

FOREWORD

Thanks for your interest in our policies. This booklet has been developed to help you know in advance the rules and regulations for work involving the county public road right-of-way and to provide a sample copy of an application form.

The policies cited have been adopted by the Board of County Road Commissioners of Ogemaw County (Board) to promote safety and the general public welfare.

The Board continues to recognize that the right of access to county roads is incidental to ownership of abutting land. Our goal is to grant land owners access for their needs consistent with the Board's right and responsibility to insist on the location and design of driveways that will provide freedom of traffic movement and safety of the highway users.

The driveway policy outlines the procedure for obtaining permit approval to construct, reconstruct or modify a driveway.

Official policies sometimes contain unfamiliar terminology, so feel free to call us at (989) 345-0234, fax us at (989) 345-2337, or email us at ocrc@ogemawcrc.org. We will be happy to answer any questions and look forward to working with you.

The Ogemaw County Road Commission Board and Staff

Notice of Public Hearing

On December 13, 2017, at 9:30 A.M., at the offices of the Ogemaw County Road Commission, at 1250 S. M-33, West Branch, Michigan, a Public Hearing will be held at which time comments will be received pertaining to the proposed newly revised:

- 1.) Standards and Specifications for Roads, Streets, and Drainage pertaining to the Subdivision of lands. (In accordance with Act 288 of Public Acts of 1967 as amended).
- 2.) Residential and Commercial Driveway Standards and Fee Schedule.
- 3.) Fee Schedule for permits issued for work to be performed within the road right of way, i.e. utility installation. (Items 2 & 3 in accordance with Act 212 of Public Acts of 1980 as amended).

Copies of the proposed Standards and Fee Schedules are available for review at the offices of the Ogemaw County Road Commission during normal business hours, Monday through Friday, 7:30 A.M. to 4:00 P.M.

Van Sheltroun, Chairman
Ogemaw County Road Commission

Resolution

At a meeting of the Board of County Road Commissioners of the County of Ogemaw, State of Michigan, held on December 13, 2017, it was moved by Commissioner Winter and supported by Chairman Sheltroun that the following resolution be adopted.

RESOLVED: That as of December 13, 2017, the Board of Ogemaw County Road Commission hereby adopts the following Rules Governing the Granting of Permits for Driveways, Road Closures and Banners and rescind all former Rules Governing the Granting of Permits for Driveways, Road Closures and Banners.

Carried: Yeas: Commissioner Dan Winter
 Chairman Van Sheltroun
 Commissioner Mark Williams
 Nays: None

A certified true copy taken from the minutes of December 13, 2017.

Signed: _____

Brandy Curtis, Board Clerk

Date: December 13, 2017

RULES GOVERNING THE GRANTING OF PERMITS
FOR
DRIVEWAYS, ROAD CLOSURES AND BANNERS



BOARD OF COUNTY ROAD COMMISSIONERS

COUNTY OF OGEMAW

STATE OF MICHIGAN

Adopted: February 4, 1970
Amended: May 9, 2001
Amended: December 13, 2017
Effective: January 1, 2018

CONTENTS

Section	Page
Authority	2
Commercial Driveway Entrance	2
1.) Definitions	2
2.) Culvert and Drainage	2-3
3.) Grade and Sight Distance	3
4.) Radius	3
5.) Surface	3-4
6.) Curb, Gutter, Acceleration Lanes, Deceleration Lanes, and Relief Lanes	4
7.) Location	4
8.) Joint Driveways	4
9.) Number of Driveways	4
Commercial Driveway Plan Requirements	5
Residential Driveway Entrance	5
1.) Definition	5
2.) Culvert and Drainage	5-6
3.) Grade and Sight Distance	6
4.) Radius	6
5.) Surface	6
6.) Location	6-7
7.) Joint Driveways	7
8.) Number of Driveways	7
Farm Field Driveway Entrance	7
General Driveway Rules	7-8
1.) General	8
2.) Drainage and Culverts	8
3.) Special Cases	8-9
4.) Change of Use	9
Road Closures for Parades, Celebrations, and Festivals	9
1.) Authorized Applicants	9
2.) Application Forms	9
3.) Minimum Requirements	9
4.) Road Closure Permits Conditions	9-10
Banners	10
1.) Authorized Applicants	10
2.) Application Forms	10
3.) Minimum Requirements	10-11
4.) Design and Placement Requirements	11
5.) Conditions of Issuance of Banner Permits	11
Fees, Bonds, and Insurance	11
1.) Fees	11
2.) Bonds	11-12
3.) Insurance	12
4.) Completion	12
Severability	12-13
Variance Clause	13
Figure 4 – Typical Commercial Driveway Entrance	14
Figure 5 – Typical Road Entrance	15
Figure 6 – Typical Residential Driveway Entrance	16
Figure 8 – Commercial and Residential Driveway Entrances	17
Figure 9 – Typical Paved Driveway Entrance	18
Copy of Permit Application (CRA Form 100)	19-20

AUTHORITY

These rules have been adopted pursuant to the provisions of Section 5 of Public Act 200 of the Public Acts of 1969, and all the definitions, conditions and provisions of said Act are a part of these rules with the same force and effect as if they were enumerated here. The Ogemaw County Road Commission has the responsibility to issue permits consistent with the rules published here within for public safety and in the best interest of the public.

For ease of reference two sections of Act 200 are quoted here:

“Sec. 6. No permit shall be issued unless all the requirements of this act, and of rules made in accordance with section 5, are met. A permit may be revoked by the highway authority issuing it if at any time the permitted object, use or activity fails to meet the requirements of this act or rules made in accordance with section 5.”

“Sec. 7. The provisions of this act shall not apply to driveways in existence on the effective date of this act. (August 6, 1969) Any driveway which is constructed or reconstructed after the effective date of the rules issued pursuant to this act and which is in violation of the rules shall be corrected by the owner within a period of time, not less than 30 days, specified in the notice of violation sent certified mail to the owner. If not so corrected within the period required by the notice, the highway authority or its agents may perform the necessary correction and the owner shall reimburse the highway authority for the reasonable cost of correction.”

COMMERCIAL DRIVEWAY ENTRANCE

See Detail: Typical Commercial Driveway Entrance

1. DEFINITION

Any driveway entrance that provides access to a business, more than two parcels, or will provide substantial vehicular traffic to the existing roadway shall be considered a commercial driveway entrance. Any driveway providing access to land which is used for industrial or commercial purposes shall also be deemed to be a commercial driveway. The intent of designating a use as industrial and commercial is to define those uses which induce heavier traffic flow than residential use and to provide for wider access and a more durable surface to handle heavier traffic. In the event of a dispute over whether or not a specific use shall be designated commercial or not, the Board of County Road Commissioners shall make the final determination and shall base their decision on this intent.

2. CULVERT & DRAINAGE

- A. All backslopes and foreslopes shall not be steeper than a 1 on 4.
- B. The minimum depth of the ditch bottom shall be 2.5 feet below the shoulder hinge point of the road.
- C. The minimum length of culvert required will equal 40 feet plus 8 feet for every one foot of ditch depth.
Example: 2.5 foot ditch depth = 40 + (8 * 2.5) = 60 feet
- D. The minimum diameter for a commercial driveway culvert shall be fifteen (15) inches.
- E. A minimum twelve (12) inches of cover is required above any culverts installed.
 - i. Gravel- a minimum of six (6) inches of Compacted 22-A Gravel.

