

**THOMAS COUNTY**  
**P.O. BOX 920**  
**THOMASVILLE, GA 31799**

**APPLICATION AND PERMIT FOR UTILITY FACILITY ENCROACHMENT**

Application is hereby made to Thomas County by:

\_\_\_\_\_  
(Utility Owner – Name, Address, and Phone Number)  
\_\_\_\_\_

for permission to construct, operate and maintain the following described utility facility within the public right-of-way of

County Road Name \_\_\_\_\_ County Road No. \_\_\_\_\_ in Thomas County.

DESCRIPTION: \_\_\_\_\_  
\_\_\_\_\_

LOCATION: \_\_\_\_\_  
\_\_\_\_\_

The utility facilities covered hereby shall be installed in accordance with the plans attached hereto and made a part hereof. Applicant agrees to comply with and be bound by the County's UTILITY CONTROL ORDINANCE on file in the County Commission Office, Courthouse, 225 North Broad Street, made a part hereof by reference, and **all general provisions and special provisions shown on the reverse hereof**, or attached hereto, during the installation, operation and maintenance of said utility facilities within the public right-of-way.

Permit requested this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. BY: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Typed Name Title/Phone Number

\_\_\_\_\_  
Witness to signature

Permission is granted for the above described utility facility encroachment in accordance with the plans and provisions hereof. This permit is to be strictly construed and no work other than that specifically described above is hereby authorized.

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

THOMAS COUNTY, GEORGIA

\_\_\_\_\_  
Reviewer BY: \_\_\_\_\_

## GENERAL PROVISIONS

It is expressly stipulated that this permit is a license for permissive use only and the placing of facilities upon public property pursuant to this permit shall not operate to create or vest any property right in the holder.

Whenever necessary for the construction, repair, improvement, maintenance, safe and effective operation, alteration or relocation of all or any portion of the road, as determined by the County, any or all of said facilities and appurtenances authorized hereunder shall be immediately removed from the right-of-way, or reset or relocated thereon, as required by the County Manager, and at the sole expense of the permittee unless reimbursement is authorized by separate agreement. Should the permittee fail to remove or relocate its facilities, upon due notice from the County, permittee shall be liable for any extraordinary costs or damages incurred by the County as a result thereof.

Applicant agrees to indemnify and hold harmless the County and all officers, employees or agents of the County against any and all claims, damages, demands, actions, causes of action, costs and expenses of whatsoever nature, which may result from any injury to, or the death of, any persons or from the loss of, or damage to, property of any kind or nature, when such injury, death, loss or damage arises out of the construction, operation, maintenance, repair, removal, or relocation of the facilities covered by this permit.

The County, its engineers, officers of employees, shall not be held responsible or liable for injury or damage that may occur to facilities covered by this permit, or to any connection or connections thereto, by reason of road maintenance and construction activities or road contractor or permittee operations. The County's contractor shall not be held liable for any damage that may occur to utility facilities if the permittee has been notified of a construction conflict and given reasonable time to mark or relocate its facilities but has failed to do so.

If the County undertakes to improve this road, it shall be the responsibility of the permittee to plan with the County and its contractor a schedule which will clearly set forth at which stage of operations the permittee will be required to perform any adjustment to facilities necessary to accommodate the road improvements.

During the initial installation or construction of facilities authorized by this permit, or during any future repair, removal or relocation thereof or any miscellaneous operations, the permittee shall, at all times, maintain flagmen, signs, lights, flares, barricades and other safety devices in accordance with the Thomas County Utility Control Ordinance any as may be necessary to properly protect traffic upon the highway and to warn and safeguard the public against injury or damage.

It is the applicant's responsibility to verify the limits of public right-of-way for location of the utility facilities authorized hereby.

No inherent or retained right or privilege of any abutting property owner is affected by this permit nor is the County responsible for any claim which may develop between the permittee and any property owner concerning use of the right-of-way. Permittee is responsible for maintaining reasonable access to private driveways during installation of its facilities and for restoration of driveways to the owner's satisfaction.

Approval of this permit does not constitute approval of design of construction details for the proposed facilities. Applicant is responsible for compliance with all applicable governmental codes and regulations.

Permittee shall give the County a minimum of 24 hours notice prior to beginning any work under this permit.

This permit shall be void unless work hereunder is begun within twelve (12) months of the date of its approval

The provisions of this permit are regulatory and not contractual. No interest or right of an applicant granted by this permit may be transferred to another except by written consent of the County.

This permit may be revoked at the pleasure of the County upon ten (10) days written notice to the permittee.

### **Installation completed by contractor**

The installation covered by this permit has been completed in accordance with the provisions of the permit and the plans attached hereto.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_