



LEWIS AND CLARK COUNTY PUBLIC WORKS DEPARTMENT

ROAD APPROACH PERMIT APPLICATION INSTRUCTIONS

1. Applicant shall complete the attached Road Approach Permit Application. The application **MUST** include a sketch indicating the desired location of the approach. A copy of the Certificate of Survey (COS) may be substituted for the sketch with the desired location indicated. **Incomplete applications will be returned.**
2. Applicant shall submit the completed application and pay the application fee of \$150 to the Community Development and Planning Department, Room 230; 316 N. Park Ave., Helena, MT 59623. **If the approach has been installed without a permit, the fee is \$500.**
3. When the completed application and fee have been submitted, the Applicant will receive a flag to place at the desired location of the approach. The Applicant must contact Community Development & Planning at (406) 447-8374 once the flag has been placed in the appropriate location.
4. County Staff will inspect the desired approach location and provide comments and installation conditions that will be indicated on the Approach Permit.
5. The application will then be returned to Community Development & Planning indicating all of the required conditions for installation of the approach.
6. The Applicant will receive notification from Community Development & Planning requesting the Applicant come to Room 230, sign the Approach Permit and pick up a copy of the permit with identified conditions for proper installation. **Failure to install the approach within 12 months from the date of the signed Approach Permit invalidates the permit.**
7. Public Works staff will schedule an inspection thirty (30) days after issuance of the approach permit. If there is a need for postponement of the inspection per construction delays, the Applicant shall contact the Public Works Department at (406) 447-8040 to reschedule the final inspection once the approach has been properly installed. **Failure to notify Public Works and the resulting need for multiple inspections will result in the Applicant being assessed an additional permit fee.**

The process to complete the initial inspections and return the permit to the Community Development and Planning office typically requires ten (10) working days, so Applicants should anticipate and factor this processing time into their construction schedule.

CONSTRUCTION CANNOT BEGIN ON THE APPROACH UNTIL APPLICANT HAS SIGNED THE APPROACH PERMIT.

PUBLIC WORKS GUIDELINES AND STANDARDS FOR INSTALLATION OF AN APPROACH

All approaches will be installed in accordance with the current version of the Lewis and Clark County Public Works Manual. Approaches onto any public road are subject to these requirements and any additional conditions on the permit:

1. Construction Costs

The Permittee and Applicant shall do all work and pay all costs associated with the construction of the approach and any appurtenances on the public road.

2. Construction to be done by a Contractor Certified by County Public Works

Design and construction of an approach requires understanding of drainage functions, safety considerations and sound construction practices requiring that contractors have requisite knowledge and experience to install them in compliance with the County standards. The County has instituted a contractor certification process similar to that required for septic system installers, many of whom do approach installations. Approach permits will only be issued to contractors that have been certified by the Public Works Department as having received the requisite training and who operate according to County requirements for approach installations.

3. Maintenance

Any maintenance and/or repairs deemed necessary by the Public Works Department shall be the responsibility of the Permittee/Property Owner(s). The Department reserves the right to make any changes within the public road right-of-way that may be necessary to provide proper protection and safety for the public or maintenance of the public road right-of-way.

4. Indemnification

The Permittee/Property Owner(s) shall hold harmless and indemnify the County and its duly appointed agents and employees against any action for personal injury or property damage sustained by reason of the exercise of the permit.

5. Penalty/Enforcement

If the Public Works Department determines that an approach is not in substantial compliance with these standards, the Permittee/Property Owner(s) of the approach will be notified and allowed to correct the deficiency. If the deficiency is not addressed within ten (10) working days, either by corrective action or by notifying the Public Works Department of a proposal for corrective action, the Department will determine the approach to be an encroachment and will take appropriate action to remedy the situation in accordance with

7-14-2134 through 7-14-2138 MCA.

6. Covenants, Zoning and Other Restrictions

An approach permit shall not be granted unless it complies with covenants, zoning, storm water drainage plans, subdivision conditions, institutional controls, and any other restrictions associated with the property. Review of such potential restrictions as well as looking at the proposed approach location for special drainage and/or safety conditions has led to the typical ten (10) day application review time frame.

7.Modification Process

The policies, procedures, guidelines and standards contained in the current version of the Public Works Manual are to be used for the uniformity of all approaches and work done in public road right-of-ways. As the policies, procedures, guidelines and standards change within the Public Works Department, these requirements will change.

8.Appeal Procedure

Section 15 of the Public Works Manual outlines the appeal procedure for deviation from the installation guidelines, conditions or requirements for installation of an approach onto a public road right-of-way.