

Road Occupancy Permit Terms and Conditions

City of Oshawa

1. The Applicant agrees that the Contractor named on this Permit is acting as an agent on behalf of the Applicant.
2. The provisions of this permit are authorized under the City of Oshawa Road Occupancy By-law as amended.
3. An application for a permit shall be completed and returned not later than Ten (10) working days prior to the closure or occupancy of arterial or collector roads and/or closure or occupancy of a sidewalk on arterial and collector roads and Four (4) working days prior to the closure or occupancy of a local road and/or closure or occupancy of a sidewalk on a local road.
4. This notice is exclusive of Saturdays, Sundays, and holidays. Where the project requires amendment of a Traffic By-law, 8 weeks notification is required. This permit must be retained for inspection at the work site.
5. When the Region of Durham or a utility or public service company closes or occupies a highway as a result of an emergency, telephone notice shall be given immediately to the City and on the next working day application for a permit as required by this By-law shall be made.
6. When conditions or unforeseen difficulties require a longer period for completion than is indicated on the permit, the Applicant shall notify the City of the additional time required and the reason therefore.
7. The City shall, when required on behalf of the Applicant, notify emergency service and transportation agencies. Any required public advertisement shall be at the Applicant's expense.
8. The Applicant or Contractor named on this Permit must notify in writing to not only directly affected residents and business owners, but also nearby residents and business owners providing the name of the Applicant and Contractor / utility where applicable including a contact phone number. The notification must specify the location and the anticipated timeframe for the sidewalk and/or road closure. Specifically, notification would be given to residents and business owners not only along the side of the block affected, but also along the opposite side of the affected block. Notification would be hand delivered by the Applicant or Contractor named on this Permit.
9. Applicant or Contractor named on this Permit must provide notification a minimum of
 - Five (5) working days prior to the anticipated sidewalk closure and/or full road closure on arterial and collector roads
 - Two (2) working days prior to the anticipated sidewalk closure and/or full road closure on a local road
10. The cost of undertaking this notification is borne entirely by the Applicant.
11. All barricades, signs, and signals required to direct or guide pedestrian or motorist around the work site when required shall be erected and maintained by the Applicant in accordance with the Ontario Traffic Manual Book 7, City policies and Ontario Regulation 429/07.
12. The Applicant shall maintain pedestrian access, and where practical, vehicular access, to all public and private properties.
13. If to carry out the works it is necessary to alter, break, or disturb an existing pavement, curb and gutter or sidewalk, the Applicant shall undertake a permanent repair immediately upon completion to the satisfaction of the City unless alternative arrangements are made with the City. Temporary repairs are permitted after December 15 but must be reinstated to a permanent repair no later than April 30.
14. The Applicant/Utility Service Provider (U.S.P.) shall maintain the temporary repair to the satisfaction of the City until the permanent restoration can be undertaken within the stipulated timeframe, all of which shall be at the cost of the Applicant/U.S.P. All ditches, culverts, and driveway entrances shall be repaired or replaced promptly. All surplus material shall be removed, the area cleaned and returned to its original state.
15. The Applicant undertaking the permanent repair shall carry a two (2) year warranty from the date of completion of the permanent repairs.
16. All work shall comply with the O.H.S.A. and its relevant Regulations pertaining to Construction. Backfill operations and compaction shall be in accordance with City Standards and O.P.S.S. specifications. Excavated material may not be piled in such a manner as to obstruct vehicular or pedestrian traffic. All sidewalk, curb and gutter, boulevard and asphalt repairs shall meet all City Standards and O.P.S.S. specifications. All granular materials used shall be in accordance with City Standards and O.P.S.S. specifications. Asphalt repairs and materials shall be in accordance with City Standards and O.P.S.S. specifications. Asphalt repairs larger than 25m² in size shall be permanently repaired by the City at the expense of the Applicant.
17. All Standards located on City website, <http://www.oshawa.ca>.

18. If it is necessary to disturb an existing sodded area a permanent repair must be undertaken a layer of topsoil with a minimum thickness of two hundred (200) millimetres and a minimum of twenty (20) millimetres of sod. The Applicant is responsible for the sodded area until the root system is established. The Applicant is required to provide a minimum one year warranty from the date of installation or re-installation. Sodded areas must be restored within 7 working days between April 15 to November 15 unless alternative arrangements are made with the City. During the off season area must be graded to a level surface and sod installed when sod becomes available.
19. The Applicant is responsible to insure that all reasonable precautions are taken to protect all survey markers including Horizontal Control Monuments (H.C.M.) which are located within the road allowance. The Applicant must also advise the Development Services Department, Survey Section, if an H.C.M. is to be removed or otherwise affected. Notwithstanding notice to the Development Services Department, the Applicant will be responsible for all costs associated with the replacement or repair of any survey marker including an H.C.M.
20. If a project requires parking meters to be removed or reserved, the Applicant shall be responsible for all costs for the period the parking meters are out of service based upon the prevailing hourly rate plus any additional administrative costs incurred by the City. Applicants may be responsible for setting out, removing and returning any parking meter hoods required to reserve the parking meters and will be responsible for any costs of repairing or replacing damaged or missing hoods.
21. The Applicant agrees that it shall continuously save and keep harmless and fully indemnify the City from and against all claims, actions, suits, demands, proceedings, losses, liabilities, damages, costs and expenses, which may be brought against or made upon or incurred by the City resulting from or arising out of the issuance of this Permit or in any way related to the work performed by the Applicant or its Contractor.
22. In conjunction with this Permit, the Applicant shall have in place Commercial General Liability (C.G.L.) insurance written on an occurrence basis with a liability limit of not less than two million dollars (\$2,000,000) per accident or occurrence. The City shall be named on the policy as an additional insured. Policy coverage shall include, but will not be limited to, third party bodily injury including death, property damage, products and completed operations. The Applicant must verify with the City that valid insurance coverage is in place by submitting an Insurance Certificate which must be acceptable in all respects to the Durham Municipal Insurance Pool.
23. If City staff is required to visit the site at anytime due to non-compliance of permit, expenses will be charged back to the Applicant.
24. The Road Occupancy Permit shall be null and void if the Applicant should fail to meet the requirements of the permit, and in that case, a new application for a permit shall be made.
25. All Applicants must display signing on-site (minimum size – 90cm x 120cm) clearly showing name of Contractor and who they are working for along with a 24 hour contact phone number, as per City procedure.
26. Municipal Consent approval is necessary when work requires an excavation for the placement of additional infrastructure. Municipal Consents are only issued to utility companies, commissions and agencies which have the authority to construct, operate and maintain their infrastructure on a public road allowance.