

**ROAD OCCUPANCY PERMIT
GENERAL CONDITIONS APPLICABLE TO ALL PERMIT HOLDERS**

Permit Holder must:

1. Ensure that road(s) are not closed at anytime (unless approved by City of Mississauga)
2. Ensure that access for emergency vehicles be maintained at all times
3. Ensure that all temporary conditions signs and devices, including the use of Traffic Control Persons, are in compliance with OTM Book 7 Manual for Temporary Conditions, the Occupational Health & Safety Act and its Regulations, and any additional requirements of the Road Authority
4. Should the construction occur in the vicinity of or impact on a City of Mississauga Traffic Signal plant, the Permit Holder must contact City of Mississauga Traffic contractor's Dispatch at 416-288-8222 for a stake out prior to the commencement of work.
5. Crash attenuation devices shall not be removed, dismantled, or in any way altered so as to affect the normal operation of the equipment.
6. Trees on the right of way must be protected from damage. When the work interferes with or causes damage to a tree, Recreation and Parks/Forestry Division shall be contacted.
7. Use of steel plates shall not be permitted unless approved by City of Mississauga. Use of steel plates will only be considered from April 15 to November 1. Steel plates must be of sufficient strength and thickness to withstand daily traffic load. Plates must be counter sunk or slightly below the existing pavement surface and must be skid resistant.
8. Maintain clear sightlines at all intersections and driveways
9. Ensure road(s) to be fully accessible outside construction hours
10. The road and sidewalk surfaces must be kept clear of obstructions or debris, to avoid hazard and/or inconvenience to the public.
11. Not allow parking on the roadway (unless approved by City of Mississauga)
12. Maintain driveway access
13. Issue written notice to all affected residents, property owners and businesses
14. Ensure that storage bins placed on City Facility must be secured, have reflective attachments or tape to ensure visibility at night, and have warning signs to ensure that the public does not enter or remove items from the bin
15. Ensure that any alterations to this permit be approved by the Transportation and Works Department prior to such changes taking place.
16. Ensure that a copy of this permit be available on site/location
17. This Road Occupancy Permit is issued pursuant to all relevant City By-Laws
18. The requirements of the "road occupancy" pertaining to any aspect of this permit shall be to the satisfaction of the Commissioner of Transportation and Works, **otherwise the site/location will be closed until those requirements have been met.**
19. Any violations of this permit and the conditions herein stated, will result in the permit being cancelled
20. Upon request, the Permit Holder must forward final soil and/or groundwater report(s) for City right-of-way to Transportation and Works.
21. Upon request, Transportation and Works must receive confirmation that all monitoring wells installed in City right-of-way have been decommissioned in accordance with Ontario Regulation 903.
22. **Limited Liability and Release:** The Permit Holder hereby releases and forever discharges the City, including its elected officials, officers, employees, agents and contractors, and the Permit Holder further agrees that notwithstanding anything to the contrary contained herein, the City, including its elected officials, officers, employees, agents, contractors and sub-contractors shall not be liable to the Permit Holder or to anyone for whom the Permit Holder may be in law responsible for, any loss of or damage to property, personal injury or death, or any other losses, action, claims, causes of action, damages, both direct or indirect and such other costs and expenses, howsoever and whatsoever incurred, suffered or sustained by the Permit Holder or any of the Permit Holder's employees, agents, contractors or sub-contractors during or otherwise in relation to or in connection with the Permit Holder's activities relating to any matters under this Permit, negligent misrepresentation, or breach of statutory duty on the part of the City or on the part of anyone for whom the City is in law responsible, the condition or state of repair of the roadway and the breach of any of the provisions of this Permit by the City, including, but not limited to, any negligent act or omission of the City, its or their employees, agents, contractors or sub-contractors, which causes or contributes to any such injury, damage or loss.
23. **Indemnity:** The Permit Holder shall indemnify and save the City harmless, including the City's elected officials, officers, employees, agents and contractors, from and against any loss, cost and expense incurred by the City because of any demand, action or claim brought against the City as a result of any loss of or damage to property, personal injury or death, or any other losses or damages, both direct or indirect, including such other costs and expenses, howsoever and whatsoever incurred, suffered or sustained by the Permit Holder using the roadways, or by anyone else permitted on the roadway by the Permit Holder or by anyone for whom in law the Permit Holder is responsible, including any losses or damages which have been caused or contributed to by any negligence, negligent misrepresentation, or breach of statutory duty on the part of the City or on the part of anyone for whom the City is in law responsible, by the activities of the Permit Holder, the condition or state of repair of the roadway and the breach of any of the provisions of this Permit by the City, including, but not limited to, any negligent act or omission of the City, its or their employees, agents, contractors or invitees, which causes or contributes to any such injury, damage or loss.

