

**APPLICATION FOR HIGHWAY OCCUPANCY PERMIT**  
**CAPE MAY COUNTY BOARD OF CHOSEN FREEHOLDERS**  
**4 MOORE ROAD, CAPE MAY COURT HOUSE, NJ 08210**  
**609-465-1035**

Date: \_\_\_\_\_ Permit No. \_\_\_\_\_

Application is made by \_\_\_\_\_ Telephone No. \_\_\_\_\_

Of (full address) \_\_\_\_\_

For permission to move a **BUILDING/OVER SIZED/OVER WEIGHT VEHICLE ALONG OR CROSS:**

County Road \_\_\_\_\_ County Road No. \_\_\_\_\_

County Road \_\_\_\_\_ County Road No. \_\_\_\_\_

In the Municipality of \_\_\_\_\_

Name of Owner \_\_\_\_\_ Telephone No. \_\_\_\_\_

Address of Existing Location \_\_\_\_\_

Address of Proposed Location \_\_\_\_\_

Building/Vehicle Dimensions: Length \_\_\_\_\_ Width \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_

Gross Weight, Vehicle and Load \_\_\_\_\_ No. of Axles \_\_\_\_\_

Have Local Permits Been Obtained? \_\_\_\_\_ Date \_\_\_\_\_

Have State Permits Been Obtained? \_\_\_\_\_ Date \_\_\_\_\_

Required: New Jersey Division of Motor Vehicle Permit No. \_\_\_\_\_

Have arrangements been made with Public Utilities? Yes \_\_\_\_\_ No \_\_\_\_\_ Which Utility \_\_\_\_\_

Has Police Protection been arranged? Yes \_\_\_\_\_ No \_\_\_\_\_

Would detours be necessary? Yes \_\_\_ No \_\_\_ If so, name of street \_\_\_\_\_ Length of Detour \_\_\_\_\_

Date Building/Vehicle will be moved \_\_\_\_\_ Time \_\_\_\_\_

The applicant agrees to comply with the regulations contained in the resolution governing highway occupancy in the County of Cape May, attached hereto, as well as all laws, ordinances and resolutions relating to said work and the acceptance of the permit shall be deemed to abide by all of its terms and conditions.

Approved: \_\_\_\_\_  
(County Engineer)

Signed: \_\_\_\_\_  
(Applicant)

**HIGHWAY OCCUPANCY PERMIT**

Permit Fee Paid \$ \_\_\_\_\_

Permit No. \_\_\_\_\_ Municipality \_\_\_\_\_ County No. \_\_\_\_\_

Name of Applicant \_\_\_\_\_

Applicant is hereby granted a Highway Occupancy Permit for the above mentioned day.

Signed: \_\_\_\_\_  
(Clerk/Administrator)

**BOARD OF CHOSEN FREEHOLDERS  
CAPE MAY COUNTY, NEW JERSEY  
RESOLUTION**

No. 923-18

**RESOLUTION AMENDING PERMIT REGULATIONS FOR  
HIGHWAY OCCUPANCY ON COUNTY ROADS**

**WHEREAS**, by County Resolution 194-84, the County established permit regulations for highway occupancy on County Roads; and

**WHEREAS**, applicable regulations and practices have evolved since the County established the permit regulations in 1984; and

**WHEREAS**, it is the desire of the Board to update and revise the County permit regulations;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Chosen Freeholders of the County of Cape May, that the permit regulations for highway occupancy on County Roads established by Resolution 194-84 are hereby revised as follows:

**SECTION 1: DEFINITIONS**

For purposes of this resolution, the following terms, phrases, words and their derivations shall have the meaning given herein:

1. "Applicant" is any person making written application to the County Board of Chosen Freeholders for A Highway Occupancy Permit.
2. "Permitee" is any person who has been granted and has in full force and effect a permit issued hereunder.
3. "Person" is any person, firm, partnership, association, corporation, municipality, company or organization of any kind.
4. "Highway" is any street, highway, alley, avenue, or any other public way or public ground in the County of Cape May and under control of the County of Cape May.

**SECTION 2: PERMIT REQUIRED**

1. It shall be unlawful to engage in any of the following activities unless such person shall have first obtained a permit therefore from the Board of Chosen Freeholders as herein provided.
  - a. To move or transport any building or dwelling over or across a County Highway or right-of-way.
  - b. To operate an oversized or overweight vehicle on or across a County Highway or County right-of-way.

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- c. To utilize the County right of way for staging/storage of materials or equipment or similar actions not requiring a road opening permit.

