

PERMIT FOR BREAKING SOIL OF HIGHWAYS

PERMISSION IS HEREBY GRANTED under Section 47 of the Public Highways Act (see reverse) in respect of application:

SEWER WATER CABLE DRIVEWAY OTHER _____

TYPE OF SURFACE WORK IS BEING CARRIED OUT ON (i.e. asphalt/concrete/gravel etc.) _____

NAME OF ROAD _____ NAME OF VILLAGE/RANGE OF CIVIC #'S _____

Distance _____ (Km) _____ From _____
(Enter North, South, East, West) (Nearest intersection, bridge, or other definite point on the highway)

Subject to the Control and Supervision of the Area Manager or Construction Manager.

CONDITIONS: Holder of Permit shall:

1. Save and hold harmless the Department of Transportation and Infrastructure Renewal (TIR) against any and all claims for personal injury and/or property damage of whatsoever nature, both during and after the execution of the work covered by this Permit, where, in the opinion of TIR, any such claim arises from the execution of the work.
2. If Manual 23, Chapter 8, Section 7 does not apply, then a deposit of not less than \$10.00 per metre of excavation is required by TIR or such deposit as deemed by TIR. The deposit required is _____. Receipt Number _____ (Certified Cheque or Money Order)
3. Bear ALL damage costs during the laying of the pipe or cable or other work undertaken to the road shoulders, ditches, culverts, pavements and other installations and all subsequent damage costs to the highway that are, in the opinion of TIR, attributable to the work under the permit.
4. Bear ALL damage and repair costs to private property or access that, in the opinion of TIR are attributable to the work described above.
5. Bear ALL costs and relocation of the pipe, cable or damage to other TIR installations whenever required by TIR.
6. Bear ALL costs during the work described above in connection with:
 - (a) all claims for damages due to accidents
 - (b) direction of all traffic, including barricades, lights, signs and supply of properly equipped and qualified Traffic Control Persons.
 - (c) protection of all traffic according to the Nova Scotia Temporary Work Place Traffic Control Manual.
 - (d) maintaining road surface and ditches adjacent to project.
 - (e) inspection charges.
7. Provide that backfill material placed in the sections of trenches that are under the road or under the road shoulder contain no stones over 160 mm in largest dimension from a point two diameters above the said pipe until the existing grade is reached; all such backfill is to be vibratory tamped in layers of 160 mm, the top two 160 mm layers of which is to be composed of clean gravel containing no stones over 80 mm in largest dimension.
8. Provide that upon completion of the work, the road shoulder shall be left in a neat condition and dressed with gravel containing no stones of 20 mm in largest dimension.
9. Carry out the work without interruption of highway traffic and provide the Area Manager or TIR Supervisor with a schedule of the work.
10. Carry out the work in every respect satisfactory to TIR.
11. Carry out the maintenance of the project in a manner satisfactory to TIR.
12. Repave immediately or when applicable, maintain the backfilled excavation to the satisfaction of TIR until such time as the excavated trench is repaved at 160 kg/m² or such thickness as to match the existing pavement, which ever is greater.
13. No more than 120 metres of road way to be opened at one time.
14. Applicant will notify _____ at _____ at least _____ hours before work is to commence. This is required to organize inspection of the work site during construction. For driveway installations applicant will notify _____ at _____ when driveway is completed to TIR specifications so a final inspection can be scheduled.
15. Meet conditions detailed in covering letter dated _____ 20____.

This permit may be cancelled at any time.

Dated at _____, Nova Scotia, this _____ day of _____, 20 ____.

I hereby agree to the above conditions:

APPLICANT _____

MAILING ADDRESS _____

DAYTIME TELEPHONE # _____

<p>APPROVED:</p> <p>Dated _____, 20 ____</p> <p>_____</p> <p style="text-align: center;">AREA MANAGER FOR MINISTER OF TRANSPORTATION AND INFRASTRUCTURE RENEWAL</p>

Extract From Public Highways Act, Chapter 371 of the Revised Statutes 1989, as amended by 1994-95.

Section 47:

(1) No person shall break up the soil of a highway without first making application in writing to a person employed in the public service of the Province in the Department of Transportation and Communications, specifying the purpose for which it is required to so break up the soil, and obtaining his permission therefor in writing.

(2) The person designated by the Minister pursuant to subsection (1) may impose such terms upon the person applying as he considers necessary for the protection of persons using the highway and for the prevention of damage to the highway or to other property.

(3) Any person who breaks up the soil of a highway without such permission, or in contravention of the terms imposed, is liable to a penalty of not more than one hundred dollars, and in default of payment to imprisonment for not more than thirty days. R.S., c. 371, s. 47; 1994-95, c. 16, s. 5.