

# KERSHAW COUNTY ENCROACHMENT PERMIT APPLICATION

Kershaw County Department of Public Works  
860 Park Road - Cassatt, SC 29032

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Applicant's Name (Please Print) Date

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Address Subcontractor

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City State Zip Code Telephone

The above listed applicant applies for a permit to excavate, construct or otherwise encroach within Kershaw County Road Right-of-Way as described below and depicted on the attached sketch plan:

Road Name(s):  
\_\_\_\_\_

For installation described as:  
\_\_\_\_\_  
\_\_\_\_\_

**For installations where platted right-of-way does not exist, the applicant is responsible for securing the necessary right-of-way. Issuance of this permit is not a representation by Kershaw County that it owns any right-of-way beyond the maintenance limits of the roadway.**

The terms of installation will be carried out in the manner applied for and by plans, specifications and statements filed with Kershaw County as part of this application, attached and incorporated herein by reference. **If the permit is granted, the applicant agrees to meet all requirements of the Department's standard specifications, supplemental specifications, General Provisions and any other requirements of the permit policy, attached and incorporated herein by reference.** If plans are not submitted, a sketch plan must be attached to this permit depicting location and type of proposed installation. A \$5000.00 Surety Bond filed with Kershaw County Public Works may be required and must remain in force for one year after the work in the right-of-way is completed. The bond requirement may be waived for utilities that are regulated by the Public Service Commission and can provide proof of being bonded and proof of liability insurance. All other applicants may be required to meet the bonding requirements.

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I (we) agree to comply with all of the provisions, terms, conditions and restrictions established for this permit. For and in consideration of the issuance of an encroachment permit issued by the County of Kershaw to the undersigned, the undersigned agrees to release, save harmless and indemnify the County of Kershaw from and against any and all claims, damages, causes of action, including attorney's fees, asserted against the County of Kershaw, it's agents, employees, successors and assigns as a result of the installation, maintenance, clean-up, continuance or existence of the encroachment described in this encroachment permit. The undersigned acknowledges that the encroachment shall be allowed to remain at the sufferance of the County of Kershaw and that the County of Kershaw shall not be subject to any claims for damage to or the loss or removal of the encroachment. This release and indemnity shall be binding upon the undersigned, their heirs, successors, assigns, agents and employees. I (we) agree to perpetual maintenance of the proposed encroachment and agree to incur all costs involved in the relocation or removal of the proposed encroachment if required in the future.

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Signature Print Name Date

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Approval Signature \_\_Director of Public Works or Date  
\_\_Assistant Director of Public Works

## GENERAL PROVISIONS

1. START OF CONSTRUCTION: If work does not begin within 120 days from date of approval, this permit shall become null and void and the applicant will be required to apply for a new permit.
2. NOTICE PRIOR TO START OF WORK: Notice shall be given to Kershaw County at (803)425-7191 a minimum of three (3) days before commencement of operations and immediately upon completion of work covered by this permit.
3. PERMIT SUBJECT TO INSPECTION: This permit must be kept on the job site at all times while the proposed work is underway and must be shown to any representative of Kershaw County or law enforcement officer on demand.
4. PROTECTION OF ROADWAY TRAFFIC: Adequate provisions shall be made for the protection of the roadway traffic at all times. Necessary detours, barricades, warning signs and watchpersons shall be provided by and at the expense of the applicant. The work shall be planned and carried out so that there will be the least possible inconvenience to the roadway traffic. The applicant agrees to observe all rules and regulations of the State Department of Transportation and Kershaw County Department of Public Works while conducting the work and take all other precautions that circumstances warrant.
5. PLACEMENT OF THE ENCROACHMENT: The placement of the proposed encroachment must be in compliance with this application, the attached sketch plan, all provisions and all applicable regulations.
6. STANDARDS OF CONSTRUCTION: All work shall conform to recognized standards of construction and proper drainage of the roadway. All work shall be subject to the supervision and satisfaction of the Kershaw County Department of Public Works, and shall conform to the SCDOT "Policy for Accommodating Utilities on Highway Rights-of-Way" latest edition, the Kershaw County Encroachment Permit Ordinance and the Kershaw County Engineering Standards.
7. FUTURE MOVING OF ENCROACHMENT: If, in the opinion of the Public Works Director, it should ever become necessary to relocate or remove the encroachment, or any part thereof, on account of change in location of roadway, widening of roadway, or for any other sufficient reason, such moving or removing shall be done at the request of Kershaw County and at the expense of the applicant. If, and when, the encroachment herein shall be moved or removed, either at the demand of the county or at the option of the applicant, the roadway and facilities shall immediately be restored to their original condition at the expense of the applicant.
8. RESTORATION OF GRASSING AND CROSS-SECTION: Should sod be disturbed and/or destroyed by this installation, it is to be replaced after the entire disturbed area has been reshaped and rolled to the cross-section existing prior to work.
9. COST: All work in connection, maintenance, moving or removing of the encroachment shall be done by and at the expense of the applicant and the applicant shall be responsible at any time in the future for any and all damage to the roadway facilities or other permitted encroachments that occur as a result of this installation.
10. APPLICANT: The word "Applicant" used herein shall mean the name of the person, firm or corporation to whom this permit was issued, his, her, it's heirs, successors and assigns.
11. PERMISSION OF ADJOINING PROPERTY OWNERS: It is distinctly understood that this permit does not in any way grant or release any rights lawfully possessed by the adjoining property owners. Any such rights necessary shall be secured from said adjoining property owners by the applicant.
12. PIPES, CONDUITS, ETC.:
  - (a) All roadway crossings will be installed by boring and jacking method except under the exceptional circumstances where existing utility lines are under existing pavement and no other access to the facilities are available. All patches must be done according to the Kershaw County Engineering Standards. Edges of all patches must be tacked.
  - (b) Service and other small diameter pipes shall be jacked, driven or otherwise forced underneath the pavement of any surfaced roadway without disturbing the integrity of the pavement.
  - (c) Tunneling shall not be permitted except on major work and must be specifically approved in this permit.
  - (d) No excavation shall be closer than three (3) feet from the edge of pavement on any hard surfaced roadway unless approved in this permit. All trenches or tunnels within the limits of the right-of-way shall be backfilled and thoroughly tamped in layers not greater than six inches in thickness, to a density equal to 100% of a standard proctor.
  - (e) The section of pipe, of service or other small pipes, under the roadway and within a distance of two feet on either side shall be continuous and without joints.

