



1841 S. Newkirk Street  
Baltimore, Maryland 21224  
Telephone: 410-633-9200

License # \_\_\_\_\_  
Date Received \_\_\_\_\_

## Application for Occupation License Agreement

*BE ADVISED: Your application will not be deemed received by the Canton Railroad Company (Canton Railroad) until the applicant completes the application in its entirety, and all the fees associated with the application are submitted to Canton.*

### CONTRACTOR INFORMATION:

Company: \_\_\_\_\_ Job #: \_\_\_\_\_

Company Representative Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Office: \_\_\_\_\_ Cell: \_\_\_\_\_ After Hours: \_\_\_\_\_

Email Address: \_\_\_\_\_

Project Name: \_\_\_\_\_

Business License Number: \_\_\_\_\_

### ARE YOU A SUB-CONTRACTOR FOR ANOTHER COMPANY?

Yes  No

If yes, please list the company you are representing.

Company: \_\_\_\_\_ Job #: \_\_\_\_\_

Company Representative Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Office: \_\_\_\_\_ Cell: \_\_\_\_\_ After Hours: \_\_\_\_\_

Email Address: \_\_\_\_\_

Blanket Permit No. \_\_\_\_\_

If no, will a contractor be working on-site  Yes  NO

**Please Note: Contractor will require a Temporary Construction Access Permit – which may be subject to a fee.**

Project Name: \_\_\_\_\_

Business License Number: \_\_\_\_\_

**PROJECT PURPOSE – TYPE OF FACILITIES**

- Crossing  Industry Track  Utility  Special Land Use  Aerial  Pipe  Undergrade (in conduit)  
 Gravity  Fiber Optic  Phase of electrical circuits  Number of electrical Circles  Poles  Other

*Extreme caution is to be used in excavation due to existing Fiber Optic Cables along Canton Railroad right of way. Any damage to the Fiber Optic will be the sole responsibility of the applicant. In compliance with State Law and before commencing work, the Contractor is to notify Miss Utility before beginning with excavation.*

**STATE LAW – Maryland – Statues §12-101 - {See page 7-8 for statues 12-101 in its entirety}**

- The time between locating request and site marking: Everyone digging in Maryland must give notice at least two full business days before the day they plan to start work. The day of the call is not counted as one of these days.
- Ticket Life: 12 business days after the day when Miss Utility transmits the ticket to the owner-members.
- No mechanized equipment zone: Within 18 inches of the outermost surface of the underground facility/utility line.
- Penalties for violating the Miss Utility Laws: There is a Maryland Underground Facilities Damage Prevention Authority that has been established to enforce the Miss Utility Law.

Does the activity involve Longitudinal use? and  Yes  No, If so, longitudinal use is subject to additional fees review time.

Do you have an existing permit with the Canton Railroad Company?  Yes

**PROJECT INFORMATION and LOCATION OF OCCUPATION**

1. Address or Location: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Canton Milepost # (if applicable): \_\_\_\_\_ Highway Name/Milepost # \_\_\_\_\_

or Bridge (name and number) \_\_\_\_\_

*Occupation to be located within confines of Dedicated Highway (right of way lines must be shown)*

*Activity Description: New construction, modification of existing facilities, or other land use – provide a detailed explanation of all activities to take place on Canton Railroad property (include purpose, need, and construction methods). Attach a separate sheet if necessary.*

2. Project Description: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

{Please utilize page (9) additional information}

3. Is work required to occur within 50 feet of tracks?  Yes  No \* If yes, Railroad Protective Liability Insurance is required. Flagging may be required at the applicant's expense. *Canton Railroad will require copies of proof of insurance and Canton Railroad flagging service.*

4. Does the project require excavation  Yes  No, *If yes, the Canton Railroad requirement must be met.*

5. Baltimore City/Baltimore County Permit Number or date applied: \_\_\_\_\_

*A copy of the Baltimore City/County permit must be provided before a Canton agreement will be considered or issued.*

6. Proposed Access Route: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

7. Proposed Staging Area: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

8. Vehicles to be Used: Describe all vehicles which will be on-site, including trailers and other equipment, which will be used for access or installation of facilities:


- o Only the company or public agency vehicles marked with the company or agency name/logo will be permitted. Personal vehicles are not allowed on Canton Property.
- o Canton Railroad Company will issue an access permit during construction. The permit must always be on the job site when on Canton property.