- ii. Sand- a minimum of six (6) inches of Compacted Class II Sand.
- F. A minimum of two (2) inches of Compacted Class II Sand is required below the culvert.
- G. If the culvert itself is installed beyond the right-of-way, then the property owner must maintain that culvert or give permission to the Road Commission, in the form of a drainage easement, to maintain the culvert and ditch line that is outside of the right-of-way. The Road Commission reserves the right to not maintain any culvert or ditch line that is located outside of the right-of-way.

3. GRADE & SIGHT DISTANCE

- A. The grade of a two-way, one-way, or any other type of commercial driveway entrance shall not exceed a maximum grade of 8%.
- B. The sight distance for a commercial driveway entrance shall conform to the following minimum standards:

Speed Limit (mph)	Minimum Sight Distance (feet)
25	285
30	335
35	385
40	435
45	485
50	535
55	585

4. RADIUS

- A. A 35 foot radius is typical on the entrance side of the driveway.
- B. A 25 foot radius is typical on the exit side of the driveway.
- C. The Road Commission will evaluate each specific location to determine whether the typical entrance and exit radii may be reduced.

5. SURFACE

- A. The surface shall consist of bituminous pavement with a width of twenty-four (24) feet at a rate of 330 pounds per square yard, to be placed in two courses of 165 pounds per square yard per course, and shall extend from the edge of the traveled way to the right-of-way.
- B. If installing concrete, it shall terminate at the road right-of-way, with bituminous pavement continuing from the concrete at the road right-of-way to the edge of the traveled way.
- C. Concrete installation on the road right-of-way will only be allowed with prior written approval from the Board. The Road Commission will evaluate each specific case, and will determine the thickness of concrete and all other standards that will be required for each separate location.

- D. The Road Commission reserves the right to determine what the surface of the driveway shall consist of; however, in no case shall the required surfacing be less than 6" of crushed gravel to the right-of-way line.
6. CURB, GUTTER, ACCELERATION LANES, DECELERATION LANES & RELIEF LANES
- A. See Detail: Typical Road Entrance
 - B. The Road Commission will evaluate each specific location to determine whether curb, gutter, acceleration and deceleration lanes and relief lanes will be required.
 - C. Curb, gutter, acceleration lanes, deceleration lanes and relief lanes are to be used on roads with substantial annual average daily traffic counts and where the driveway entrances will create more additional traffic entering and exiting a county road.
 - D. Additional right-of-way shall be transferred to the Road Commission for any portion of the construction that is to be maintained by the Road Commission in the future.
 - E. All areas of any additional lanes shall be paved. The entire approach of the driveway shall be paved to the right-of-way.
7. LOCATION
- A. No portion of a commercial driveway, including the curve which meets the traveled way, shall extend beyond the property line of an adjoining parcel of property extended at right angles to the centerline of the right-of-way from the point where the property line meets the right-of-way line.
 - B. No portion of a commercial driveway, including the curve which meets the traveled way, shall be located closer than 100 feet to the nearest right-of-way line of an intersection road or street.
 - C. No two commercial driveways, including the curve meeting the traveled way, serving the same property, shall be located closer than 50 feet, measured along the edge of the traveled way.
8. JOINT DRIVEWAYS
- When both property owners abutting a common property line agree, they may construct a joint commercial driveway which shall meet the same rules regarding width as all other commercial driveways and all the rules regarding the location of commercial driveways except that pertaining to location in regard to property lines.
9. NUMBER OF DRIVEWAYS
- A. A commercial or industrial operation may have more than one driveway providing the driveways meet all rules governing width and location.
 - B. Additional commercial driveways may be permitted providing that the combined width of all driveways does not exceed 20% of the commercial or industrial frontage held by the same owner at this location adjoining the highway which is over the first 200 feet.
 - C. A maximum of one driveway will be permitted per 100 feet of commercial or industrial frontage held by the same owner.
 - D. Additional driveways may be permitted in special cases if prior approval is given by the Road Commission.

COMMERCIAL DRIVEWAY PLAN REQUIREMENTS

1. In order that commercial driveways may be prepared in conformity with the general highway and street plans of the Board, the Applicant shall have prepared a detailed set of plans depicting the construction that is to take place.
2. The plans shall be drawn to a convenient scale not smaller than 1" = 200' on paper 18" x 24" in size.
3. The plans should give the location of the proposed driveway with reference to the section and part of section in which the driveway is situated along with the name and coordinates of the township.
4. Adequate provisions for traffic safety must be considered in laying out curb, gutter, acceleration lanes, deceleration lanes, and relief lanes for connecting with the existing county highway.
5. Three (3) copies of the preliminary plans prepared as noted above shall be submitted for study to the Board, together with a completed driveway permit application.
6. One (1) copy of the plans shall be returned within thirty (30) days to the Applicant with notations or approval from the Board.

RESIDENTIAL DRIVEWAY ENTRANCE

See Detail: Typical Residential Entrance

1. DEFINITION

All driveways for the purpose of serving the residents of single or two family dwellings or a farm yard adjacent to a farm residence shall be deemed to be a residential driveway. Any driveways providing access to more than two parcels of land shall be considered a commercial driveway entrance, and not a residential entrance.

2. CULVERT & DRAINAGE

- A. All backslopes and foreslopes shall not be steeper than a 1 on 4.
- B. The minimum depth of the ditch bottom shall be 2.5 feet below the shoulder hinge point of the road.
- C. The minimum length of culvert required will equal 10 feet plus 8 feet for every one foot of ditch depth.
Example: 2.5 foot ditch depth = $10 + (8 * 2.5) = 30$ feet
- D. The minimum diameter for a residential driveway culvert shall be twelve (12) inches.
- E. A minimum twelve (12) inches of cover is required above any culverts installed.
 - i. Gravel- a minimum of six (6) inches of Compacted 22-A Gravel.
 - ii. Sand- a minimum of six (6) inches of Compacted Class II Sand.
- F. A minimum of two (2) inches of Compacted Class II Sand is required below the culvert.

G. If the culvert itself is installed beyond the right-of-way, then the property owner must maintain that culvert or give permission to the Road Commission, in the form of a drainage easement, to maintain the culvert and ditch line that is outside of the right-of-way. The Road Commission reserves the right to not maintain any culvert or ditch line that is located outside of the right-of-way.

3. GRADE & SIGHT DISTANCE

- A. The grade of a two-way, one-way, or any other type of residential driveway entrance shall not exceed a maximum grade of 10%.
- B. The sight distance for a residential driveway entrance shall conform to the following minimum standards:

Speed Limit (mph)	Minimum Sight Distance (feet)
25	250
30	300
35	350
40	400
45	450
50	500
55	550

4. RADIUS

A 10 foot radius is required on both the entrance and exit sides of the driveway.

5. SURFACE

- A. All residential driveways shall have a minimum width of 10 feet and a maximum width of 15 feet, measured at right angles to the centerline of the driveway at the right-of-way line.
- B. The surface shall consist of a minimum six (6) inches of compacted processed road gravel and come out level with the shoulder point of the road.
- C. If installing bituminous asphalt, all specifications shall be followed as outlined on Figure 9, Typical Paved Driveway Entrance.
- D. If installing concrete, it shall terminate at the road right-of-way, with bituminous pavement continuing from the concrete at the road right-of-way to the edge of the traveled way.
- E. Concrete installation on the road right-of-way will only be allowed with prior written approval from the Board. The Road Commission will evaluate each specific case, and will determine the thickness of concrete and all other standards that will be required for each separate location.

