

Utility Permit Application Packet for Gretna, Louisiana



City of Gretna- Department of Public Utilities

Application for Permit for Utility Installations on City Right-Of-Way, Servitude and Other City Property

File/Job No. _____
[To Be Assigned By City]

Application Submitted On: _____
[City fills in]

"Utilities" include distribution facilities for electricity, communication, internet services, cable television, gases, water, waste water, the transport of or conveying fluids and/or any similar installations of this nature for commercial purposes. "City of Gretna" or "the City" always includes the City and all of the districts and sub-districts of the City. This permit only applies to the areas of incorporated Gretna in the zip code 70053 and 70056 of Timberlane subdivision, not unincorporated Gretna zip code 70056.

"Applicant" refers to the entity which applies for a permit and is later issued a permit based on that application and will own the equipment installed on City rights-of-way, servitudes or any property owned or under the control of the City.

Applicant must complete Part I and submit it with the documents listed in Part IV to the City of Gretna Department of Public Utilities.

I. Name: _____

Address: _____

Tel. No.: _____ Proposed Construction Start Date: _____

Estimated No. Of Linear Feet _____ (Not To Exceed An Area Of One (1) Contiguous Cubic Foot Per Each LF of the Installation.)

Estimated No. Of Working Days to Complete Project: _____

Will the project involve any electrical or natural gas installations? Yes _____ No _____

Describe in detail the work to be performed and the exact location where any work related to project(s) will be performed.

Applicant must attach three (3) sets of plans and profiles with detailed maps to application.

Note: Plans and profiles must be stamped by a professional engineer licensed to practice in the state of Louisiana. Plans with an engineering stamp or other notation by the engineer disavowing responsibility for design of stamped plans are not acceptable. Revised plans must be submitted prior to construction of any deviation from original plans.

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Part I. Continued: Terms and Conditions

Applicant's authorized representative:

*Note: signature on line below * indicates the applicant's acceptance of all requirements, terms and conditions [Part I (A-F)] of this application for the permit, including but not limited to, the insurance and indemnification of City. Only the owner of the equipment to be installed or the authorized representative of said owner shall sign this application. See part IV(A).*

* _____ Tel. No. _____

Type or print name and title or position _____

City Representatives: Complete Parts II, III and IV of form.

II. Special Conditions and Review of Permit

State Subdivision or Special Use Permit or Variance Requirements (MUC Requirements, etc.):

Approved On ____/____/____ [Date] If denied, state reason(s) here: _____

Special Conditions of Permit: _____

Application Reviewed By: _____ Approved ____ Denied ____

*(For the Department of Public Utilities)

Application Reviewed By: _____ Approved ____ Denied ____

*(For the Department of Engineering)

Application Reviewed By: _____ Approved ____ Denied ____

*(For the Department of Parks and Parkways)

*Reasons for denial shall be stated by department on section below

III. Completion of Work

Date of Completion: ____/____/____ Date of Notification to City For Inspection: ____/____/____

Comments:

Signature of Inspector: _____

If necessary, attach separate dated sheet for additional comments:

***Reasons for denial:**

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II. Conditions Regarding Permits

(A) General Conditions

- 1) A permit from Dept. of Public Utilities is required prior to beginning any installation on City rights-of-way, servitudes, or any property owned or under the control of the City. Additional aerial installations by a utility on its own existing equipment and maintenance of existing equipment which does not require any relocation of existing equipment shall not require a permit. However a permit from Dept. Of Public Utilities works is required before a third party begins any installation on another party's existing equipment located on City rights-of-way, servitudes, or any property owned or under the control of the City. A utility shall not be required to obtain a permit prior to any installation of equipment under emergency conditions, but a utility shall be required to notify the City Department Of public utilities within two (2) working days of such installations.
- 2) Permits are applicable on City rights-of-way, servitudes, or any property owned by or under the control of the City of Gretna.
- 3) Any permit granted by the City is granted only insofar as the City has the power and right to grant the permit.
- 4) A copy of the permit for this installation shall be on job site at all times.
- 5) Applicant shall notify the permits section, of the City of Gretna department of public utilities, by e-mail to mpriore@gretnala.com or if e-mail not available by phone (504) 262-5580 at least forty-eight (48) hours prior to commencing construction on any City right-of-way, including new installation or the re-location of existing utilities.
- 6) Prior to performing any excavations, the applicant shall call Louisiana One-Call. If installing underground facilities such as cable or conduits, the applicant must be a member of Louisiana One-Call.
- 7) If work on the permit is not begun within 45 days from date of issue, it shall expire unless the applicant has submitted to the City before that time a notarized request for an extension of forty-five (45) days within which to begin work on said permit. Each such request shall include a verification that all of the conditions of the original permit application and the permit itself have not changed.
- 8) Permits shall be issued only to owners of the facility and shall be nonexclusive.
- 9) Permits shall not be assigned to another company without the express written consent of the City.
- 10) The applicant shall make any and all changes or additions necessary in order to receive departmental of public utilities' approval.
- 11) Installations which may interfere with the proper operation and maintenance of streets or other City rights-of-way are expressly prohibited.
- 12) All of the cost of the work to be accomplished under the permit shall be borne by the applicant.
- 13) The rights and privileges granted to applicant shall be non-exclusive and shall not be construed to be any broader than those expressly set forth in Louisiana law.
- 14) The applicant is the owner of the installation for which a permit is requested, and is responsible for maintenance of the installation.
- 15) All provisions and standards contained in the permit relative to the installation of utilities shall apply to the future operation, service and maintenance of utilities.
- 16) Any permit granted by the City is subject to revocation at any time.
- 17) All installations shall be in accordance with the best modern practice and national underwriting standards in effect at the time of construction and shall be so maintained.

