



# SECONDARY ROADS DEPARTMENT

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## APPLICATION, HOLD HARMLESS AGREEMENT, PERMIT, AND CONDITIONS

### FOR CONTRACTOR APPLIED TEMPORARY DUST PALLIATIVE

Please complete and submit this application to your designated Contractor on or before the due date published on the County's website. They will forward the application to the Secondary Roads Department for approval. After approval, the County will prepare the area detailed below for temporary dust palliative by grading and/or rocking the road surface.

#### Applicant information:

Last Name		First Name		Telephone		E-mail	
Mailing Address Number and Street				City		State	Zipcode

#### Location of treatment area: (Please provide a sketch of the proposed area to be treated on page 2 of this application.)

Treatment Location – County Road Name			911 Address Number		County Route Number (e.g. X14)	
Total length to be treated (in feet)	Name of nearest crossroad	Distance to nearest crossroad (in feet)	Survey Township T-(77-81)-North	Survey Section (01-36)	Survey Range R-(5-8)-West	
Has the area to be treated been marked with the Contractor's provided flags?		Yes <input type="checkbox"/>	No <input type="checkbox"/>	Please indicate the date the location was/will be marked?		

#### Designated Contractor and palliative type (mark one type only):

<input type="checkbox"/> Calcium Chloride <input type="checkbox"/> Magnesium Chloride <input type="checkbox"/> Lignin Sulfonate (tree sap)	Two treatments per year. Permit is valid May 1 through October 31.
<input type="checkbox"/> Existing Bituminous Chipseal (Re-treatment or Repair only)	
Designated pre-approved dust palliative Contractor	Repair or re-treatment frequency as directed by the Engineer. Permit is valid for the year issued.

I attest that the information provided herein is true and correct and request permission for the pre-approved Designated Contractor above to apply temporary dust palliative to the surface of a public highway. In signing this application and accepting a permit for temporary dust palliative, I agree to abide by all of the conditions and special conditions contained herein and assume full responsibility and liability for private application of dust palliative material on the above-described portion of public highway in Johnson County, Iowa. The Contractor/ /Applicant/Licensee/Consultant/Owner or Assigns expressly agrees to indemnify, defend, and hold the County, its directors, officers, and employees free and harmless from and against any and all loss, liability, expense, claims, costs, suits, and damages including attorney's fees, arising out of Contractor's/Applicant's Licensee's/Consultant's/Owner's or Assigns' operation or performance under this agreement.

I agree to Hold Harmless Agreement above

Applicant's Signature (Required)		Date
Application checked by Designated Contractor (printed name)		Designated Contractor's authorized signature
		Date

#### FOR JOHNSON COUNTY OFFICIAL USE ONLY

Approved <input type="checkbox"/>	Denied <input type="checkbox"/>		
Application Status	Checked and reviewed by (Initials)	Permit Issue Date	Permit Expiration Date

**Permit is not valid without signature on page 4 agreeing to conditions.**

Please draw a map indicating the location of the proposed treatment area. Include the Secondary Road name the treatment is to be applied on, as well as the nearest crossroad name and E-911 address if applicable.



*Additional notes, comments, or clarifications for treatment area location by the Applicant.*