6. LOCATION

- A. No portion of a residential driveway, including the curve which meets the traveled way, shall extend beyond the property line of an adjoining parcel of property

extended at right angles to the centerline of the right-of-way from the point where the property line meets the right-of-way line.

- B. No portion of a residential driveway, including the curve which meets the traveled way, shall be located closer than 50 feet to the nearest right-of-way line of an intersection road or street except that in the case of a platted lot which does not provide enough frontage to allow for 50 feet; then the nearest point shall be as far as possible but in no case less than 20 feet from the nearest right-of-way line of the intersecting street.
- C. No portion of two residential driveways, including the curve meeting the traveled way, serving the same property, shall be located closer than 50 feet, measured along the edge of the traveled way.

7. JOINT DRIVEWAYS

- A. When both the property owners abutting a common property line agree they may construct a joint residential driveway which shall have a minimum width of 20 feet and a maximum width of 30 feet and shall meet all the rules regarding the location of residential driveways except that pertaining to location in regard to property lines.
- B. If the Road Commission approves such a system, a driveway permit shall be issued to all property owners concerned and shall have access to the highway via the frontage road and the joint driveway system.

8. NUMBER OF DRIVEWAYS

- A. One residential driveway will be permitted for each platted lot.
- B. For areas that are not platted, one residential driveway will be permitted for the first 100 feet or less of residential property held in one piece.
- C. Additional residential driveways may be permitted providing that the combined width of all driveways does not exceed 15% of the residential frontage held by the same owner at this location adjoining the road which is over the first 100 feet.
- D. A maximum of one driveway will be permitted per 100 feet of residential frontage held by the same owner.
- E. Two residential driveways may be permitted on the same property, in lieu of the above, to serve a circle driveway if the frontage of the property is 80 feet or more.

FARM FIELD DRIVEWAY ENTRANCE

Any driveway serving cultivated fields, timber land or undeveloped land not used for industrial, commercial or residential uses shall be designated a farm field driveway, however, farm field driveways shall be treated as residential driveways for this permitting process.

GENERAL DRIVEWAY RULES

1. GENERAL

- A. No driveway shall be constructed or any work performed on the right-of-way of any Ogemaw County highway without obtaining a written permit (Form CRA 100) from the Ogemaw County Road Commission.

- B. Contractors or others employed by a property owner or lessee shall not be considered as authorized applicants.
- C. The applicant shall have a copy of the permit available at the site during construction.
- D. The grade of the driveway between the highway edge of pavement and the edge of the shoulder shall conform to the slope of the shoulder.
- E. The property owner or his agent shall maintain all driveways set forth in the permit.
- F. All driveway permits shall be valid for a period of one (1) year from the date that the permit was issued.

2. DRAINAGE & CULVERTS

- A. Wherever there is an existing ditch or the Board of County Road Commissioners or its agents install or intend to install a ditch, the County Highway Engineer shall determine whether or not a culvert is required, and if so shall determine the size (diameter) and length of culvert required; the property owner then shall furnish and install the determined culvert.
- B. Culverts shall be installed in line with and on the same grade as the road ditch.
- C. No culvert of less than twelve (12) inches in diameter may be installed.
- D. All culverts shall be corrugated metal pipe made with steel of the proper gage corresponding to its diameter as shown below:

Diameter	Gage No.
12" to 24"	16
30" to 42"	14
48"	12
54"	10
60" to 78"	8

- E. If the property owner wishes to use alternate materials, the County Highway Engineer shall determine whether the material is equal to or better than those above. The owner shall then obtain written approval from the County Highway Engineer before purchasing or installing the alternate material.
- F. Altered natural drainage shall not be permitted to flow onto highway right-of-way unless special provisions are approved by the Road Commission.
- G. The driveway shall be constructed so that the highway drainage is not adversely affected by the driveway. The drainage and the stability of the highway subgrade shall not be altered by driveway construction or roadside development.

3. SPECIAL CASES

- A. In cases where the property owner wishes to fill an island area between 2 drives in order to landscape, the County Highway Engineer shall recommend what special structures are required (e.g. additional paved lanes, catch basins, curb, etc.) and final approval shall rest with the Board of County Road Commissioners. If approved, all future repair and maintenance of the underground drainage components will be at the applicant's expense.

- B. The Board of County Road Commissioners reserve the right to make special conditions in cases where the above regulations may cause undue hardships to the property owner if such special conditions do not interfere with public health or safety, and may specify particular dimensions so a particular driveway system will accommodate the vehicles normally expected without creating undue congestion or hazard on the through highway.

4. CHANGE OF USE

In case a driveway permit is issued for one type of use and the owner changes the driveway to another type of use (residential or farm field drive to commercial) the owner will be required to apply for a driveway permit for the new use and meet all the requirements for the new driveway type.

ROAD CLOSURES FOR PARADES, CELEBRATIONS AND FESTIVALS

1. AUTHORIZED APPLICANTS

A permit granting permission for the temporary closure of a county highway for a reasonable length of time for a parade, celebration or festival may be issued by the Road Commission only to the governing body of a city, incorporated village, or township.

2. APPLICATION FORMS

Application for permits to close or partially close a county highway for a parade, celebration, or festival shall be in the manner prescribed by or on the appropriate forms supplied by the Road Commission (CRA Form 100).

3. MINIMUM REQUIREMENTS

Permit applications shall be accompanied by a copy of a resolution from the city, village or township requesting permission for the highway closure or partial closure. The application shall state the nature of the activity for which the highway closure or partial closure is being requested, the dates and times it is proposed to close and reopen the highway to traffic (a reasonable period of time as approved by the Road Commission), and such other information as the Road Commission may require.

4. ROAD CLOSURE PERMIT CONDITIONS

All permits allowing the closure or partial closure of a highway shall be issued subject to the following conditions:

- A. The closure or partial closure of the highway and the use of a detour route shall not unduly interfere with the safe and free movement of traffic.
- B. A suitable alternate location is not available for the parade, celebration or festival which is more acceptable for traffic safety and offers less interruption of traffic.
- C. Normally, closures or partial closures of highways shall be allowed during daylight hours only. In the special case where a temporary nighttime closure is permitted for a parade, celebration, or festival, all points of potential hazard and all barricades and warning traffic signs must be lighted at the applicant's expense and such lighting must be in accordance with requirements and specifications of the Road Commission.

- D. All traffic control devices installed in conjunction with the highway closure or partial closure and the detour route shall conform to the provisions of the current Michigan Manual of Uniform Traffic Control Devices.
- E. Required traffic control devices may be furnished and installed either by the local governing body or by the Road Commission, if available, but, in either event, all costs arising from the installation, maintenance and removal of such devices shall be borne by the applicant.
- F. The local governing body shall assume the responsibility for necessary police supervision, establishment and posting of any necessary detour and shall also assume liability for any and all damage claims which may arise as a result of the highway closure or partial closure.
- G. Closures or partial closures of highways shall not be permitted for the purpose of allowing private commercial activities, such as advertising or sale of goods, wares, or produce.

BANNERS

1. AUTHORIZED APPLICANTS

A permit for the installation of banners to be placed within or over county highway right-of-way may be issued by the Road Commission only to the governing body of a city, incorporated village or township.

2. APPLICATION FORMS

Applications for permits for the erection of banners shall be in the manner prescribed by or on the appropriate forms supplied by the Road Commission (CRA Form 100).