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- 18) All gas connections and all electric connections which require a metering device and are related to any installation made under this permit shall require a separate permit from the City of Gretna department of inspection & code enforcement. Sprinkler system(s), which require tapping into City of Gretna water valves, must also receive permission from the Public Utilities department in the City of Gretna.
- 19) Any facilities placed on the right-of-way shall be placed in accordance with all existing laws and the standards of the City, Parish and of the State.
- 20) Drainage within side and cross ditches of any right-of-way must be maintained at all times during construction. See Section II (A (21)).
- 21) The City of Gretna inspects construction sites for any indication of construction site run off. The contractor and /or operator on the site is responsible for the use and maintenance of appropriate structural /nonstructural Stormwater control measures (SCM's) before and during construction. The requirement for SCM's is to control and prevent sediments from entering the City of Gretna's stormwater drainage system.

i. SCM's include and not limited to: Perimeter control, Inlet protection and soil stabilization

(B) Construction Methods

- 1) At the time of construction, all materials and workmanship shall conform to the requirements of the applicable industry code and to Louisiana standard specifications for roads & bridges, latest edition.
- 2) The applicant and his contractor shall have the sole responsibility of determining the best and proper method or means of construction and the City, or the engineer and/or architect acting on behalf of the City, shall not be held responsible for determining or suggesting a method or means of construction, except as expressly indicated in the contract documents.
- 3) The applicant and his contractor must protect and support all water and gas pipes or other conduits and buildings, walls, fences, or other properties which are liable to be damaged during the execution of this work.
- 4) The applicant shall, as much as practicable and consistent with good construction practice, permit access to private and public property as well as fire hydrants, catch basins, streets, etc.
- 5) Any non-metallic or non-conductive underground facility must be installed with a non-corrosive metallic wire or tape placed directly over and on the center of the facility for its entire length within the right-of-way. Wire or tape must be connected to all facilities.

(C) Restoration

- 1) The applicant and his contractor shall restore at their own expense any and all property damaged as a result of the project itself or as a result of any negligent act of omission or commission on his part or on the part of his agent, including, but not limited to the following: sidewalks, curbing, sodding, pipes, conduits, sewers, buildings, fences, bridges, retaining walls, tanks, power lines, levees or any other building on public or private property.
- 2) For all roadway excavations, all backfill material shall be pump river sand, type a-4 or better. For all other excavations within the limits of the right-of-way, all backfill material may be native soil. Further, the applicant and his contractor must backfill and tamp in six (6) inch layers of said sand to the density of the adjacent undisturbed soil. Where sod is removed or destroyed, it shall be replaced.
- 3) In case of failure on the part of the applicant and his contractor to restore such property or make good such damage, the City may upon forty-eight (48) hours' notice proceed to repair, rebuild, or otherwise restore such property and take steps deemed necessary to collect restoration cost.
- 4) All public and private property affected in any way by the applicant's proposed installation shall be protected and restored by the applicant to pre-construction conditions. All City property, including but not limited to, rights-of-way, shall be restored to the satisfaction of the City.

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(D) Locations of Installations

- 1) Whenever possible, no above the ground structure will be located in a City right-of-way that abuts the front yard of a residence or a business. Structures shall be located as close as possible to adjoining rear or side yard property lines.
- 2) The proposed facilities, their operation and maintenance shall not unreasonably interfere with the facilities or the operation or maintenance of the facilities of other validly franchised persons, firms or corporations or entities under previously issued permits of use and occupancy on City rights-of-way and/or City property. The proposed facilities shall not be dangerous to persons or property using or occupying the right-of-way or using facilities constructed under previously granted permits of use and occupancy. City records of prior permits are available for inspection. It is the duty of the applicant to determine the existence and location of all facilities within the City rights-of-way and/or City property. The applicant shall be solely responsible for any damage to any property resulting in any way from the installation of as well as the operation, maintenance and existence of the applicant's equipment or other property on the City rights-of-way and/or City property.
- 3) Whenever possible, all above ground structures shall be no closer than 10' from any driveway.
- 4) Unless otherwise noted on the permit, structures, excluding poles, should be a dull green in color to blend in with the landscape and streetscape.
- 5) Multiple structures shall be aligned in an organized manner and shall not haphazardly placed.
- 6) Applicant shall determine that all utilities are located where noted on information provided by City or other utility companies. Further, applicant shall notify the City of Gretna's public utilities department or other utilities that are not in the location shown on the City provided data.
- 7) Cutting and trimming the trees, shrubs, etc., shall be in accordance with the Louisiana department of transportation & development's edsm (engineering directives and standards manual) iv.2.1.6 and vegetation manual, as revised, and City ordinances.
- 8) The applicant shall furnish evergreen shrubs to screen structures wherever possible. The applicant shall maintain said shrubs.
- 9) The entire right-of-way affected by work under a permit must be restored to the satisfaction of the city.

