



**City of Battle Creek
Department of Public Works**

150 South Kendall Street Battle Creek, MI 49015

Phone: (269) 966-3343 Fax: (269) 966-3482

**SMALL CELLULAR TECHNOLOGY APPLICATION and PERMIT
TO CONSTRUCT, OPERATE, MAINTAIN, USE AND/OR REMOVE SMALL CELLULAR
TECHNOLOGY FACILITIES WITHIN A CITY OF BATTLE CREEK ROAD RIGHT-OF-WAY
Permit requirements shall not disaffirm Small Wireless Communications Facilities Deployment Act
Act 365 of 2018**

Permit Number:	Date Issued: (Permit expires after 90 days.)	Permit Fee:	Other:
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If applicant hires a contractor to perform work, BOTH shall assume responsibility for the provisions of this Application and Permit.

APPLICATION

APPLICANT - Please Print		OWNER OF FACILITIES - for billing purposes			
Name		Name			
Street		Street			
City	State	Zip	City	State	Zip
Phone	Fax	Phone	Fax		

Application is made for a permit to use street right-of-way for the purpose indicated as described below and/or as provided in the attached plans and specifications at the following location:

Street Name and Address	Location (Cross streets between which property is located or nearest main intersection)
Purpose	
	Proposed Start Date

APPLICANT/AUTHORIZED AGENT SIGNATURE - If Authorized Agent, I certify that I am acting as Authorized Agent on behalf of named Applicant.

Name

The above signed agrees to indemnify and save harmless the said City from all loss or damage by reason thereof and by reason of granting of this permit, to at all times properly safeguard such work, and to promptly pay to the said City any bill rendered for work said City may find necessary to do, or to have done by reason of the granting of said permit.

PERMIT

CITY OF BATTLE CREEK USE ONLY BELOW THIS LINE

Requirements/Conditions for permit

A permit is granted in accordance with the forgoing application for the period stated above, incorporating the Requirements and Conditions agreed to by the applicant as set forth above and found on page 2 of this form.

This permit is incomplete without the Requirements and Conditions found on page 2 of this form.

When Applicant hires a contractor, the Permittee is the Applicant and the Contractor.

Approved and Issued:

DPW AUTHORIZING SIGNATURE

TITLE

DATE

WHITE - APPLICANT / YELLOW - DPW / PINK - STREET FILE

City of Battle Creek Application and Permit – Requirements and Conditions

1. **Specifications.** All work performed under this permit must be done in accordance with the plans, specifications, maps and statements filed with and approved by the City of Battle Creek and must comply with the City's current ordinances and specifications included its General Contract Specification book along with MDOT specifications.
2. **Fees and Costs.** The permittee shall be responsible for all fees incurred by the City in connection with this permit and shall deposit estimated fees and costs as determined by the City, at the time the permit is issued.
3. **Escrow.** The permittee shall provide a cash deposit or letter of credit, as may be required, in a form and amount acceptable to the City at the time permit is issued.
4. **Insurance.** The permittee shall furnish proof of liability insurance in accordance with the City's requirements for insurance policy. Such insurance shall cover a period of not less than the term of this permit and shall provide that it cannot be canceled without ten (10) days advance written notice by certified mail, with return receipt required, to the City.
5. **Indemnification.** The permittee agrees to hold harmless and indemnify and keep indemnified the City of Battle Creek, its officers, commissioners, agents, and employees from all claims, suits and judgments to which the City, its officers, commissioners or employees may be subject and for all costs and actual attorney fees which may be incurred on account of injury to persons or damage to property, including property of the City of Battle Creek, whether due to the negligence of the permittee or the joint negligence of the permittee and the City, arising out of the work under this permit, or in connection with work not authorized by this permit, or resulting from failure to comply with the terms of this permit, or arising out of the continued existence of the work product which is the subject of this permit.
6. **Miss Dig.** The permittee must comply with the requirements of PA 53 of 1974, as amended. CALL MISS DIG AT (800) 482-7171 AT LEAST THREE (3) FULL WORKING DAYS, BUT NOT MORE THAN TWENTY-ONE (21) CALENDAR DAYS, BEFORE YOU START WORK. The permittee assumes all responsibility for damage to or interruption of underground utilities.
7. **Notification of Start and Completion of work.** The permittee must notify the City at least 72 hours before starting work and must notify the City when work is completed.
8. **Safety.** The permittee agrees to work under this permit in a safe manner and to keep the area affected by this permit in a safe condition until the work is completed. All work site conditions shall comply with Michigan Manual of Uniform Traffic Control Devices.
9. **Restoration and Repair of Road.** The permittee agrees to restore the road and right-of-way to a condition equal to or better than its condition before the work began; and to repair any damage to the road or right-of-way, which is a result of the facility whenever it occurs or appears. The permittee shall immediately repair any road restoration work that becomes unsatisfactory or falls into disrepair for a period of 1 year after the completion of the work authorized by this permit.
10. **Soil Erosion and Sedimentation.** The permittee shall comply with the requirements of the Natural Resources and Environmental Protection Act, Part 91 of PA 451 of 1994, as amended, and implement all applicable measurements controlling soil erosion and sedimentation.
11. **Limitation of Permit.** This permit does not relieve the permittee from meeting other applicable laws and regulations of other agencies. The permittee is responsible for obtaining additional permits or releases, which may be required in connection with this work from other governmental agencies, public utilities, private entities and individuals, including property owners. Permission may be required from the adjoining property owners.
12. **Violation of Permit.** This permit shall become immediately null and void if the permittee violates the terms of this permit. The City may require immediate removal of the permittee's facilities, or may remove them without notice at the permittee's expense.
13. **Assignability.** This permit may not be assigned without the prior approval of the City. If approval is granted, the assignor shall remain liable and the assignee shall be bound by all the terms of this permit.
14. **Supplemental Specifications.** This permit is subject to supplemental specifications on file with the City of Battle Creek and PA 200 of 1969, as amended.