



GENERAL TERMS AND CONDITIONS for
RIGHT OF WAY PERMIT
TYPE 4 – ROAD CLOSURE

1. This permit is issued by the City and is subject to Happy Valley Municipal Code Chapters 12.04, *Road Standards* and Chapter 12.05 *Utility Facilities in Public Rights-of-Way*, the City's *Engineering Design and Standard Details Manual*, the construction plans and the terms and conditions contained herein and/or attached hereto, as accepted and approved by Applicant.
2. This permit is intended to permit closure of the street only and does not cover excavation or construction of facilities. As separate right of way permit is required for such activities.
3. As used in this permit:
 - "Applicant" means person, agent, firm or corporation requesting temporary use/activity within the public right of way.
 - "Property Owner" is any person, agent, firm or corporation having a legal or equitable interest in the adjacent property for which the permitted activity is occurring.
 - "City" means the City of Happy Valley.
 - "Design Manual" means The City of Happy Valley Engineering Design and Standard Details Manual.
4. Availability of Permit - A copy of the permit including a Certificate of Insurance, approved construction plans, details and amendments shall be readily available and on site at all times. All work shall conform to special terms and conditions of this permit, the approved permit plans, approved plan amendment (if applicable), to the City's standards and specifications and to these General Conditions.
5. Bonding & Insurance - Unless waived, the applicant shall provide proof of insurance and bonds as required by HVMC 12.04.100, 12.05.150 and/or 16.50.080. The City of Happy Valley, its councilors, officers, agents, and employees shall be named additional insured using the appropriate endorsement. Owner/Applicant and Contractor's insurance shall be primary and noncontributory coverage.
6. Liability & Injury - The Applicant shall be responsible and liable for all accidents, environmental clean-up, damages or injuries to any person or property resulting from the construction, maintenance, repair, operation or use of a facility for which the Applicant may be legally liable. The Applicant shall defend, indemnify and hold the City and its officers, employees, agents and representatives harmless from and against any and all damages, claims, demands, actions, causes of action, costs and expenses of whatsoever nature which they or any of them may sustain by reasons of the acts, conduct or operation of the Applicant, his agents or employees in connection with the construction, maintenance, repair, operation or use of said facility.
7. Permit Expiration - **This permit is valid for the length of time as stated in the special conditions of this permit.**

NOTIFICATIONS & INSPECTIONS

8. Inspection Requests/Notification shall be provided as follows:
 - PRIOR to start (48 Hours).
 - FOLLOWING project completion for restoration inspection and closeout.
9. Notification to other agencies - If any of the following agencies will be affected by the permitted work provide advanced notification as indicated below:
 - North Clackamas School District Transportation 503.353.6150 (48 hours).
 - Non-Emergency Services 503.655.8211 (24-Hours).
 - City of Happy Valley Code Enforcement 503.783.3800 (48 hours).
 - Clackamas County Fire District 503.742.2606 (48 hours).
 - Tri-Met 503.353.6000 (24 hours).

TRAFFIC

10. Traffic Control Plan (TCP) - Applicant must submit a TCP with the application for a review. Applicant must comply with a job specific TCP and shall at all times ensure the presence of workers, tools, materials, flaggers, barricades and other safety devices are placed properly to protect bicyclists, pedestrians, construction personnel and vehicular traffic.

A copy of the traffic control plan shall be readily available at the work area. **Traffic control devices, flag persons, etc., shall be in place prior to initiation of construction and shall be effectively maintained throughout the duration of the project.** Traffic control shall be in accordance with the current editions of the "Manual on Uniform Traffic Control Devices [MUTCD] for Streets and Highways", U.S. Dept. of Transportation, FHWA, American Traffic Safety Services Association [ATSSA], and Oregon Temporary Traffic Control Handbook [OTTCH]. All traffic control personnel shall have proper state of Oregon certification and be able to provide it to inspection representative if/when requested.
11. Property & Property Owner Access - Access to existing properties shall be maintained at all times, including delivery and mail service.
12. Emergency Access - Access for emergency vehicles must be provided at all times.

WORKSITE

13. Damages - Streets, curbs, sidewalks, striping and/or other facilities and/or structures within the right of way deemed by City Inspector as damaged by the operations of this closure shall be replaced in accordance with City of Happy Valley standards. All repair shall be at the Applicants expense.