(E) Access, Safety and Traffic Control

- 1) Access for installation, for future service, maintenance of utilities, and all work performed in connection therewith, must be affected from some point other than through traffic lanes except where specifically waived by the issued permit. No interference with traffic on through lanes shall be tolerated.
- 2) If performed work is in traffic lanes in a school zone, police detail must be present to direct traffic.
- 3) All safety precautions for the protection of the traveling public must be observed; undue delay to traffic shall not be tolerated.
- 4) Maintain a minimum of fifty per cent (50%) of roadway accessible to vehicular traffic at all times, or as directed by the department of parks and parkways for the City of Gretna.
- 5) Signing for warning and protection of traffic in instances where workmen, equipment or materials are in close proximity to the roadway surface, shall be in accordance with requirements contained in the manual on uniform traffic control devices.
- 6) The closure of any lane of any street for the installation of utilities shall require approval of the applicant's plans by the Parks and Parkways department and the of the City of Gretna department of public utilities prior to the issuance of the permit and also prior to the closure of a street at any later time. Such plans shall show the signs, barricades and other traffic controls that will be used regarding such closure. Further, applicant shall notify the City of Gretna department of Parks and Parkways, by e-mail to ahebert@gretnala.com or mpriore@gretnala.com, if e-mail not available by

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phone @ (504) 262-5580 at least forty-eight (48) hours prior the closure of any street, whether during the initial installation or later maintenance.

- 7) Barricades and warning devices shall be installed and maintained by applicant and/or his contractor.
- 8) The applicant shall, as far as practicable and consistent with good construction, permit access to private and public property and leave fire hydrants, catch basins, streets, etc., free from encumbrances.
- 9) The applicant shall take all reasonable and proper precautions to protect persons, animals and all vehicles from injury, and shall erect and maintain a fence or railing around any excavation, place a sufficient number of lights about the work and keep them burning from twilight until sunrise, and shall employ one or more watchmen as an additional security whenever appropriate.
- 10) The applicant must take into consideration the time of work in the City of Gretna's government zone. The government zone is described as 1st street through 4th street surrounding Huey P Long Ave in downtown Gretna. Huey P Long is a one-way street and traffic flow cannot be restricted during business hours in this government zone. Please confirm times of operation with Madason Priore (mpriore@gretnala.com) to ensure no disruption of traffic flow occurs in this area.

(F) Additional Requirements:

1) Installations Parallel To The Street

- a. Whenever possible, parallel installations shall be located on a uniform alignment to the right-of-way line and within six (6) inches of the approved alignment.
- b. Whenever possible, the face of a pole for aerial utility installations shall be located a minimum of three foot six inches (3'6") from back of curb on either side of roadway.
- c. Whenever possible, installations parallel to the street shall have a minimum earth cover of twenty-four (24) inches and shall have a minimum clearance of one foot between utility and back of curb.
- d. A minimum vertical clearance, in conformity with the national safety code in effect at the time of the initial construction, for each utility shall be maintained between existing ground elevations and any aerial installation when such installation is within right-of-way but does not cross the traveled surface of a roadway.
- e. The applicant is solely responsible for the protection of any excavation made under this permit, including but not limited to all damage to pavement, buildings or other property caused by such excavation . The applicant shall protect the excavation against caving or settling of the banks and he must protect the sides of the excavation by sheeting and bracing or other shoring as may be necessary.
- f. When in the judgment of the City, the removal of shoring or bracing, either or both, is likely to cause damage to pavement or property, the City may order such shoring or bracing necessary to support the excavation be left in place. Neither the giving of such orders by the City nor their failure or refusal to issue such orders shall in any way relieve the applicant and its contractor of responsibility for damage to pavement, buildings, etc.
- g. Any upper sheeting left in place by applicant must be cut off at least two (2) feet below the ground surface after backfilling and tamping has reached this level and all rangers and braces above this level must be removed by the applicant.
- h. The applicant and his contractor shall not have more than one hundred (100') feet of excavation open at one time and the trench must be backfilled before leaving job each working day. Clean up operations shall follow backfill immediately, maintaining a clean roadway surface.
- i. Excavations by the applicant and his contractors for manholes shall coincide with the installation of manholes. Applicant and his contractors shall completely cover any open manhole excavations until installation and related work has been concluded.