3. MINIMUM REQUIREMENTS

- A. Permit applications shall be accompanied by a copy of a resolution from the local governing body designating an authorized official of the city, village or township as having the authority to make the application for the city village or township.
- B. A blanket resolution is also permitted, which has the same effect and authorizes the same conditions as an individual resolution but covers issuance of permits for a specified period of time, is on file with the Road Commission.
- C. Appropriate forms for local governmental resolutions and blanket resolutions may be supplied by the Road Commission. Each application shall include the following information:
 - i. Activity in connection with which the banners are to be placed.
 - ii. Location of the proposed installation including distance to overhead traffic control devices.
 - iii. A description of the banners, including any legend or symbol thereon.
 - iv. The height of an overhead banner at its lowest point above the surface of the highway.
 - v. The date on which the banner will be erected and removed; this period shall not exceed a time period specified by the Road Commission. An acceptable period of time for banners, other than Christmas decorations, to be in place is three (3)

weeks, and an acceptable duration for Christmas decorations to be in place is six (6) weeks.

vi. Such other information as the Road Commission may require.

4. DESIGN AND PLACEMENT REQUIRMENTS

- A. The design, method of installation, and location of all banners shall be such that they will not be dangerous to those using the highway or unduly interfere with the free movement of traffic.
- B. Overhead banners shall have a minimum bottom height of eighteen (18) feet above the surface of the traveled way and be placed not closer than ten (10) feet on either side of traffic lights or signals and shall be so placed as to not obstruct a clear view of such traffic lights or signals or other traffic control devices.
- C. Banners shall not have displayed thereon any legend or symbol which may in any way be construed to advertise or otherwise promote the sale of or publicize any merchandise or commodity or which may be construed to be a political nature.
- D. Banners shall not have displayed thereon any device which is or purports to be or is an imitation of or resembles or which may be mistaken for a traffic control device or which attempts to direct the movement of traffic.
- E. Decorations authorized by a permit shall not include flashing lights.

5. CONDITIONS OF ISSUANCE OF BANNER PERMITS

Permits for the erection or installation of banners may be cancelled by the Road Commission if such installation shall become dangerous to those using the highway or unduly interfere with the free movement of traffic.

FEES, BONDS, AND INSURANCE

1. FEES

- A. A non-returnable fixed permit fee relating to activities outlined in this document will be assessed for the following permits:
 - i. Commercial Driveway Entrance
 - ii. Residential Driveway Entrance
 - iii. Farm Field Driveway Entrance
 - iv. Road Closures for Parades, Celebrations and Festivals
 - v. Banners
- B. The amount of all fees are detailed in the Board's current fee schedule.
- C. Fees are assessed to permits to cover costs incurred by the Board to monitor and process these permits. Permits are mandated by the board to ensure safety to the motoring public and to maintain uniform consistency pertaining to the design and construction of driveways, and the requirements mandated to allow the closure of roads, as well as the placement of banners throughout the County.

2. BONDS

- A. A bond shall be required on all commercial driveway permits before any construction begins.

- B. In order to guarantee the completion of the items of work associated with a Commercial Driveway Entrance, the Applicant shall provide a bond in the form of cash, cashier's check, certified check or irrevocable bank letter of credit to the Board of County Road Commissioners of Ogemaw County, Michigan.
- C. The estimate of cost and the reasonable amount of coverage of the bond shall be determined by the Road Commissioner's Engineer.

3. INSURANCE

A. The Applicant shall furnish and maintain such comprehensive general liability and other insurance as is appropriate for the work being performed on all commercial driveway permits, road closures and banners. Proof of adequate insurance coverage shall be submitted to the Road Commission by the Applicant and shall contain a provision or endorsement that the coverage afforded will not be canceled, materially changed or renewal refused until at least thirty (30) days prior written notice has been given to the Road Commission by certified mail.

B. The insurance required hereunder shall consist of:

- i. Workers' Compensation Insurance meeting the requirement of State and Federal laws.
- ii. Comprehensive General Liability policy to cover bodily injury to persons including accidental death and for damage to tangible property, including loss thereof.

Minimum Limits to include:

Personal injury per any one person	\$500,000.00
Personal injury aggregate per accident	\$1,000,000.00
Property damage per accident	\$500,000.00
Property damage aggregate per accident	\$500,000.00

- iii. Comprehensive Automobile Liability policy to cover bodily injury including accidental death and property damage arising out of the ownership, maintenance or use of any motor vehicle including owned, non-owned and hire vehicles.

Minimum Limits to include:

Personal injury per person	\$500,000.00
Personal injury aggregate per accident	\$1,000,000.00
Property damage per accident	\$500,000.00
Property damage aggregate per accident	\$500,000.00

4. COMPLETION

Upon the satisfactory completion of all work detailed in the permit, the Road Commission will formally accept the work in writing. The acceptance will release the Applicant from the conditions of this agreement and his bond shall be returned.

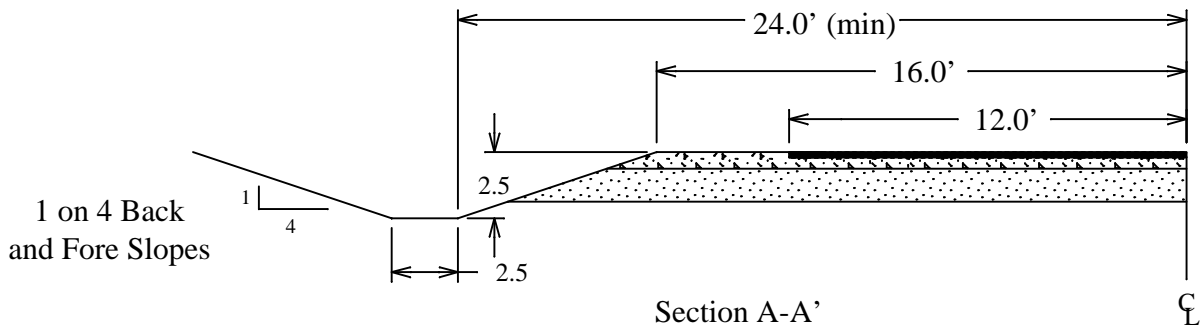
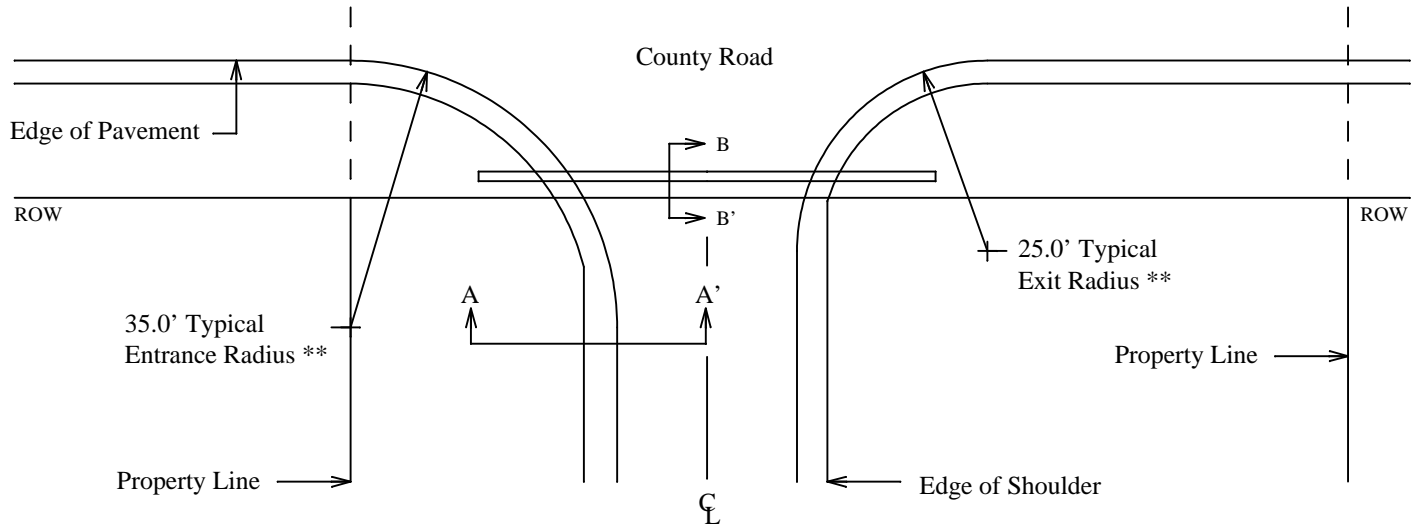
SEVERABILITY