9. Dates and Time of Access:

Anticipated Start Date	Work Time
	7:00 am – 5:00 pm, Monday-Friday Canton Railroad Company restrictions take precedence. Weekend or extended hours by special authorization.

*Canton must be contacted within 24 hours before work and upon completion to schedule a post-inspection.*

10. Insurance Requirements

At its own sole cost and expense, the applicant shall procure the following kinds of insurance and promptly pay, when due, all premiums. The following insurance shall be kept in force during the life of this Agreement:

If the project or access is within 50 feet of the active railroad tracks:

- Commercial General Liability Insurance – limit of not less than \$5,000,000 each occurrence.
- Business Automobile Liability Insurance – with minimum limits of \$1,000,000 per occurrence.

- Worker's Compensation Insurance – meeting the statutory requirement of the jurisdictions where the work will be performed, including Employer's Liability coverage with minimum limits of \$1,000,000 each accident.
- Railroad Protective Liability Insurance – (ISO/RIMA Form G 00 35), in the name of Canton Railroad Company. The policy shall have limits of liability of not less than \$5 million per occurrence, combined single limits, for coverage, for coverage A & B, for losses arising out of injury to or death of any person, and for physical loss or damage to or destruction of property including the loss of use thereof. A \$10 million annual aggregate may apply.

The limits of coverage under each of the required insurance policies will be based on the activity and risk involved with the specific project. Specific insurance requirements will be provided to you in the Agreement covering your project when it is approved by the Railroad.

If the project is not within 50 feet of the active railroad tracks:

- Commercial General Liability Insurance – limit of not less than \$5,000,000 each occurrence.
- Business Automobile Liability Insurance – with minimum limits of \$1,000,000 per occurrence.
- Worker's Compensation Insurance – meeting the statutory requirement of the jurisdictions where the work will be performed, including Employer's Liability coverage with minimum limits of \$1,000,000 each accident.

#### 11. DOCUMENT SUBMISSION

All application is to be per Canton Railroad Company's Specifications (wire/cable) and (conduits/pipelines). Failure to strictly adhere to the specifications will result in delays, additional cost, and the possible return of the application.

The following MUST be submitted,

1. Cover letter outlining a request for a License Agreement on Company letterhead.
2. Construction drawing should be either "8 ½ by 11" or "11 by 17" in size. Canton may request that drawing be simplified or superimposed.
3. Canton Railroad Company's right of way should be included in the drawing.
4. Noted public street, noted distance from the tracks, noted milepost, and any distinguishing landmarks.

#### 12. APPLICATION FEES

**Note: Application fees are non-refundable. Make check payable to Canton Railroad Company**

- \$200.00 (10 business day processing time)
- \$300.00 Rush fee (reduces processing time to 5 business days)
- \$500.00 Rush fee (reduces processing time to 2 business days)

13. LICENSE AGREEMENT FEE, TERM, DAMAGE

- License Fee - \$5,000.00 for 15 years. This fee is non-negotiable and non-refundable.
- The license will be limited to a 15-year term with a 5% fee renewal for an additional 15-year term.
- Dimensions for occupancy deemed excessive by the Canton Railroad will result in additional charges.
- Any damage to the Canton Railroad Company's property should be reported immediately.

Damage fees shall be assessed at the time of construction/removal of the facility, and anytime required maintenance will disturb the trackbed.