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- j. The applicant and his contractor shall not be allowed to tunnel under sidewalks or driveways. Whenever a section of driveway or sidewalk has been removed, applicant and his contractor shall replace concrete on the removed portion from joint to joint.
- 2) Installations That Cross The Street
- Construction Methods Used Shall Be In Accordance With The Following Requirements.*
- a. To the extent feasible and practical, utilities shall cross on a line generally perpendicular to the street alignment and preferably under the street. No existing drainage structure under the street may be used as a conduit for a utility line or other installation.
 - b. A minimum vertical clearance of seventeen (17) feet shall be maintained between the highest point on the traveled surface of the street and any aerial installation, but in no case shall the vertical clearance of an overhead utility line be less than the clearance required by the national safety code in effect at the time of the initial construction for each utility.
 - c. Under hard surfaced roads, installation shall be made either by boring or jacking under the street at least from ditch bottom to ditch bottom. In the absence of ditches or along sections of street with curb and gutter, boring or jacking shall extend beyond the outside edge of the traveled way to a point at least equal to three (3) times the vertical difference between the elevation of the roadway surfacing and the elevation of the top of the cable or pipe. Where width of right-of-way is insufficient to enable compliance with this requirement or where it is necessary to make a connection to an existing parallel facility which precludes compliance, the distance shall be to the right-of-way line or to the parallel facility.
 - d. The diameter of the bored hole shall be no larger than one-half (1/2) inch more than the outer diameter of the boring apparatus being used. Any boring method that gives satisfactory results may be used, except that jetting or puddling is specifically prohibited. The preferred method of boring is the use of equipment that provides for the cable or conduit to be installed simultaneously with the boring operation. Any voids or overbreaks occurring from the boring operation will result in pavement being removed and replaced in accordance with standard City requirements at the expense of the applicant or his contractor.
 - e. If there are no open ditches adjacent to the roadway, a minimum vertical clearance of twenty-four (24) inches shall be maintained between the top of the utility and the bottom of the street. For the purposes of this section, the "bottom of the street" is defined as the underside of the concrete slab for concrete streets and the underside of the base course beneath asphalt paved streets.
 - f. If there are open ditches adjacent to the roadway, crossings shall have at least five (5) feet of cover below the roadway and forty-eight (48) inches of cover below ditches or drainage structures.
 - g. If a problem occurs with a line crossing the street, the applicant shall install a new crossing and shall bear the total cost of the new crossing.
 - h. Tunneling under the surface of the street is specifically prohibited.)
 - i. Cutting the surface of the roadway is prohibited unless applicant has demonstrated an inability to jack and bore and applicant's permit specifically permits cutting the surface of the roadway.
 - j. Excavating a jacking pit to the edge of the pavement and boring and jacking the remainder of the distance is prohibited.
 - k. Jacking and boring shall be done in accordance with section 728 of the Louisiana standard specifications for roads and bridges, latest edition published by the Louisiana department of transportation and development.

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- I. Restoration work shall meet the requirements of the City of Gretna department of Parks and Parkways and City of Gretna Public Utilities department.
- 3) Open Cut Street Crossing
When an open cut is allowed by a permit, the following stipulations shall prevail:
 - a. Open cuts on asphalt streets only shall be made by saw cuts; open cuts on concrete streets shall be made only by removing concrete from joint to joint as per detail plan no. 2.
 - b. All excavated material shall be disposed of away from job site.
 - c. Back fill material shall be pump river sand. (type a-4 or better.)
 - d. River sand shall be compacted by using the flooding method. Any mechanical compaction shall be first approved by the department of public utilities.
 - e. Barricades and warning devices shall be installed and maintained by applicant and his contractor in accordance with plans approved by the department of Parks and Parkways.
 - f. All Portland cement concrete used to replace pavement removed during utility construction projects shall contain a minimum of 7 sacks of cement per cubic yd. Of mix in order to attain a "high early strength" effect. Three (3) cylinders for each fifty cubic yards or less of concrete placed or for each one hundred (100) linear feet or less of street placed (whichever shall be smaller) shall be taken in accordance with ASTM C-31.
 - g. The testing laboratory shall be paid by the applicant and his contractor and chosen by the City. Department of streets.
 - h. Restoration work shall meet the requirements of the City department of streets as shown on attached "Plan Detail No. 11."

******Any violation of the foregoing General Conditions or the foregoing specifications may at the discretion of the City result in revocation of the permit and/or penalties.**

******The City reserves the right to inspect or to re-inspect the utility installation at any time, even after the installation has been accepted "as complete" and to cite the Applicant for any violation(s) of any City ordinance or City Code regarding the installation, including but not limited to the improper location or improper maintenance of any part of the utility installation**

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IV. Requirements for Issuance of Permit

The applicant shall provide the following documents and certifications **before** a permit is issued except as otherwise indicated. A representative of the City of Gretna Department of Public Utilities will write "yes" and initial each item to indicate receipt by the City. Asterisk (*) indicates that original will be kept on file with the City; original shall be updated by the applicant to show any changes to original and a photocopy must be submitted with each application. This permit only applies to the areas of incorporated Gretna in the zip code 70053 and 70056 of Timberlane subdivision, not unincorporated Gretna zip code 70056.

