

Application for Permit Under Section 149 of the Highway Law

Note – Blank spaces in the following application for permit must be filled in as follows:

- At the blank space indicated by (a) state whether the applicant is a citizen, a firm or a corporation and give the residence. If a corporation, state the location of the principal place where office is located.
- At the blank space indicated by (b) describe the nature of work for which the permit is asked. Under Section 149 permits may be issued for drainage, or sewer and water pipes.
- At the blank space indicated by (c) describe the location of the highway where the work is to be performed.
- This application is to be attached to the copy of Permit to be filed in the Town Clerk's office.

To the Town Superintendent of the Town of Riga, County of Monroe.

The undersigned (a) _____

hereby makes application to you for permission (b) _____

within the portion of the highway in said town hereinafter described pursuant to the provisions of Section 149 of the Highway Law.

The portion of such highway wherein such work is to be performed is described as follows OR attach site plan/sketch with dimensions, indicating location of work (c) _____

Dated this _____ day of _____, 20 ____.

APPLICANT

Street Address

City, State, Zip Code

PERMIT ISSUED UNDER SECTION 149 OF THE HIGHWAY LAW

The undersigned, the Town Superintendent of Highways, of the Town of Riga, County of Monroe, upon the written application of

_____ whose address is _____

dated on the _____ day of _____, 20____, and filed with him/her, as provided by Section 149 of the Highway Law, hereby grants permission to said applicant to _____

on the highway described as follows: _____

This permit is granted subject to the following conditions:

1. The work authorized by this permit shall be performed in a manner satisfactory to the town superintendent.
2. The applicant is to keep in good repair all pipes, hydrants and appurtenances which may be placed within the bounds of the highway under terms of this permit and is to save the town harmless from all damage which may accrue by reason of their location in the highway, and upon notice by the town superintendent agrees to make any repairs required for the protection and preservation of the highway; and further agrees that upon the failure of the applicant to make such repairs they may be made by the highway superintendent at the expense of the applicant and such expense shall be a prior lien upon the land benefited by the use the highway for such pipes, hydrants and appurtenances
3. If the drainage, sewer or water pipes or appurtenances which are laid under this permit are placed in a town road they shall be so placed as not to interrupt or interfere with public travel upon the highway; and the earth removed must be replaced, and the highway left in all respects in as good condition as before the work was performed.
4. If the work performed is on a road which has been improved by State aid, such drainage, sewer or water pipes must be placed at least four (4) feet below and in such a manner as in no way to interfere with the macadam, shoulders or drainage ditches of the highway and that portion of the trench which passes under the macadam shall be bored or pipe-driven and in no case shall the macadam be disturbed. Upon completion of the work the highway shall be left in as good condition as before the work was performed and to the satisfaction of the town superintendent.
5. Please notify utility companies before starting work. _____
6. It is agreed by the applicant that any injury or disturbance of the macadam portion of the highway, its shoulders or drainage ditches which may occur hereafter by reason of the laying of said drainage, sewer or water pipes and their appurtenances shall be repaired by and at the expense of the applicant to the satisfaction of the town superintendent.
7. The said town superintendent may, upon the failure of the applicant to comply with any of the conditions herein, revoke this permit and remove any pipes, or hydrants, or other appurtenances which may have been placed in the highway under this permit. Anything associated with enforcing any permit conditions or restoring the property the applicant agrees to pay.
8. If the road upon which this permit is issued is at the time of the issuance a town highway, and should it be thereafter improved by State aid as a State or County highway, it is agreed that the applicant shall, before its improvement at the applicant's own expense remove drainage, sewer or water pipes or appurtenances which may be placed under this permit and will relay the same in conformity with the directions of the engineer in charge of such improvement and in accordance with the rules and regulations prescribed by the State Commission of Highways.

Date this _____ day of _____, 20____.

Town Highway Superintendent

I hereby agree to conform to the conditions contained in the foregoing permit.