CONDITIONS SPECIFIC TO CONSTRUCTION

24. **Permit Holder must activate the Road Occupancy Permit on the first day of construction by calling 905-615-3200 ext. 7888**
25. Permit Holder is responsible for all utility stake-outs prior to commencement of any work. Backfilling/compacting/supporting of utility pipes, cables etc. shall be completed to the satisfaction of each individual utility company.
26. Depth of cover of new installations shall be a minimum of one (1) metre below existing grade.
27. All trenches must be restored as specified herein, including drainage ditches, culverts and culvert headwalls. Good drainage must be maintained during the course of operations.
28. All work to be carried out to the satisfaction of the Commissioner of Transportation and Works Department and be in accordance with City Standards Nos. 2220.030, 2220.031 and 2220.032, available at www.mississauga.ca or by request
29. The Permit Holder agrees to accept and indemnify The Corporation of The City of Mississauga for all costs incurred in making temporary and permanent repairs (see items 32 & 33 below) to the approved cut.
30. The Permit Holder shall notify Transportation and Works – Maintenance Standards & Permits Section at 905-615-3200 ext. 3055 once the temporary and/or permanent repairs to the approved cut have been completed.

PERMIT HOLDER'S REQUIREMENT FOR PERMANENT REPAIRS

31. The Permit Holder agrees that the permanent repairs will be guaranteed and maintained in a safe condition for 18 months from the date of substantial completion and acceptance of the repairs by the City of Mississauga.

In all replaceable surfaces such as interlocking brick, flagstone, etc on granular base:

- Permit Holder will do temporary and permanent repairs in accordance to City Standards and Specifications

In all sodded and gravelled areas:

- Permit Holder will do temporary and permanent repairs in accordance to City Standards and Specifications

Boulevard restoration shall consist of backfilling with clean, non-frozen native materials and properly compacted. All areas shall receive new sod (No. 1 Grade Nursery) and shall have a minimum of 100mm imported topsoil, countersunk and rolled to match the surrounding area. The Permit Holder shall be responsible for watering and ensuring growth of the sod.

All boreholes, regardless of native soil types, shall be filled from bottom to sub grade with **bentonite** to reduce any potential settlements. For boreholes in pavement, restoration will consist of **bentonite** to sub grade, 19mm Crusher Run limestone OPSS Granular 'A' and HL3 asphalt to match existing road granular and asphalt respectively. For boreholes in the boulevard, the restoration shall consist of **bentonite** to within 100mm of the existing surface, top 100mm to be filled with cleaned topsoil. Excavated material shall be removed off site.

PERMIT HOLDER'S REQUIREMENT FOR TEMPORARY REPAIRS

32. The Permit Holder agrees that the temporary repairs will be guaranteed and maintained in a safe condition for 18 months from the date of substantial completion and acceptance of the repairs by the City of Mississauga or until the completion of the permanent repairs by the City, notwithstanding any delays in making the permanent repairs.

In all asphalt road pavements, asphalt boulevards, concrete road pavements, concrete sidewalks, concrete curbs, concrete medians, concrete boulevards, concrete and asphalt driveways and interlocking brick on a concrete base:

- Temporary repairs will be done by the Permit Holder to the satisfaction of City of Mississauga, Transportation and Works
- Permanent repairs will be done by City of Mississauga, Transportation and Works

The temporary repairs of an approved cut will consist of the following:

- On all Local Roads - minimum of 75mm of HL8 asphalt
- On all Major Arterial, Collector or Industrial Roads – minimum of 100mm of HL8 asphalt
- All sidewalks – minimum of 75mm of hot mix asphalt
- On all concrete and asphalt driveways including boulevards – minimum of 75mm of hot mix asphalt
- Concrete curbs to be temporarily repaired with asphalt as per OPSD 601.01

Where a crash attenuation device, noise wall, guide rail or any other type of fencing conflicts with the work conditions of this permit, the Permit Holder must contact Transportation and Works – Maintenance Standards & Permits Section at 905-615-3200 ext. 3055 for review. If it is deemed necessary that the crash attenuation device, noise wall, guide rail and/or fencing must be removed, the Permit Holder agrees to install and maintain temporary fencing to ensure the area is kept safe. The temporary fencing shall be in place until the City of Mississauga permanently replaces the crash attenuation device, noise wall, guide rail and or fencing. The Maintenance/Restoration Deposit Payor shall be responsible for the cost of the permanent replacement of the crash attenuation device, noise wall, guide rail and/or fencing carried out by the City of Mississauga and such costs plus an administration fee shall be deducted from the Maintenance/Restoration Deposit provided by the Deposit Payor.