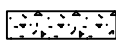
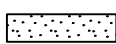
These regulations and the various parts, articles, sections, sub-sections, phrases and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, article, section, sub-section, phrase or clause is adjudged unconstitutional or invalid it is hereby provided that the remainder of these regulations shall not be affected thereby. The Board hereby declares that it would have passed these regulations and each section, sub-section, phrase, sentence and clause

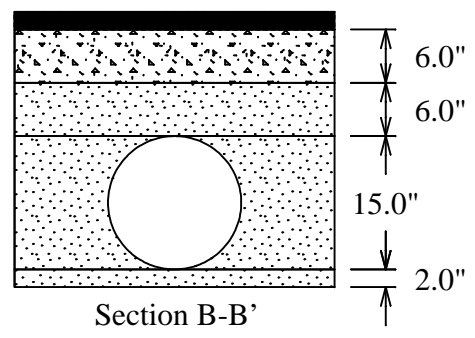
thereof irrespective of the fact that any one or more articles, sections, sub-sections, phrases sentences or clauses be declared invalid.

VARIANCE CLAUSE

Proprietors that desire variations from these procedures, guidelines and specifications must submit their request in writing. Written requests for variances must include sufficient technical details to support justification for the request. A proposed variance must be submitted prior to preliminary or construction plan approval. Although instances may arise that requests for a variance may be submitted after the plan approval, in such instances the plans must be resubmitted with the approved revisions.



-  Surface: Bituminous Pavement, 330 lb/syd
-  Base: 22-A Compacted Gravel
-  Subbase: Compacted Class II Sand
- Culvert: 15" dia. (min)

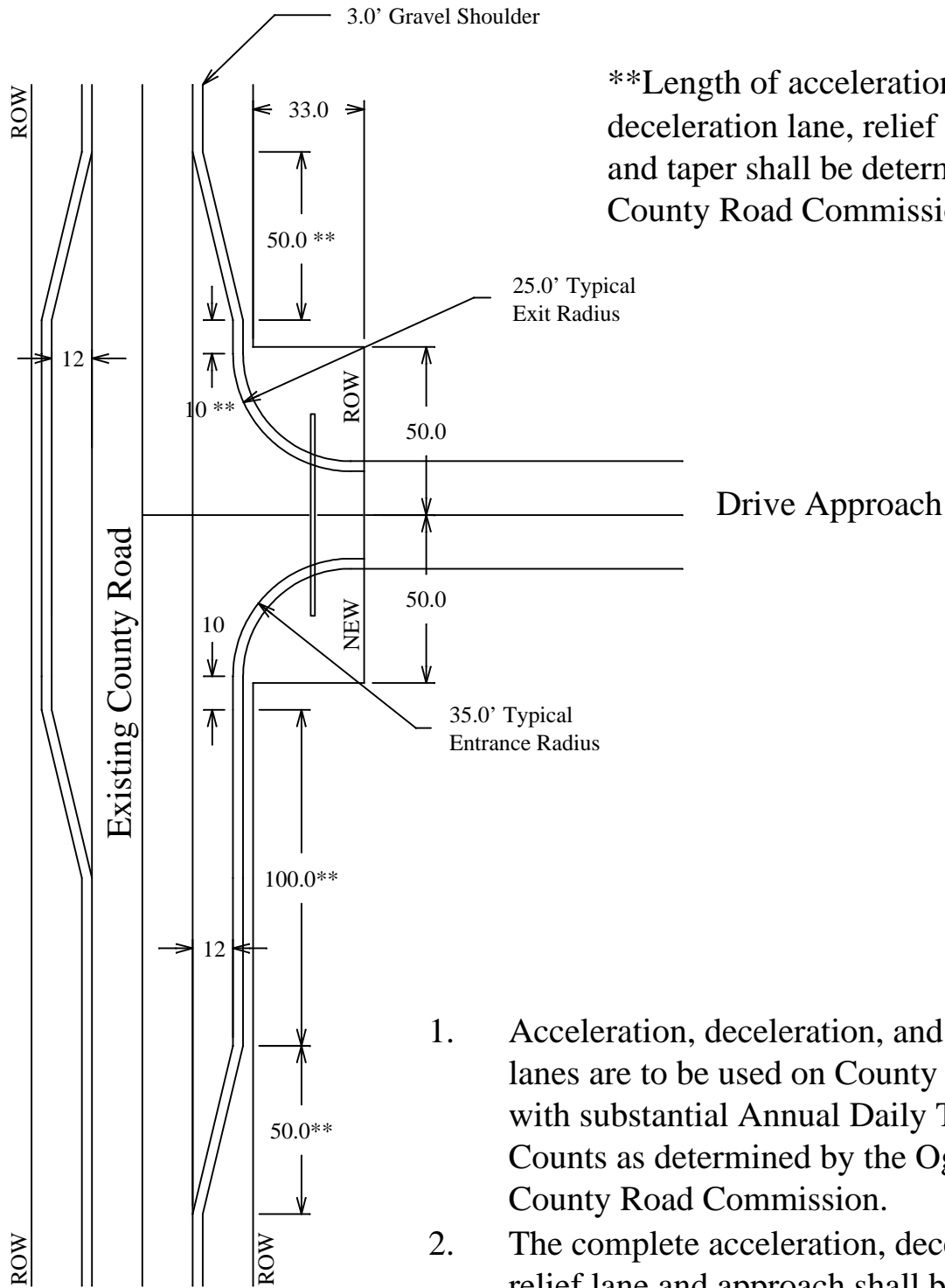


1. No portion of driveway, including culvert or radius, is to extend beyond the property boundaries.
 2. Clean out ditch bottom and install culvert as per details, with 12" minimum cover over culvert.
 3. All slopes are to be 1 on 4 with topsoil, seed and mulch.
 4. O.C.R.C. will evaluate each specific location to determine whether curb, gutter, acceleration lanes, deceleration lanes, or relief lanes will be required.
- ** O.C.R.C. will evaluate each specific location to determine whether the typical entrance and exit radii may be reduced.

Typical Commercial Driveway Entrance

Ogemaw County Road Commission

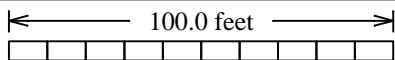
Drafted by:	DLRJ
Date:	April 27, 2001
File Name:	Figure4.dwg



**Length of acceleration lane, deceleration lane, relief lane and taper shall be determined by the County Road Commission.