- (A) _____ The applicant's written authorization for the person signing the application and the required affidavits of acknowledgment to represent and bind the owner of the equipment to be installed. Note: A corporate resolution bearing the seal of the corporation and specifically appointing the representative to sign for and bind the applicant to all the requirements of the permit shall be required for a corporation's application. A notarized affidavit specifically appointing the representative to sign for and bind the applicant to all the requirements of the permit shall be required for all other types of applicants. [Attached and Identified as Exhibit IV(A)]
- (B) _____ The applicant's written authorization for the person signing the application and the required affidavits of acknowledgment to represent and bind the owner of the equipment to be installed. Note: A corporate resolution bearing the seal of the corporation and specifically appointing the representative to sign for and bind the applicant to all the requirements of the permit shall be required for a corporation's application. A notarized affidavit specifically appointing the representative to sign for and bind the applicant to all the requirements of the permit shall be required for all other types of applicants. [Attached and Identified as Exhibit IV(A)]
- (C) _____ A legible copy of the City of Gretna franchise or other grant of the right of use of city property and/or rights-of-way. [Attached and Identified as Exhibit No. IV(B)]
- (D) _____ A copy of any subdivision, and/or any special use permit or variance requirements (such as, MUC requirements, etc.), if applicable. [Attached and identified as exhibit IV(C)]
- (E) _____ Three (3) sets of plans with profiles stamped by a professional engineer licensed to practice in Louisiana and detailed maps of all installations in the proposed project including related installations in any area in City of Gretna; [Attached and Identified as exhibit IV(D)] plans with an engineering stamp or other notation by the engineer disavowing responsibility for design of stamped plans are not acceptable.
- (F) _____ If required, construction bond based on the length and type of construction. [If required, attached and identified as exhibit IV(E)]
- (G) _____ Other governmental entities and agencies must issue permits for this work to proceed. Attach a copy of all other permits issued regarding the project and a list of the names of any agency at which permit applications for this project are pending. Note: All such permits must be received by the City before construction may begin on this project. [All attached and identified as exhibit IV(F)]
- (H) _____ Additional data relative to the proposed location, relocation and design of fixtures or appurtenances, as may be required by the City; said data shall be furnished at no cost to the City. [If required, attached and identified as exhibit IV(H)]
- (I) _____ Applicant's written acknowledgment that applicant is solely responsible for determining the actual physical location of all existing utility installations, i.e., City and privately owned utility installations and that the City is not responsible for the determination of such installations. [Attached and identified as exhibit IV(J)]

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- (J) _____ Applicant's written verification that existing utilities are located where noted on data provided by the City. The applicant shall notify the City in writing of the location of any existing utilities that are found not to be in the location shown on the City provided data. [Attached and identified as exhibit IV(K)]
- (K) _____ Certificates* of insurance naming the City and the appropriate parish districts and sub- districts as additional named insured for the entire period during which the equipment or any other property of the applicant remains on the sites related to this permit have been received by the City of Gretna Public Utilities Department. Said certificates shall be attached to a written affidavit of the applicant stating that the insurance requirements in part v have been met. Said certificates of insurance shall also state that:
- 2) The applicant's and its contractor's insurers will have no right of recovery or subrogation against the City of Gretna, its districts or sub-districts, it being the intention of the parties that said insurance shall be the primary coverage for any and all losses covered by the herein described insurance which shall protect the City and its districts and sub-districts, as well as the applicant.
 - 3) The insurance companies issuing the policy or policies shall have no recourse against the City of Gretna for payment of any premiums or for assessments under any form of policy.
 - 4) Any and all deductibles in the described insurance policies shall in the amount of **ten thousand dollars & no/100 [\$10,000.00]**, and shall be assumed by the applicant.
 - 5) *These certificates shall be kept on file in the City of Gretna Public Utilities Department and shall be updated by the applicant for each policy term. [Certificates attached and identified as exhibit IV(L)]
- (L) _____ Notarized affidavit of acknowledgment by the applicant of the following:
- 1) That the applicant, its contractor and its other agents and its employees shall be solely responsible for all injuries to persons and for all damages to the property of the City or to property owned by others, caused by or resulting or related in any way to the exercise of the permit requested, whether such claims arise from activities before, during the progress of, or in connection with, the prosecution of the work, maintenance, or lack of maintenance, of the project after completion, whether within the limits of the work or elsewhere and whether under the applicant's contract proper with any of its contractor or any other agents, or as extra work. Said responsibility of the applicant shall continue as long as the applicant's equipment remains on the sites related to this permit;
 - 2) That the applicant agrees, to the fullest extent permitted by law, to defend, indemnify, and hold harmless the City, its districts and sub-districts as well as and their duly appointed agents, employees and volunteers from and against any and all claims, suits, liabilities, losses, damages, costs or expenses, and attorneys' fees (including attorneys' fees and costs incurred in establishing the right to said indemnity), alleged to have been sustained, or that have been sustained by reason of the granting or exercise of the permit and activity related thereto, whether or not the alleged damage may have been caused by the negligence of the City, its districts and sub-districts, their agents or employees or is based on alleged strict liability or absolute liability, provided, however, the provisions of this last clause shall not apply to any personal injury or property damage caused by the sole negligence of the City, its districts and sub-districts, their agents or employees, unless such sole negligence consists or shall have consisted entirely and only of negligence in the granting of the permit(s). Said indemnification by the applicant of the City and others named above shall remain in effect as long as the applicant's equipment remains on the sites related to this permit.
 - 3) That the applicant accepts the obligation to modify or relocate, at its own cost, any of its installations as may become necessary in the future for the maintenance or construction of any type of City project or facility.
 - 4) That the applicant is the owner of the facility for which a permit is requested and is responsible for the maintenance of the equipment installed

