shall be made for the protection of the public at all times. Where applicable, necessary detours, barricades, warning signs, and flagmen shall be provided by and at the expense of the permittee and shall be in accordance with the South Carolina Manual on Uniform Traffic Control Devices. The work shall be planned and carried out so that there will be the least possible inconvenience to the public. The permittee agrees to observe all rules and regulations of the Department while carrying on the work contemplated herein and take all other precautions that circumstances warrant.
4. **STANDARDS OF CONSTRUCTION:** All work shall conform to approved plans and recognized standards of construction and shall be performed in a workmanlike manner. Adequate provisions shall be made for maintaining proper drainage. All work shall be subject to the supervision and satisfaction of the Department.
5. **FUTURE MOVING OF PHYSICAL APPURTENANCES:** If, in the opinion of the Department Director, it should ever become necessary to move or remove the physical appurtenances, or any part thereof contemplated herein, on account of repair of drainage facilities, change in location of the roadway, widening of the roadway, or for any other sufficient reason, such relocation shall be done on demand of the Department at the expense of the permittee.
6. **RESTORATION OF ROADWAY AND/OR FACILITIES UPON MOVING OR REMOVING OF PHYSICAL APPURTENANCES:** If, and when, the physical appurtenances contemplated herein shall be moved or removed, either on the demand of the Department or at the option of the permittee, the roadway and/or facilities shall immediately be restored to their original condition at the expense of the permittee.
7. **COSTS:** All work in connection with the construction, maintenance, moving or removing of the physical appurtenances contemplated herein shall be done by and at the expense of the permittee.
8. **PERMITTEE:** The word "Permittee" used herein shall mean the name of the person, firm, corporation, or public utility to whom this permit is addressed, as well as his/her/its, heirs, successors and assigns.
9. **PERMISSION OF ABUTTING PROPERTY OWNERS:** It is distinctly understood that this permit does not in any wise grant or release any rights lawfully possessed by the abutting property owners. Any such rights necessary shall be secured from said abutting property owners by the permittee.
10. **UTILITY WORK:**
 - a) Work shall be performed in accordance with the SCDOT's "A Policy for Accommodating Utilities on Highway Rights-of-Way."
 - b) Poles/posts shall be placed at the distance from the centerline of right of way or easement as specifically stipulated herein.
 - c) All tunneling, boring, or jacking shall be done in such a way as not to disturb the roadway surfacing.
 - d) No pavement shall be cut unless specifically authorized herein.
 - e) No excavation shall be nearer than three feet to the edge of pavement unless specifically authorized herein.
 - f) Underground facilities will be located at minimum depths as defined in the Utility Accommodations Manual for the surfaces – 30 inches minimum for power and communication lines and 36 inches for all other facilities.
 - g) Service and other small diameter pipes shall be jacked, driven or otherwise forced underneath the pavements on any
 - h) Warning tape shall be placed directly over all water lines, sewer lines, force mains, power lines, and fiber optic lines at a depth of 18 inches below the finish surface grade.
 - i) No road may be closed unless specifically authorized herein.
11. For the purpose of this permit, the word "Department" shall mean the Berkeley County Department of Roads and Bridges.
12. The permittee shall be responsible for obtaining any other approvals or permits necessary for installation.
13. Permittee is responsible for maintaining reasonable access to private driveways during construction.
14. **BEAUTIFICATION WORK:**
 - a) All trees, plants, flowers, etc., shall be placed in accordance with the provisions specifically stipulated herein.
 - b) All trees, plants, flowers, etc., shall be cared for by and at the expense of the permittee and the provisions of this permit shall become null and void if and when permittee ceases to properly care for said trees, plants, flowers, etc.
15. There shall be no excavation of soil nearer than two feet of any public utility line or appurtenant facility except with the consent of the owner thereof, or except upon special permission of this Department after an opportunity to be heard is given the owner of such line or appurtenant facility.
16. Privacy fences must be a minimum of 3" above finished grade and at least 3 feet from drainage structures within easements.