Applicant



HIGHWAY DEPARTMENT
6475 BUFFALO ROAD
CHURCHVILLE, NEW YORK 14428

Phone: (585) 293-2530

Fax: (585) 293-2782

The following is an attachment to the Town of Riga Permit Issued under Section 149 of the Highway Law:

1. The owners or agents shall furnish and install a new ____ inch, 16 gauge corrugated metal pipe or P.S.I.C.P.P. that will extend at least three feet beyond the edges of the driveway and be a minimum of at least 30 feet in length with attached end sections. Pipes will have to be joined with an approved band of the same gauge.
2. There must be a minimum of 12 inches of cover such as Crusher Run or another approved material over the pipe.
3. The driveway shall be graded so that any water flowing from the driveway shall not enter upon the road, it must flow to either existing ditches or a sluiceway to be graded by the owner or agent.
4. The existing ditch or sluiceway shall be cleaned and graded by the owner or agents and maintained by the owner, there shall be no trees, rocks, shrubs or any other objects placed in the ditch or in the highway right of way without permission from the highway superintendent.

Date this _____ day of _____, 20____.

Town Highway Superintendent

I hereby agree to conform to these additional conditions contained in the foregoing permit.

Applicant

MAILBOX INSTALLATION POLICY

1. Mailboxes shall be placed 3½ to 4 feet off the edge of the road on the shoulder. The bottom of the mailbox, or the existing support should be approximately 42 inches high. The post MUST be of the type that will either bend or break upon impact.
2. The Town of Riga does not assume the responsibility of maintaining or replacing mailboxes that have been damaged or destroyed.
3. The owners or agents shall be responsible for any of the above work and it must meet the approval of the town highway superintendent.
4. If this driveway permit is issued to a contractor it is his/her responsibility to forward these agreements to the person(s) purchasing the home.
5. The owner or agent building the new home or installing the new driveway shall be responsible at all times in keeping the road and shoulder clean from mud and debris.

MAILBOXES damaged during snow removal

During and after significant snow storms, highway agencies in the course of plowing, receive calls regarding damage to mailboxes either from snow plows directly or from the force of snow being thrown by the plows. If such damage is indeed caused by snow removal, it is not done intentionally but is an unfortunate consequence of snow removal.

As far as the Town of Riga replacing damaged mailboxes, it must be pointed out that there is no legal statutory or legal authority which grants a property owner or resident along a public highway any right to place a mailbox in the highway right-of-way.

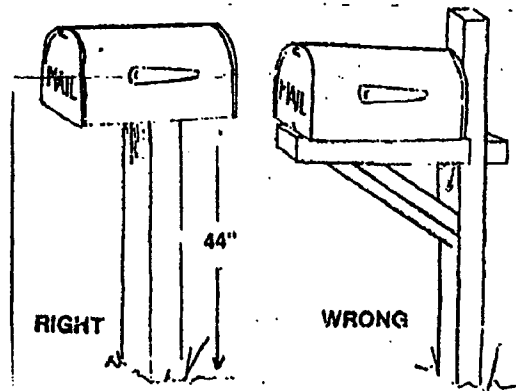
That the mailbox is on town, county or state right-of-way as a courtesy to the postal service.

Thus, when the necessity of keeping the highways open conflicts with the individuals reception of the mail, the latter must stand aside. The owner might even be compelled to remove the box under Highway Law #319.

From past experience, we have found that plastic mailboxes do not withstand the abuse of snow plowing and are not recommended.

As a courtesy, the Highway Department will repair a mailbox if the box was actually struck by the plow, but will not replace any fancy or oversized mailbox or post. Mailboxes or posts that are damaged or twisted by the weight of the snow alone will not be repaired.

Mailbox posts with fancy supports are not recommended as they stick out under the box and give the wing plow something to get a hold of. A box mounted directly on top of a treated 4 x 4 or 3" metal posts are the best. Please not the illustrations.



For further information, contact your Highway Superintendent at 293-2530.