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- 5) That the City, its districts and sub-districts reserve the right to require such changes, additions, repairs, relocations and removal of the applicant's equipment as may at any time be considered necessary to permit the relocation, reconstruction, widening and maintaining of the rights-of-way, servitudes or other City property to provide proper and safe protection of life and property on or adjacent to the right-of-way, or to insure the safety of traffic on City rights-of-way, servitudes or other City property.

- 6) [Said affidavit is attached and identified as EXHIBIT IV(M)]

(M) _____ For small wireless franchise facilities permits: Also include:

- 1) A map or other physical depiction showing where the facilities will be located and showing all other facilities and poles located on the public rights of way within 200 feet of the proposed facilities.
- 2) Illustrations, photographs, or other visual depictions showing the visual impact of the proposed facilities, including but not limited to, the maximum silhouette, color, and finish pallet, and proposed screening or camouflage for the facilities.
- 3) An estimated construction schedule, certification that the facilities being deployed comply with all the applicable codes and laws.
- 4) Certification that the facilities being deployed will be placed into active commercial service by or for wireless service provider not later than the 60th day after the date of construction and final testing of the facilities are completed.
- 5) With respect to a colocation permit application, certification that the applicant has the consent or approval of the pole or support structure owner to the proposed deployment.
- 6) With respect to an antenna support pole permit application, a detailed description of the efforts made by the applicant to co-locate the proposed facilities on existing poles or support structures and a detailed explanation as to colocation of the proposed facilities on existing poles or support structures is not possible.

V. Insurance Coverage and Certificate Requirements

- (A) The applicant, prior to commencing work, shall provide at its own expense, proof of the following insurance coverage by insurance companies authorized to do business in the state of Louisiana. With the exception of the worker's compensation insurance policy, City of Gretna and its special districts, its boards and commissions and its officers, agents and employees, jointly and severally, shall be listed as additional named insured(s) on all of the above insurance policies for the entire period during which the equipment of the applicant remains on the sites related to this permit. **Requirements under part IV (L) also applies.** Insurance shall be placed with insurers with an A.M. best rating of no less than A:VI. And shall be in the following minimum amounts and in accordance with the following provisions.

- 1) Worker's Compensation Insurance: as required by the Louisiana state statute exception, employer's liability limit shall be \$1,000,000 per occurrence when work is to be over water and involves maritime exposures, otherwise this limit shall be no less than five hundred thousand dollars & no/100 [\$500,000.00] per occurrence.
- 2) Commercial general liability insurance with a combined single limit per occurrence for bodily injury and property damage. This insurance shall include coverage for bodily injury and property damage, and indicate on the certificate of insurance the following:
 - a. Premises-operations;
 - b. Broad form contractual liability;
 - c. Products and completed operations;
 - d. Use of contractors and sub-contractors;
 - e. Personal injury;

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- f. Broad form property damage;
- g. Explosion, collapse and underground (XCU) coverage.

***Combined single limits (CSL) amount of insurance required:**

***Each occurrence /minimum limits-one million dollars & no/100 [\$1,000,000.00]**

- 3) Business automobile liability insurance with a combined single limit of five hundred thousand dollars & no/100 [\$500,000.00] per occurrence for bodily injury and property damage, unless otherwise indicated. This insurance shall include coverage for bodily injury and property damages for any automobiles, whether owned; hired, or non-owned automobiles.
- 4) Said policies shall apply as primary insurance and shall stipulate that no other insurance in effect by the City will be called on to contribute to a loss covered thereunder.
- 5) The City has the right but not the obligation to review and approve all insurance policies and certificates of insurance prior to the issuance of a permit for the requested installation.
- 6) An umbrella policy or excess may be used to meet minimum requirements. All property losses to the City's property for which the applicant is responsible, shall be payable to the City and adjusted with the City of Gretna's Finance department.
- 7) Should there be a material change in the applicant's insurance policies during the term of the permit, the applicant shall give the City thirty (30) days' notice as to said changes and will submit a replacement certificate of insurance naming the City as an additional insured.
- 8) Failure of the applicant to take out and/or maintain insurance shall not relieve the applicant from any liability under this permit, nor shall the insurance requirements be construed to conflict with the obligations of the applicant concerning indemnification.
- 9) The maximum deductible for any of the insurance coverage required under this agreement shall not exceed ten thousand dollars & no/100 [\$10,000.00] without prior approval of the director of City of Gretna department of Finance. All deductibles shall be assumed by the applicant.

- (A) In the event the applicant is insured through a captive insurance company or is self-insured, then in lieu of the certificates of insurance required herein, the applicant shall provide with the permit application, proof that the applicant's self-insurance program is sufficiently liquid to cover all losses in the amounts shown above in this section. The applicant shall immediately notify the City of all changes in its self-insured status and of any changes in the ability of applicant to cover the losses specified above.

