



LEWIS AND CLARK COUNTY
DUST CONTROL PERMIT AND AGREEMENT
ON A COUNTY ROAD

IT IS IMPORTANT FOR YOU TO NOTE that, for purposes of this application, the term “County Road: is defined as any road under the jurisdiction of Lewis and Clark County”.

Please place a check next to the box which best describes your purpose for making application to Lewis and Clark County.

Private application of dust control on
County Road

Request road grading prior to application of dust
control

Please type or print legibly.

Applicant Name:

Last

First

Mailing Address:

Street or P.O. Box

City

State

Zip

Telephone:

Home

Work

Cellular

Dust Control
Address:

Road Name

City

Subdivision Name

General Location:

(i.e. “West side of Valley Drive approximately ¼ mile north of the intersection with Canyon Ferry Road”)

Name of dust suppressant product and method of application to be used:

_____/_____/_____
Planned Completion Date

PLEASE NOTE: Montana state law prohibits the use of used motor oil as a dust suppressant on any public road. A list of the currently approved dust suppressant products is available from the Montana State Department of Environmental Quality, Waste Management Division. The permittee must ensure that the dust suppressant and application thereof are in conformance with all applicable state laws. If the County provides road surface preparation (grading) the County will notify the applicant when the grading is complete. This permit will be void if dust treatment is not applied within three (3) days after the County gives notice to apply the dust suppressant.

Subject to the following terms and conditions. The permit applied for is hereby granted.

PERMIT TERM. This permit shall be in full force and effect from the date hereof until revoked as herein provided. This permit may be revoked by the County, for just cause, upon giving 45 days notice to Permittee by ordinary mail, sent to the address shown herein. However, the County may revoke this permit without notice if Permittee violates any of its conditions or terms.

COMMENCEMENT OF WORK. No work will be started until Permittee notifies the Public Works Department of the date the Permittee proposes to commence work.

COUNTY SAVED HARMLESS FROM CLAIMS. As a consideration of being issued this permit, the Permittee, its successors or assigns, agrees to protect Lewis and Clark County and save it harmless from all claims, actions or damage of every kind and description which may accrue to, or be suffered by, any person or persons, corporations or property by reason of the performance of any such work, character of materials used, or manner of application, or by the improper occupancy of said highway right-of-way, and in case any suit or action is brought against the County and arising out of, or by reason of, any of the above causes, the Permittee, its successors or assigns, will, upon notice to them of the commencement of such action, defend the same at its sole cost and expense and satisfy any judgment which may be rendered against the County in any such suit or action.

PROTECTION OF TRAFFIC. The permittee shall protect the work area with traffic control devices that comply with the Manual of Uniform Traffic Control Devices. The permittee may be required to submit a traffic control plan to the County for approval prior to starting work. During work, the County or designee may require the permittee to use additional traffic control devices to protect traffic or the work area. No road closure shall occur without prior approval from the County.

COUNTY'S RIGHT NOT TO BE INTERFERED WITH. All authorized work shall be done by Permittee so as to cause the least interference with any of the County's work, and the County shall not be liable for any damage to the Permittee by reason of any such work by the County, its agents, contractors or representatives, or by the exercise of any rights by the County upon the roadways from the application of dust control authorized under this permit. If County roadway changes necessitate construction, alteration, repair, maintenance or improvement of the County roadway, the County shall not be held liable for disturbances of the dust suppressant applied under this permit.

The undersigned "Permittee" agrees to the terms and conditions of this permit.

PERMITTEE ACCEPTANCE

**LEWIS AND CLARK COUNTY
APPROVAL**

(Signature) (Date)

(Signature) (Date)