

ENCROACHMENT PERMIT REGULATIONS

GENERAL CONDITIONS

This permit is issued subject to the below listed terms and conditions. The violation of any of said terms and conditions will constitute sufficient cause for cancellation of this permit.

Applicant declares that any construction or use authorized by the permit will comply with the provisions of Jackson County Codified Ordinance Chapter 1034 and all applicable requirements imposed by other laws, including but not limited to Oregon Water Laws. Failure to comply with these laws will result in cancellation of the permit and removal of Applicant's personal property at the Applicant's sole expense.

SPECIAL TERMS AND CONDITIONS

1. This permit is valid only for work within the scope and extent as described above.
2. This permit covers public right-of-way and/or County property only.
3. Per Oregon Revised Statute (ORS) 209.150, any survey monuments of record removed, disturbed, or destroyed within the permit area must be referenced prior to construction and replaced after construction by a registered professional land surveyor. All costs associated with this surveying work are the responsibility of the permit holder.
4. **HOLDHARMLESS CLAUSE** -The permit holder agrees that their performance under this permit is at their own risk and that they shall indemnify Jackson County, its agents and employees, and hold them harmless from any and all liability for damages, costs, losses and expenses resulting from, arising out of, or in any way connected with this permit, or from the permit holder's failure to perform fully hereunder, and the permit holder further agrees to defend Jackson County, its agents, and employees, against all suits, actions or proceedings brought by any third party against them for which the permit holder would be liable hereunder.
5. In the event that County maintenance and/or construction requires additional utilization of the public right-of-way this permit may be rescinded and the permit holder may be required, **at his own expense**, to relocate his facilities to accommodate the work contemplated by the County. Jackson County will make reasonable effort to provide the permit holder prior notification of any such planned activity, but assumes no responsibility.
6. Sight posts, sign posts, or mailboxes that have been removed will be replaced immediately in like condition and in the same location. The area around them will be restored to a like or better condition.