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Certificate

I, the undersigned, hereby certify that i am the duly elected and qualified Secretary of _____, ("Corporation") a _____ Corporation and that the following resolutions were duly adopted by unanimous consent of the Board of Directors of the Corporation as of the _____ day of _____, 20_____, and that the same are now in full force and effected.

Whereas, the Corporation desires to construct a portion of its telecommunications system through various towns, cities, counties, parishes, states, and other governmental units of entities ("Governmental Units") and desires to construct a portion of said system within the boundaries of streets, roads or highways owned, controlled by or under the jurisdiction of such Governmental Units.

Resolved, that _____ be and is hereby authorized to execute on behalf of the Corporation, such licenses, agreements, franchises and such other approvals as may be required to authorize the Corporation to make installation of a portion of its telecommunication system within streets, roads, or highways owned, controlled by or under the jurisdiction of such Governmental Units.

I further certify that there is no provision in the articles of incorporation or the bylaws of the Corporation limiting the power of the Board of Directors to adopt the foregoing resolutions and do certify and warrant the same are in conformity with the provisions of said articles of incorporation and bylaws of the Corporation and within its corporate and lawful powers.

In witness whereof, I have hereunto set my hand the _____ day of _____, 20_____.

Signature: _____ Date: _____

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Acknowledgement Of Responsibility To Locate Utilities

State of _____

Parish/ County of _____

The undersigned representative of the Applicant named below ["Applicant"] for a construction permit for installation of equipment on public rights of way and servitudes in the City of Gretna, State of Louisiana, hereby declares that s/he has the specific authority, as stated on Exhibit IV.(A) to said permit application, to bind Applicant to accept the conditions of the permit for which the Applicant is applying and the authority to bind Applicant to the obligations required by the City of Gretna, its districts and sub-districts (herein all referred to as "the City") for said permit and for all permits issued by the Parish to Applicant in the future.

The undersigned representative of Applicant, does hereby acknowledge, on behalf of Applicant that Applicant is solely responsible for determining the actual physical location of all existing utility installations, i.e., City and privately owned utility installations and that the City is not responsible for the determination of such installations for said permit and for all permits issued by the City to Applicant in the future.

Name of Applicant [Type or print]

Date

By Applicant's Representative:

Signature of Applicant's Representative

Name of Applicant's Representative [Type or print]

Official Capacity of Applicant's Representative [Type or print]

Utility Permit Exhibit No. IV. (J)

Utility Permit Application Packet for Gretna, Louisiana

Verification of Location of Existing Utilities

State of _____

Parish/ County of _____

The undersigned representative of the Applicant named below ["Applicant"] for a construction permit for installation of equipment on public rights of way and servitudes in the City of Gretna, State of Louisiana, hereby declares that s/he has the specific authority, as stated on Exhibit IV.(A) to said permit application, to bind Applicant to accept the conditions of the permit for which the Applicant is applying and the authority to bind Applicant to the obligations required by the City of Gretna, its districts and sub-districts (herein all referred to as "the City") for said permit and for all permits issued by the City to Applicant in the future. This permit only applies to the areas of incorporated Gretna in the zip code 70053 and 70056 of Timberlane subdivision, not unincorporated Gretna zip code 70056.

The undersigned representative of Applicant, does hereby verify, on behalf of Applicant that existing utilities are located where noted on data provided by City and that the Applicant agrees that it shall notify the City in writing of the location of any existing utilities that are found not to be in the location shown on the City provided data for said permit and for all permits issued by the City to Applicant in the future.

Name of Applicant [Type or print]

Date

By Applicant's Representative:

Signature of Applicant's Representative

Name of Applicant's Representative [Type or print]

Official Capacity of Applicant's Representative [Type or print]

Utility Permit Exhibit No. IV. (K)

This document is only valid for permits issued during the term of the insurance policy that was in effect when the affidavit was initially submitted and thus must be replaced when the policy expires unless the replacement policy meets the conditions of this affidavit.

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Affidavit of Acknowledgement Regarding Insurance

State of _____

Parish/ County of _____

BEFORE ME, a duly qualified Notary Public, in and for the Parish/County of _____ State of _____, and the undersigned competent witnesses personally came and appeared _____ [“Applicant”], a corporation organized under the laws of the State of _____, which has its principal place of business at _____, and its post office address is _____, herein appearing by and through _____, its _____ [title] and representative herein, duly authorized to so appear for said Corporation by resolution of its board of Directors which was adopted on _____ [date of resolution], a certified copy of which is annexed as Exhibit No. IV.(A) to the utility construction permit application of said corporation.

Said representative, who after being deposed did state that s/he has the specific authority, as stated on Exhibit IV.(A) to said permit, to bind Applicant to accept the conditions of the permit for which Applicant is applying and the authority to bind Applicant to the obligations required by the City of Gretna, its districts and sub-districts (herein all referred to as “the City”) for said permit and for all permits issued by the City to Applicant in the future.