## Agreement to Conditions of Contractor Applied Temporary Dust Palliative Permit.

1. The Permittee understands that by acceptance of this Permit, the Permittee assumes full responsibility for all liability resulting from this work on a public roadway.
2. The Permittee understands that Johnson County has no obligation to establish a unit price, or to furnish an inspector, and assumes no responsibility for the work.
3. The Permittee understands that the County Engineer or Maintenance Superintendent may, if in their judgment determine the road surface has degraded to the extent that it affects travel: add rock, scarify, blade the road, or revert any contractor applied temporary dust palliative treatment area - including existing bituminous chipseals - to untreated gravel.
4. The County Engineer may at any time, reject an application or otherwise modify the requirements for contractor applied temporary dust palliative based upon their engineering judgment.
5. An application for contractor applied temporary dust palliative must be submitted annually. The Designated Contractor will review and forward the application to the Secondary Roads Department for final review and approval. The Designated Contractor will notify Applicants of their permit disposition.
6. Temporary dust palliative may only be applied by one of the pre-approved Contractors published on the County's website for that year. You may not apply your own product(s) or perform your own maintenance.
7. Contractor applied temporary dust palliatives approved for use in Johnson County are: Calcium Chloride, Magnesium Chloride, and Lignin Sulfonates. Contractor applied bituminous chipseals in existence as of December 31, 2023 may be: 1) maintained as directed by the Engineer, or 2) if not maintained as directed will be reverted to untreated gravel, at the Applicant's expense.
8. Applications for continuous or contiguous temporary dust palliative or maintenance of existing bituminous chipseal treatment lengths exceeding 1,320 feet require specific review and approval by the County Engineer.
9. The treatment area must be marked with the Designated Contractor's wire flags. These are available at the Secondary Roads office or from the Designated Contractors. One flag should be placed at each end of the area to be treated. The flags are to remain in place from April 30th through November 1st.
10. Secondary Roads staff will prepare the treatment area prior to the Designated Contractor's application of temporary dust palliative only if an application is received and the treatment area is properly marked by flags prior to the deadline. Failure of the Applicant to do so may result in substandard dust control quality as Secondary Roads may deem it necessary to disturb the treated area.
11. All complaints regarding the performance of temporary dust palliatives or their application should be directed to the Designated Contractor. Johnson County cannot resolve these issues on an Applicant's behalf. If you feel you are being treated unfairly, please inform the County so that the situation may be addressed the following year when pre-approving applicators.
12. For calcium chloride, magnesium chloride, or lignin sulfonate temporary dust palliative treatments:
  - o Minimum treatment length is five hundred (500) feet. The Engineer may increase the minimum treatment length required to avoid creating short untreated gaps.
  - o Weather permitting, Secondary Roads will schedule the first treatment to be placed in approximately late May or early June. The second treatment will be placed in approximately mid-August. Treatment dates are subject to change without notice.
  - o Two (2) treatments are required per treatment area. Single treatments are not allowed, nor will additional "touch-up" treatments without specific approval from Secondary Roads. Chloride and lignin-based palliatives are still effective with light blading.
  - o Regardless of the fall weather conditions, all treatment areas will be graded and/or have rock added during the month of October in preparation for winter road maintenance.
13. Bituminous temporary dust palliative treatments existing as of December 31, 2023 may be repaired or re-treated:
  - o Secondary Roads Department staff will evaluate existing bituminous treatment areas annually to determine areas in need of repair or re-treatment. The Applicant will be notified of any area(s) to be repaired or re-treated and shall apply for a permit to contract with one of the pre-approved applicators to perform the work. Failure to apply for a permit, perform the work required, or pay for the repairs in a timely manner will constitute non-compliance with permit conditions.
  - o Repair or re-treatment of existing bituminous chipseal does not confer a change of level of service for a road segment.
  - o Minimum treatment length for repairs or re-treatment applications is one hundred fifty (150) feet or as directed by the Engineer.
  - o Applicant agrees to promptly reimburse the County for all costs incurred should the County deem it necessary to revert a treatment area or any portion thereof to untreated gravel.
  - o Secondary Roads may at any time notify the Applicant requesting repairs of bituminous chipseal treatments for any reason. Those reasons may include but are not limited to: patching, distortion of the road surface requiring re-shaping of the road, repairs resulting from utility work, road maintenance and culvert replacement. The treatment area will be reverted to untreated gravel at the Applicant's expense should the Applicant fail to make required repairs or re-treatments in a timely manner.

**Special Conditions per County Engineer or Engineer's Designee:**

**I have read and understand the Conditions and any Special Conditions of the Permit.**

*Permittee Signature (Required)*