

**County of Hawai'i
DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION**

PRIVATE WATERLINE INSTALLATION

PERMIT NO. W- _____

Street Name(s): _____

TMK: (3) _____

THIS PERMIT is issued by the Director of the Department of Public Works hereinafter called the DIRECTOR, as authorized by Hawaii County Council Resolution No. 15-01, to _____, whose address is _____, hereinafter called the PERMITTEE;

WHEREAS, the Permittee does not have access to a public water system along the entire street frontage of his property; and

WHEREAS, the Permittee desires to install a privately owned waterline within a County street right-of-way to provide residential water service; and

WHEREAS, the Permittee has provided a plot plan, drawn to scale, showing location of the private waterline relative to the County road, right-of-way/property lines and all infrastructure in the vicinity, including utilities. The plan is attached to this permit as Exhibit 1; and

WHEREAS, the Permittee shall be responsible for installation and maintenance of the private waterline.

NOW, THEREFORE, The Director grants to the Permittee the right to place a private waterline within the County's right-of-way meeting with all of the conditions stated above and as follows:

(1) Before commencing any work to install the private waterline, the Permittee shall obtain from the Department of Public Works a Construction Permit to work within the County's right-of-way, a copy of which shall be attached as Exhibit 2, and shall comply with all of its requirements and conditions.

(2) The private waterline and all of its appurtenances are deemed to be the property of the Permittee.

(3) The Permittee shall, at his own expense, install, repair and maintain his private waterline.

(4) The Permittee shall, at his own expense, repair any and all defects and damages that may be caused by his construction activity or his waterline to County facilities, utilities, driveways and other private waterlines and improvements to the satisfaction of applicable owners.

(5) Before commencing any repair work within the County's right-of-way, the Permittee shall obtain from the Department of Public Works a Construction Permit and shall comply with all of its requirements and conditions.

(6) This permit is a license issued to the Permittee only and is not transferrable and is applicable to only those improvements identified by this permit.

(7) The Permittee shall observe and comply with all laws, ordinances and regulations of the federal, state or county governments affecting the installation and use of the private waterline.

(8) The Permittee agrees to hold harmless, indemnify and defend the County of Hawaii, its officers, employees and agents against any and all lawsuits, claims, demands, judgments, liens or costs arising from the placement of the private waterline within the County's right-of-way or the Director's issuance of additional Private Waterline Installation Permits within the same County right-of-way.

(9) The County of Hawaii shall have no obligation to repair or replace any private waterline, even if damaged by County employees.

(10) Should the private waterline interfere or obstruct any improvements being provided by the County of Hawaii, the Permittee shall, at his own cost and expense, temporarily or permanently relocate the private waterline to another location that meets with the approval of the Director.

(11) This permit is automatically cancelled upon disconnection of the water meter, termination of use or upon the abandonment of the intended purpose for which this permit is issued.

(12) The Director may terminate this permit in the event the Permittee violates any of the conditions or requirements contained by this permit. A violation letter shall be delivered by certified mail to the Permittee. Upon receipt of the letter, the Permittee shall, within fourteen (14) days, submit to the Director for his approval, a written plan of action to correct the violation. The Permittee's failure to properly respond within above stipulated fourteen (14) days or his failure to execute his approved action plan will result in the immediate termination of this Permit.

(13) Upon termination of this Permit, the private waterline shall be abandoned in place. Salvaging of the private waterline will not be allowed. The Department of Water Supply will also be advised of the termination of this permit.

IN WITNESS WHEREOF, the parties hereto have caused this permit to be duly executed this _____ day of _____ 20____.

PERMITTEE

COUNTY OF HAWAII
DEPARTMENT OF PUBLIC WORKS

By: _____ By: _____

Director

Print Name: _____

____ Exhibit 1; Construction Plan

____ Exhibit 2; Permit to Work Within the County Right-of-Way

____ Fee; \$100.00