Said representative, on behalf of Applicant further declared that the attached Certificates of Insurance meet the insurance requirements in Part V of this permit application, and further that

- 1) Applicant’s and its contractor’s insurers will have no right of recovery or subrogation against the City of Gretna, its districts or sub-districts, it being the intention of the parties that said insurance shall be the primary coverage for any and all losses covered by the herein described insurance which shall protect the City and its districts and sub-districts, as well as the Applicant.
- 2) The insurance companies issuing the policy or policies shall have no recourse against the City of Gretna for payment of any premiums or for assessments under any form of policy.
- 3) Any and all deductibles in the described insurance policies shall in the amount of TEN THOUSAND DOLLARS & NO/100 [\$10,000.00], and shall be assumed by the Applicant.

Sworn to and subscribed in the Parish/County of _____, State of _____ before me and the undersigned competent witnesses on this _____ day of _____, 20____.

WITNESSES:

Name of Applicant [Type or print]

Signature of Applicant’s Representative

Notary Public

Type or print name

Address:

SEAL:

Utility Permit Application Packet for Gretna, Louisiana

Name of Applicant's Representative [Type or print]

Official Capacity of Applicant's Representative [Type or print]

Utility Permit Exhibit No. IV. (L)

Utility Permit Application Packet for Gretna, Louisiana

Affidavit of Indemnification And Responsibilities

State of _____

Parish/ County of _____

Before me, a duly qualified notary public, in and for the parish/county of _____ state of _____, and the undersigned competent witnesses personally came and appeared _____ ["Applicant"], a Corporation organized under the laws of the state of _____, which has its principal place of business at _____, and its post office address is _____, herein appearing by and through _____, its _____ [title] and representative herein, duly authorized to so appear for said corporation by resolution of its board of Directors which was adopted on _____ [date of resolution], a certified copy of which is annexed as Exhibit No. IV.(A) to the utility construction permit application of said Corporation.

Said representative, who after being deposed did state that s/he has the specific authority, as stated on Exhibit IV.(A) to said permit, to bind Applicant to accept the conditions of the permit for which Applicant is applying and the authority to bind Applicant to the obligations required by the City of Gretna, its districts and sub-districts (herein all referred to as "the City") for the issuance of said permit and for any permit(s) that may be issued to Applicant in the future for said permit and for all permits issued by the City to Applicant in the future.

Said representative, on behalf of Applicant further declared, regarding said permit and for all permits that may be issued to Applicant in the future:

- 1) That the Applicant, its Contractor and its other agents and its employees shall be solely responsible for all injuries to persons and for all damages to the property of the City or to property owned by others, caused by or resulting or related in any way to the exercise of the permit requested, whether such claims arise from activities before, during the progress of, or in connection with, the prosecution of the work, maintenance, or lack of maintenance, of the project after completion, whether within the limits of the work or elsewhere and whether under the Applicant's contract proper with any of its Contractor or any other agents, or as extra work. Said responsibility of the Applicant shall continue as long as the Applicant's equipment remains on the sites related to the permit(s);
- 2) That the Applicant agrees, to the fullest extent permitted by law, to defend, indemnify, and hold harmless the City, its districts and sub-districts as well as and their duly appointed agents, employees and volunteers from and against any and all claims, suits, liabilities, losses, damages, costs or expenses, and attorneys' fees (including attorneys' fees and costs incurred in establishing the right to said indemnity), alleged to have been sustained, or that have been sustained by reason of the granting or exercise of the permit(s) and activity related thereto, whether or not the alleged damage may have been caused by the negligence of the City, its districts and sub-districts, their agents or employees or is based on alleged strict liability or absolute liability, provided, however, the provisions of this last clause shall not apply to any personal injury or property damage caused by the sole negligence of the City, its districts and sub-districts, their agents or employees, unless such sole negligence consists or shall have consisted entirely and only of negligence in the granting of the permit(s). Said indemnification by the Applicant of the City and others named above shall remain in effect as long as the Applicant's equipment remains on the sites related to the permit(s);
- 3) That the Applicant accepts the obligation to modify or relocate, at its own cost, any of its installations as may become necessary in the future for the maintenance or construction of any type of City project of facility;

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- 4) That the Applicant is the owner of the facility for which a permit is requested and is responsible for the maintenance of the equipment installed; and
- 5) That the City, its districts and sub-districts reserve the right to require such changes, additions, repairs, relocations and removal of the Applicant's equipment as may at any time be considered necessary to allow the relocation, reconstruction, widening and maintaining of the rights-of-way, servitudes or other City property to provide proper and safe protection of life and property on or adjacent to the right-of-way, or to insure the safety of traffic on City rights-of-way, servitudes or other City property.

Sworn to and subscribed in the Parish/County of _____, State of _____ before me and the undersigned competent witnesses on this _____ day of _____, 20__.

WITNESSES:

Notary Public

Type or print name

Name of Applicant [Type or print]

Address:

SEAL:

Signature of Applicant's Representative

Name of Applicant's Representative [Type or print]

Official Capacity of Applicant's Representative [Type or print]

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Space for Applicant to attach (3) copies of plans and profiles with detailed maps to application.