- (f) Unless specifically approved by this permit, all pipes and conduits under the roadway shall be placed at approximately right angles to the centerline of the roadway and at least two feet below the surface of the roadway.
  - (g) Pipes and utilities paralleling the roadway shall be located at a distance beyond the edge of the roadway surface and at a depth specifically stipulated in this permit. In all instances where encroachments are permitted within the surfaced area and paralleling the roadway, the applicant must resurface the entire width of the roadway for the entire length of the cut with a minimum of 125 pounds per square yard of Type I asphaltic concrete.
13. DRIVEWAYS AND APPROACHES: The existing cross-slope of the roadway shall be continued to the outside shoulder of the roadway to provide positive drainage from the roadway. If the driveway or approach is of concrete pavement, the concrete pavement must be a minimum of five inches thick, and of a mix with a minimum design strength of 3000 psi. There shall be a bituminous expansion joint, not less than ¼” in thickness, placed between the roadway pavement and the paving of the approach for the full depth of the former and the full width of the latter.
  14. REPAIR OF ENCROACHMENTS: The perpetual maintenance of the encroachment will be the responsibility of the applicant. If during routine maintenance or construction, after exercising due diligence, Kershaw County damages the encroachment, Kershaw County will not be held financially liable for repairs of the encroachment.
  15. REPAIR OF DAMAGED UTILITIES: If during the installation, repair, removal or relocation of the proposed encroachment, existing utilities or structures are damaged, the applicant will be held financially responsible for repair of the damaged utility or structure back to original condition.
  16. WORK WITHIN CITY LIMITS: This permit does not release the permittee from the necessity of securing permission from any city, or to secure consent of the abutting property owners to do such work.
  17. REQUIRED DEPTHS: Depths to bury underground lines will be a minimum of three (3) feet below ground surface or two (2) feet below ditches.
  18. LOCATION OF ABOVE GROUND ENCROACHMENTS: Pedestals or other above ground utility appurtenances installed as part of a buried cable plan shall be at or near the right-of-way line, well outside the roadway maintenance operating area, and out of the ditch area.
  19. SURRENDER OF PERMIT: The applicant agrees to surrender the permit herein applied for, cease operations and surrender all rights there under whenever notified to do so by Kershaw County because of the County’s plans for public use of the area covered by the permit or because of a default of the conditions of the permit. The Kershaw County Department of Public Works reserves the right to revoke, amend or cancel this permit or any of the provisions of it any time by giving written notice to the permittee. The permittee will immediately remove or move as directed all facilities from the right-of-way. The County, at the expense of the applicant, will remove any facilities remaining upon the right-of-way thirty (30) days after written notice of cancellation to the permittee.
  20. REVOCATION OF PERMIT: Failure to comply with the provisions of this permit shall be grounds for revocation of this permit and justification for not issuing future permits to the contractor or developer involved.

## **SKETCH PLAN**

**Note: Sketch Plan shall show roadway centerline and the proposed installation. This form is included with and made part of the Application and Permit for Encroachment.**