



**REVOCABLE OCCUPANCY / STREET PRIVILEGE PERMIT APPLICATION
FOR COMMUNICATIONS (FIBER OPTICS, TELEPHONE, CABLE, ETC.)**

City of La Crosse Engineering Department

Phone: 608-789-7505 Email: engineering@cityoflacrosse.org <http://cityoflacrosse.org>

Encroachment Owner: Lemonweir Valley Telephone
Address: 127 HWY 12/16 City: Camp Douglas State: WI Zip: 54618
Phone # 608-427-6400 Email Address kevin.barth@getlynxx.net

Application Preparer (if different from above) Darren Peper of Mid-State Consultants
Relationship with Owner: Consulting Permit Agent
Phone # 608-797-2609 Email Address dpeper@mscon.com

Description of Proposed Encroachment: Lemonweir Valley Telephone would like to place new fiber optic cable and necessary equipment in road ROW to supply service to area businesses.

Encroachment Addresses (List by Street and 100 blocks): 3000 and 3100 Block of Berlin Dr.
2900 Block of Louyang Ave., and 4000 Block of Kinney Coulee Rd.

I certify that I have reviewed the Municipal Code and understand all that is related to this permit request. I further certify that I have the full authority to make the foregoing application; the information in the application and the required submittals are complete and correct; the Work or Use performed shall comply with all the laws of the State of Wisconsin, and all ordinances, rules, regulations, policies and special conditions of the City of La Crosse. The applicant agrees to perform the work covered by an approved permit with diligence and convenience to the public. **See Sheet 2 of 2 for Additional Conditions.**

Signature of Owner or designee: Kevin A Barth Date: 8/26/19
Print Name and Title: Kevin Barth / Network Plant Manager

Please return this completed application along with required information and fees noted on checklist below to: City of La Crosse, Engineering Department, 400 La Crosse Street, La Crosse, WI 54601. You will then be given notice of when your request will be on the Board of Public Works agenda for consideration. **Average completion time for validation 45 days.**

BELOW THIS LINE TO BE COMPLETED BY CITY STAFF ONLY

Required items to be provided by Applicant:

- Scale Drawing of encroachments
(Complete Utility Locate by Digger's Hotline Required)
- Certificate of Insurance (City as additional Insured)
- Initial Application Fee \$ _____
- City Utility Potential Conflict Notification and Sign-Off

**Board of Public Works
Approval Date:**

Encroachment Type:

Permit Number:

All Fees are Non-Refundable & Subject to change by City Council



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STREET PRIVILEGE PERMIT CONDITIONS FOR COMMUNICATIONS INSTALLATIONS

1. The applicant shall be primarily liable for damages to person or property by reason of the granting of this street privilege permit.
2. The applicant shall obtain an excavation permit from the City of La Crosse Engineering Department prior to performing installation or any maintenance on the cable in the City right-of-way that requires excavation or disruption of pavement, sidewalk, curb and gutter, or other structure.
3. The applicant agrees that tracer wires shall be used and final cable location within the street right-of-way shall be approved by the City Engineer. Cable shall be installed not less than 36 inches deep, unless otherwise approved by the City Engineer.
4. Applicant agrees to provide the City of La Crosse with final "as-built" plans when installation is complete.
5. Applicant agrees that any pavement, concrete or green space disturbed during drilling activities shall be restored to its prior condition.
6. Applicant agrees that said installation shall not interfere with the City's water, sanitary sewer, or storm sewer underground infrastructure that may be in the area.
7. Applicant further agrees that they will make arrangements with the public utility companies and the City of La Crosse to clear all public underground utilities prior to initiating such work, and if necessary, applicant will make arrangements with the City of La Crosse to ensure proper traffic control.
8. Applicant waives any and all rights to contest in any way or manner the validity of Sec. 66.0425 of the Wisconsin Statutes and the amount of compensation charged.
9. Provision for bond is hereby waived.
10. The applicant for a permit to encroach on the public right-of-way shall procure and maintain for the duration of the permit a minimum liability and contractual liability policy in the amount of \$100,000.00 each person, \$300,000.00 each accident for bodily injury and \$100,000.00 for property damage. A certificate of such insurance shall be filed with the City Attorney as part of the application. The insurance shall name the City, its officials, employees and agents as additional insureds. The Board may approve greater insurance protection on a case-by-case basis.
11. Applicant further agrees to hold harmless the City for any damage to said cable while the City, its agents or contractors are conducting construction for maintenance activities in or upon such area in which said cable lies; provided, however, the City shall make a good faith effort to notify applicant of any maintenance or work in the area of the street privilege permit which may damage applicant's cable.
12. Applicant agrees to remove the cable and return the area to its original condition upon ten (10) days' notice by the Board of Public Works. The applicant further agrees that if it does not remove the cable within ten (10) days after receiving notice, the City is authorized to remove the same and applicant agrees to pay the City for all costs of such removal.
13. Applicant further agrees that the obligations and conditions of this street privilege permit shall be binding upon all heirs, successors and assigns of applicant.