1. Acceleration, deceleration, and relief lanes are to be used on County Roads with substantial Annual Daily Traffic Counts as determined by the Ogemaw County Road Commission.
2. The complete acceleration, deceleration, relief lane and approach shall be paved to the right-of-way.
3. O.C.R.C. will evaluate each specific location to determine whether the typical entrance and exit radii may be reduced.

Typical Road Entrance



Ogemaw County Road Commission

Drafted by:

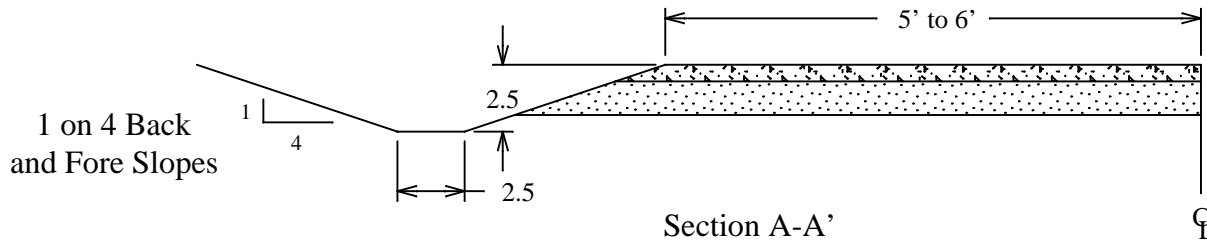
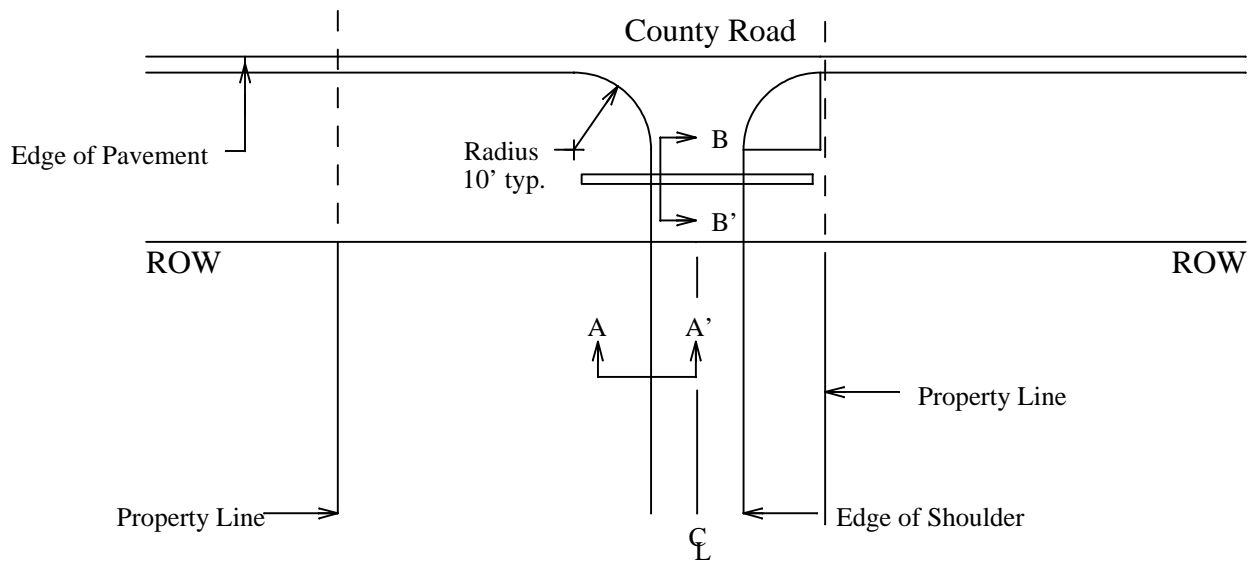
DLRJ

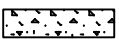

Date:

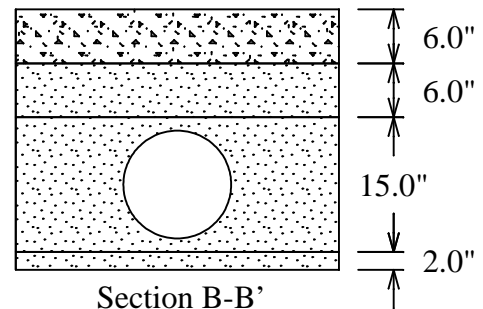
April 27, 2001

File Name:

Figure5.dwg



-  Surface: 23-A Compacted Gravel
-  Base: Compacted Class II Sand
- Culvert: 12" dia. (min)



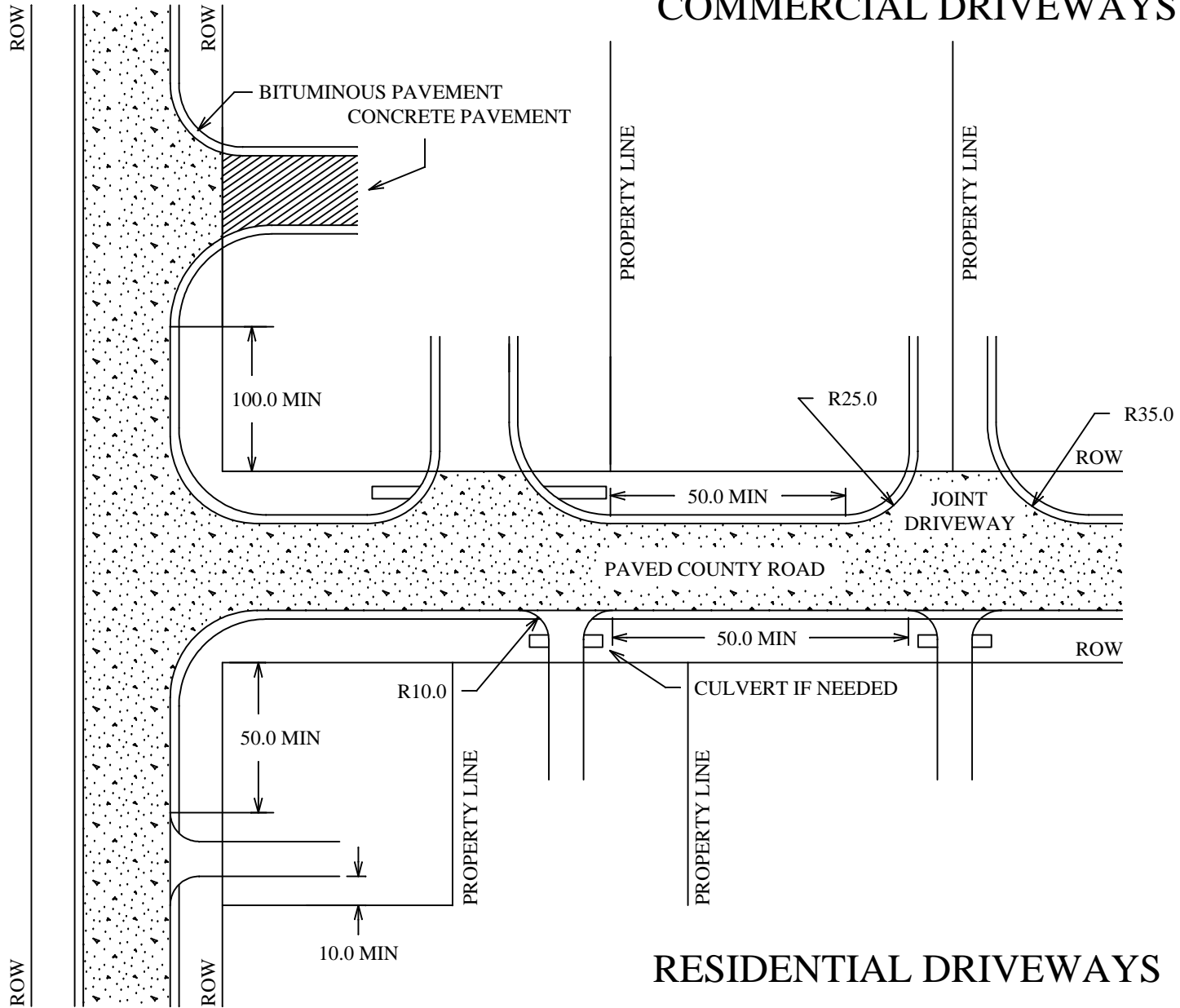
1. No portion of driveway, including culvert or radius, is to extend beyond the property boundaries.
2. Clean out ditch bottom and install culvert as per details, with 12" minimum cover over culvert.
3. All slopes are to be 1 on 4 with topsoil, seed and mulch.
4. Fill is to come out level with shoulder point, top 6" is to be processed road gravel.
5. If installing concrete, it shall terminate at the road right of way.