- Damages will be determined as follows:

- A)** Construction or the removal of a facility - will result in one-half of the annual rate for the Occupation.
- B)** Maintenance of the Facility—will result in One-quarter of the annual rate for the Occupation.
- C)** The property shall be restored to its original condition preceding the work within ten working days of completion of the project – this includes removal of trash, debris and utility flags
- D)** If the restoration is not satisfactorily completed within ten working days of the project. The Canton Railroad Company will complete the restoration, and the applicant shall be billed a 20% administration fee based on the License fee. The applicant shall pay the fee within 15 business days of a certified return receipt notification from Canton Railroad Company. If payment is not received, the Canton Railroad Company will move forward with legal proceedings within the legal jurisdiction of the project.

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Applicant Signature

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Date

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Printed Name

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Title

*Note: The Certificate of Insurance Must be submitted to Canton Railroad Company within two days of entry upon the property by all parties associated with the project, i.e., contractors, subcontractors, and inspectors.*

## Article – Public Utilities

### § 12-101

§12-101.

(a) In this subtitle, the following words have the meanings indicated.

(b) "Authority" means the Maryland Underground Facilities Damage Prevention Authority.

(c) "Business day" means a calendar day other than a Saturday, Sunday, or legal holiday.

(d) "Demolition" means an operation in which a structure or mass of material is wrecked, razed, rendered, moved, or removed using any tool, equipment, or explosive.

(e) "Designer" means a licensed architect, professional engineer, professional land surveyor, or licensed landscape architect, as those terms are defined in the Business Occupations and Professions Article, who prepares a drawing for a project that may require excavation or demolition.

(f) (1) "Excavation" means an operation in which earth, rock, or other material in or on the ground is moved, removed, or otherwise displaced by using any tool, equipment, or explosive.

(2) "Excavation" includes grading, trenching, digging, ditching, dredging, drilling, boring, augering, tunneling, scraping, cable or pipe plowing, and driving a mass of material.

(g) "Fund" means the Maryland Underground Facilities Damage Prevention Education and Outreach Fund.

(h) "Legal holiday" means:

(1) the day on which a legal holiday, as defined in § 1-111 of the General Provisions Article, is observed; or

(2) a federal legal holiday.

(i) "One-call system" means a communications system in the State that:

(1) allows a person to notify owner-members of planned excavation or demolition by:

(i) calling a toll-free number or abbreviated dialing code; or

(ii) initiating an interactive Internet ticket request; and

(2) maintains an underground facilities information exchange system.

(j) (1) "Owner" means a person that:

(i) owns or operates an underground facility; and

(ii) has the right to bury an underground facility.

(2) "Owner" includes:

(i) a public utility;

(ii) a telecommunications corporation;

(iii) a cable television corporation;

(iv) a political subdivision;

(v) a municipal corporation;

(vi) a steam heating company;

(vii) an authority; and

(viii) a unit of the State.

(k) "Owner-member" means an owner that participates as a member in a one-call system.

(l) (1) "Person" has the meaning stated in § 1-101 of this article.

(2) "Person" includes:

(i) a municipal corporation;

(ii) the State;

(iii) a political subdivision of the State; and

(iv) any governmental unit, department, or agency.

(m) "Ticket" means a numbered document issued by a one-call system to notify owner-members that:

(1) a person intends to perform an excavation or demolition; or

(2) a designer has requested information on the location of underground facilities under § 12-131 of this subtitle.

(n) "Underground facilities information exchange system" means an automated voice response unit or interactive Internet access system that is maintained as part of a one-call system.

(o) (1) "Underground facility" means personal property that is buried or submerged for:

(i) use in connection with the storage or conveyance of water, sewage, oil, gas, or other substances; or

(ii) transmission or conveyance of electronic, telephonic, or telegraphic communications or electricity.

(2) "Underground facility" includes pipes, sewers, conduits, cables, valves, lines, wires, manholes, attachments, and those portions of poles below ground.

(3) "Underground facility" does not include a stormwater drain.

The General Assembly intends to protect underground facilities of owners from destruction, damage, or dislocation to prevent:

(1) death or injury to individuals;

(2) property damage to private and public property; and

(3) the loss of services provided to the general public.



APPLICANT ADDITIONAL INFORMATION

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