

Town of Cary Utility Policy

Permit Requirements

A. Need for a Permit

A utility shall obtain a permit from the town before any use or occupancy of town highways is allowed.

B. Permit Authorization to Use and/or Occupy Right-of-Way

By issuance of a permit, the town formally indicated that subject to all applicable permit conditions, a specified use and/or occupancy of right-of-way is not averse to the highway interests at the time of the permit approval.

The town does not warrant that public title to the right-of-way is free and clear, does not certify that it has sole ownership, and does not indicate any intention to defend the utility in its peaceful use and occupancy of said lands.

The permit does not transfer any land; nor give, grant, or convey any land right, right in land, or easement.

Written authorization from the town does not relieve the utility from compliance with all applicable federal and state laws codes, and local laws and ordinances which affect the design, construction, materials, or performance of the work. The town's authorization shall not be construed as superseding any other governmental agency's more restrictive requirements.

Each permit shall require that the standard indemnification language is part of the overall document.

The utility should retain a copy of the permit in their files during the entire time the facility is located on, over, or under Town Highway right-of-way.

If you have any comments or questions concerning the above, please contact our Town Chairman—Mark Gosh at 715-884-3279