Typical Residential Driveway Entrance

Ogemaw County Road Commission

Drafted by:	DLRJ
Date:	April 27, 2001
File Name:	Figure6.dwg

COMMERCIAL DRIVEWAYS



RESIDENTIAL DRIVEWAYS

Commercial & Residential Driveway Entrances

Ogemaw County Road Commission

Drafted by:

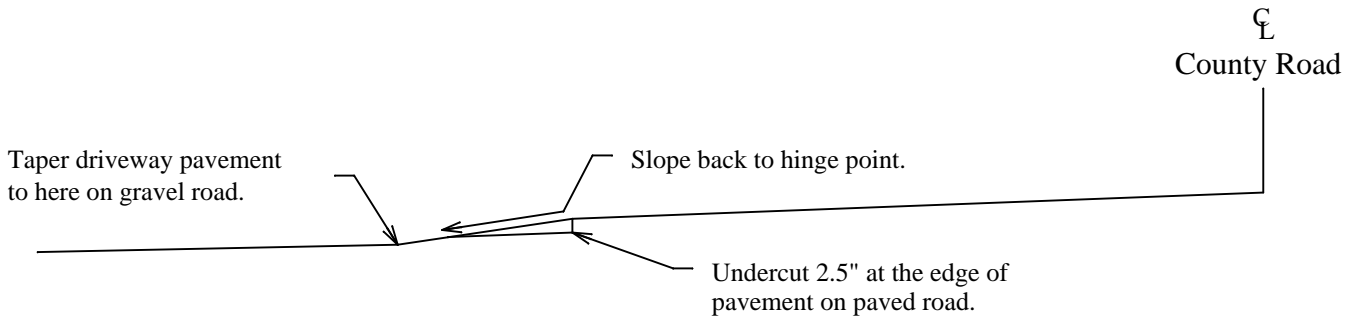
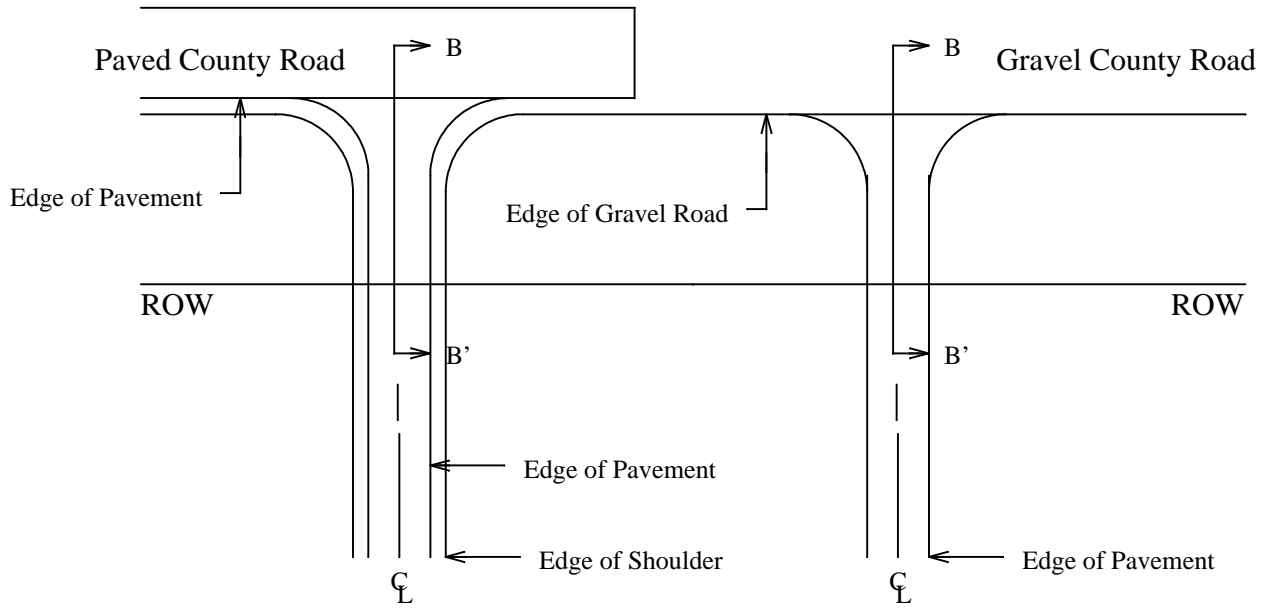
DLRJ

Date:

April 27, 2001

File Name:

Figure8.dwg



Section B-B'

1. PAVED ROADS - Undercut drive at existing blacktop 2.5 inches and slope back 0.5 inches per foot of shoulder back to the shoulder hinge point.
2. GRAVEL ROADS - Taper blacktop into gravel roads at shoulder point.
3. RESIDENTIAL DRIVE - Asphalt to be applied at rate of 220 pounds per square yard.
4. COMMERCIAL DRIVE - Asphalt to be applied at rate of 330 pounds per square yard.
5. Topsoil, seed and mulch any disturbed area.
6. Do not leave excess material on right-of-way.

Typical Paved
Driveway Entrance

Ogemaw County Road Commission

Drafted by:

DLRJ

Date:

April 27, 2001

File Name:

Figure9.dwg

Ogemaw County Road Commission
 1250 South M-33
 P. O. Box 157
 West Branch, MI 48661
 Phone 989.345.0234 / Fax 989.345.2337

Application No. _____
 Permit No. _____
 Issue Date _____

**APPLICATION AND PERMIT TO CONSTRUCT, OPERATE, USE AND/OR MAINTAIN
 WITHIN THE RIGHT-OF-WAY OF; OR TO CLOSE, A COUNTY ROAD.**

APPLICATION

An applicant is defined as an owner of property adjacent to the right-of-way, the property owner's authorized representative; or an authorized representative of a private or public utility who applies for a permit to construct, operate, use, and/or maintain a facility within the right-of-way for the purpose outlined within the application. A contractor who makes application on behalf of a property owner or utility must provide documentation of authority to apply for a permit.