COST OF REMEDIAL REPAIRS

33. The Permit Holder and the Maintenance/Restoration Deposit Payor accept the City’s right to perform any necessary remedial work caused by the Permit Holder’s operation, subject to the following conditions:

- At least 24 hours prior, notification will be given to the Permit Holder and the Maintenance/Restoration Deposit Payor of any remedial work. Should the Permit Holder not act on this notification within the time given and this time elapses, the City will undertake to carry out the repairs.
- When it is deemed that a **PUBLIC SAFETY** or an **EMERGENCY** situation has occurred due to lack of or inferior remedial work, the City will perform immediate repairs.
- All costs to the City associated with remedial repair plus an administration fee will be deducted from the Maintenance/Restoration Deposit provided by the Deposit Payor.

COST OF PERMANENT REPAIRS AND ROAD DEGRADATION FEE

34. The Maintenance/Restoration Deposit Payor is responsible for the cost of permanent repairs carried out by the City of Mississauga plus an administration fee and the applicable Road Degradation as per the current Transportation and Works Fees and Charges By-law, available at www.mississauga.ca. The amount of the Road Degradation Fee will be based on the area of the road cut after the permanent repairs have been completed. The cost of permanent restoration and the road degradation fee will be deducted from the Maintenance/Restoration Deposit and the balance returned to the Maintenance/Restoration Deposit Payor after the permanent repairs have been completed. Utility companies will be invoiced for the same costs and fees.

UNSHRINKABLE FILL

35. Whenever it is necessary to cut through an existing roadway, the contractor will be responsible for proper trench consolidation utilizing unshrinkable fill and replacing the original surface. Sub-drains under the curbs must be restored to ensure their operation. The placement of unshrinkable fill should not extend beyond the sub-grade level. Granular and asphalt materials and installation must be identical to or better than those which are existing within the original roadway. Unshrinkable Fill shall meet all requirements of OPSS 1359, except that no Supplementary Cementing Materials are allowed. It is the Permit Holder’s responsibility to ensure that current OPSS mix requirements are met. The following is a summary of the requirements:

- Maximum Portland Cement content.....25 kg/m3
- Maximum 28-day compressive strength.....0.7 MPa
- The slump at point of discharge.....150 mm
- The mix shall be designed to flow into the excavation and all voids without vibration and segregation
- The mix may contain foaming agents

REGION OF PEEL EXEMPTION

36. The Region of Peel is responsible for all reinstatement works (temporary and permanent repairs) at their expense. All reinstatement works within the limits of the road allowance will be maintained and guaranteed for a period of 18 months from the date of completion and acceptance of the works by the City of Mississauga.

CONDITIONS SPECIFIC TO SPECIAL EVENTS

- Banner must not obstruct traffic signs or traffic signals
- Participants must obey the rules of the road
- No alcohol shall be permitted
- An event will not be permitted on a City street during weekday peak traffic hours (7:00 am. - 9:00 am and 3:00 pm. - 6:00 pm). Statutory holidays are exempted.

CONDITIONS SPECIFIC TO FILMING

- No traffic stoppages permitted 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. (Monday to Friday)
- Maximum 12 production vehicles in total permitted to park. The vehicle parking permit must be visible on the driver’s side of the dashboard.

I, THE PERMIT HOLDER, confirm that I have read, understood and accepted the ROAD OCCUPANCY PERMIT GENERAL CONDITIONS which form part of this permit.

PERMIT HOLDER’S SIGNATURE

DATE

NAME (please print)

I, THE MAINTENANCE/RESTORATION DEPOSIT PAYOR, confirm that I have read, understood and accepted the ROAD OCCUPANCY PERMIT GENERAL CONDITIONS which form part of this permit. I agree that I shall be responsible for the cost of permanent and remedial repairs carried out by the City of Mississauga plus an administration fee and that these costs will be deducted from the Maintenance/Restoration Deposit provided by me.

MAINTENANCE/RESTORATION DEPOSIT PAYOR’S SIGNATURE

DATE

NAME (please print)