APPLICANT	Name:	CONTRACTOR	Company:
	Address:		Address:
	Phone No: Cell No:		Phone No: Cell No:
	Fax No:		Fax No:
	Email Address:		Email Address:

Applicant/Contractor request a permit for the following work within the right of way of a county road:

LOCATION: County Road _____ Between _____ And _____

Township _____ Section ____ T ____ R ____ Side of Road N S E W Property ID _____

DATE: Work to begin on _____; Work to be completed by _____

I certify and acknowledge that (1) the information contained in this application is true and correct, (2) the commencement of the work described in this application shall constitute acceptance of the permit as issued, including all terms and conditions thereof and, (3) if this permit is for commercial or residential driveway work, I am the legal owner of the property that this driveway will serve, or I am the authorized representative.

Applicant's Signature: _____
 Title: _____ Date: _____

Contractor's Signature: _____
 Title: _____ Date: _____

PERMIT

The term "Permit Holder" in the terms and conditions set forth on the reverse side hereof, refers to the applicant and the contractor, where applicable. By performing work under this permit, the Permit Holder acknowledges and agrees that this permit is subject to all the rules, regulations, terms and conditions set forth herein, including on the reverse side hereof. Failure to comply with any of said rules, regulations, terms and conditions shall render this permit NULL AND VOID.

REQUIREMENTS	FEE TYPE	AMOUNT	RECEIPT NO	DATE					
	Application Fee				Letter of Credit \$ _____	<input type="checkbox"/>	Y	<input type="checkbox"/>	N
	Permit Fee				Surety Bond \$ _____	<input type="checkbox"/>	Y	<input type="checkbox"/>	N
	Inspection Fee				Retainer Letter	<input type="checkbox"/>	Y	<input type="checkbox"/>	N
	Bond				Approved Plans on File	<input type="checkbox"/>	Y	<input type="checkbox"/>	N
	Deposit				Certificate of Insurance	<input type="checkbox"/>	Y	<input type="checkbox"/>	N
	Other				Attachments/Supplemental Specifications	<input type="checkbox"/>	Y	<input type="checkbox"/>	N
	To Be Billed								

OTHER REQUIREMENTS: See Ogemaw County Road Commission attachment "A".

Recommended For Issuance By: _____
 Title: County Foreman Date: _____

Approved By: _____
 Title: Manager Date: _____

TERMS AND CONDITIONS

1. **Specifications.** All work performed under this permit must be done in accordance with the application, plans, specifications, maps and statements filed with the County Road Commission (“Road Commission”) and must comply with the Road Commission’s current procedures and regulations on file at its offices and the current MDOT Standard Specifications for Construction, if applicable.
2. **Fees and Costs.** The Permit Holder shall be responsible for all costs incurred by the Road Commission in connection with this permit and shall deposit estimated fees and costs as determined by the Road Commission, at the time the permit is issued.
3. **Bond.** The Permit Holder shall provide a cash deposit, irrevocable letter of credit or bond in a form and amount acceptable to the Road Commission at the time permit is issued.
4. **Insurance.** The Permit Holder / Contractor shall present evidence that at least the following insurance coverage shall be in full force and in effect on each vehicle while operating on the public highways under special permit:
 - Bodily Injury Liability - each person \$500,000.00
 - Bodily Injury Liability - each accident \$1,000,000.00
 - Property Damage Liability - each accident \$1,000,000.00
 - Single Limit Policy \$1,000,000.00
 - Worker’s Compensation Statutory CoverageSuch insurance shall cover a period not less than the term of this permit and shall provide that it cannot be canceled without 30 days advance written notice to the Road Commission, by certified mail, first-class, return receipt requested. This permit is invalid if insurance expires during the authorized period of work described herein.
5. **Indemnification.** In addition to any liability or obligation of the Permit Holder that may otherwise exist, Permit Holder shall, to the fullest extent permitted by law, indemnify and hold harmless the Road Commission and its commissioners, officers, agents, and employees from and against any and all claims, actions, proceedings, liabilities, losses, and damages thereof, and any and all costs and expenses, including legal fees, associated therewith which the Road Commission may sustain by reason of claims for or allegations of the negligence or violation of the terms and conditions of this permit by the Permit Holder, its officers, agents, or employees, arising out of the work which is the subject of this permit, or arising out of work not authorized by this permit, or arising out of the continued existence of the operation or facility, which is the subject of this permit.
6. **Miss Dig.** The Permit Holder must comply with the requirements of Act 53 of Public Acts of 1974, as amended. CALL MISS DIG AT (800) 482-7171 or www.missdig.org AT LEAST THREE (3) FULL WORKING DAYS, BUT NOT MORE THAN FOURTEEN (14) CALENDAR DAYS, BEFORE YOU START WORK. The Permit Holder assumes all responsibility for damage to or interruption of underground utilities.
7. **Notification of Start and Completion of Work.** The Permit Holder must notify the Road Commission at least 48 hours before starting work, when work is completed, and additionally as directed by the Road Commission.
8. **Time Restrictions.** All work shall be performed Mondays through Fridays between 8:00 a.m. and 5:00 p.m. unless written approval is obtained from the Road Commission, and work shall be performed only during the period set forth in this permit. Perform no work except emergency work, unless authorized by the Road Commission on Saturdays, Sundays, or from 3:00 p.m. on the day proceeding until the normal starting time the day after the following holidays: New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
9. **Safety.** Furnish, install and maintain all necessary traffic controls and protection during Permit Holder’s operations in accordance with the *Michigan Manual of Uniform Traffic Control Devices, Part 6* and any supplemental specifications set forth herein.
10. **Restoration and Repair of Road.** The construction, operation and maintenance of the activity covered by this permit shall be performed by the Permit Holder without cost to the Road Commission unless specified herein. The Permit Holder shall also be responsible for the cost of restoration and repair of the right-of-way determined by the Road Commission to be damaged as a result of the activity which is the subject of this permit. Restoration shall meet or exceed conditions when work is commenced and be in accordance with specifications. The Permit Holder shall be responsible for costs incurred by the Road Commission for emergency repairs performed by or on behalf of the Road Commission for the safety of the motoring public. Said repairs shall be performed with or without notice to the Permit Holder if immediate action is required. This determination shall be in the sole and reasonable opinion of the Road Commission.
11. **Limitation of Permit.** Issuance of this permit does not relieve Permit Holder from meeting any and all requirements of law, or of other public bodies or agencies. The Permit Holder shall be responsible for securing and shall secure any other permits or permission necessary or required by law from cities, villages, townships, corporations, property owners, or individuals for the activities hereby permitted. Any work not described by the application, including the time and place thereof, is strictly prohibited in the absence of the application for and issuance of an additional permit or amendment to this permit.
12. **Revocation of Permit.** This permit may be suspended or revoked at will, and the Permit Holder shall surrender this permit and alter, relocate or remove its facilities at its expense at the request of the Road Commission. It is understood that the rights granted herein are revocable at the will of the Road Commission and that the Permit Holder acquires no rights in the right-of-way and expressly waives any right to claim damages or compensation in case this permit is revoked.
13. **Assignability.** This permit is not assignable and not transferable unless specifically agreed to by the Road Commission.
14. **Authority.** The statutory authority of the Road Commission to require compliance with permit requirements is predicated upon its jurisdictional authority and is set forth in various statutes including, without limitation and in no particular order, MCL §247.321 et seq; MCL §224.19b; MCL §560.101 et seq; and MCL §247.171 et seq.