**SECTION 3: APPLICATION PROCEDURE**

1. A written application for the issuance of a highway occupancy permit shall be submitted to the Clerk/Administrator of the Board of Chosen Freeholders. The application shall state the name and address of the applicant, the existing and proposed location or destination, size and weight of vehicle or building and the time and date of such activity. Applicant shall also submit a copy of the Certificate of Insurance which shall comply with Section 7 below.
2. Permittee must obtain a highway occupancy permit from the New Jersey Division of Motor Vehicles prior to applying for the County's permit. Proof of such permit and permit number must be given before application will be accepted.
3. Permittee is also responsible for obtaining other necessary State and Local permits. Applicant is further responsible for contacting all other local utilities to determine any such conflicts, and the applicant is obligated to comply with any statutes or regulations pertaining thereto.
4. Prior to the approval of an application, the County Engineer may require the applicant to provide signed and sealed calculations prepared by an engineer licensed in the State of New Jersey verifying that the oversized/overweight load will not adversely impact any county bridges or culverts being subject to the loads.
5. No oversized /overweight load shall be taken over a load posted bridge or culvert.
6. Proof that the applicant has concurrence from all police having jurisdiction along the proposed route shall be required to be provided as part of the application.

**SECTION 4: PERMIT ISSUANCE**

1. Upon application and payment of the fees and deposits for which provision is hereinafter made, the Clerk/Administrator, in his or her discretion, may issue a permit to occupy a County Road or County right-of-way.

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**SECTION 5: TIME LIMITATIONS**

1. Permits shall be issued for one day and one day only. It is to be understood that the movement or occupancy is to be executed as rapidly as possible, in order to avoid any undue interference with traffic.
2. The County Engineer may, at his discretion, issue an extension of said permit for unforeseen delays in moving or occupancy of County right-of-way. Said extension may be given verbally by contacting the County Engineer during normal business hours at (609) 465-7111, Ext. 301.
3. Under no circumstances is the movement or occupancy to be made on a Saturday, Sunday or Holiday, or during night time hours.
4. The County Board of Chosen Freeholders may by resolution waive the occupancy restriction of Saturday, Sunday or Holidays, or night time hours. If done, inspection must be paid for by the applicant at a rate set by the County.
5. Police having jurisdiction over the intended route shall be notified of the planned transit time and shall concur with that timing before the applicant proceeds.

**SECTION 6: FEES AND BOND REQUIREMENTS**

1. A permit fee shall be charged by the Clerk/Administrator of the Board for the issuance of a permit which shall be in addition to all other fees for permits or charges relative to the proposed construction work. The permit fee shall be fifty dollars (\$50.00).
2. All checks under this resolution shall be submitted to the Clerk/Administrator and shall be made payable to "Treasurer of Cape May County." Cash will not be accepted.

**SECTION 7: INSURANCE AND INDEMNIFICATION**

1. The applicant shall be insured for liability purposes and name the County as an additional insured on such policies of insurances to protect against liability arising from the permission(s) granted through this permit. Prior to performing any work under the permit, the permittee shall deliver to the Clerk of the Board a Certificate of Insurance in the sum of not less than three million dollars (\$3,000,000.00) per occurrence and/or aggregate combined single limit, Personal Injury, Bodily Injury and Property Damage. Coverage shall include the following:

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- (A.) Contractual Liability; (B.) Products and Completed Operations; (C.) Independent Contractors Coverage; (D.) Broad Form General Liability Extensions or equivalent; (E.) Deletion of all Explosion, Collapse, and Underground (XCU) Exclusions; (F.) Per contract aggregate; and (G) worker's compensation insurance at the statutory limits. Permittee shall be obligated to pay for the cost of all such insurance to remain in effect until the County signs the Certificate of Satisfactory Completion.
2. To the fullest extent permitted by law, the applicant upon securing said permit, agrees that it will defend, indemnify and save the County of Cape May harmless from any and all claims of any nature arising out of the permission(s) granted through this permit, including allegations of negligence against the County related to the permission(s) granted through said permit, and further that the County of Cape May in issuing said permit shall not assume any fees, costs, damages and/or liability of any nature in connection therewith. In the event of any suit or claim against the County arising out of the permissions granted by said permit, upon the County's giving written notice to the permittee of such suit or claim, the applicant shall provide a competent defense to the County and any final judgment against the County requiring it to pay for such damage shall be conclusive upon the permittee, and the permittee shall be liable for any of the County's costs in connect with such suit.

**SECTION 8: TRAFFIC AND SAFETY PROTECTIONS**

1. The permittee shall take appropriate measures to assure that during the occupancy of the highway, traffic conditions as nearly normal as practicable shall be maintained at all times, so as to cause as little inconvenience as possible to the occupants of the abutting property and to the general public.
2. No County Road shall be closed to traffic without the prior consent of the County Road Supervisor. In the event that a road is closed, uniformed police may be required to act as traffic directors and the proper traffic control devices shall be erected and maintained in accordance with standards described in the latest edition of the Manual on Uniform Traffic Control Devices, as published by the Federal Highway Administration. The permittee desiring to close a road to traffic shall notify the Police Department or other proper authority of the municipality in which the Occupancy is made.

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3. Two (2) escort vehicles shall be required for all oversized vehicles occupying a County Road with the following requirements:
  - (a) One shall precede the oversized vehicle and one shall follow.
  - (b) The preceding escort shall maintain a distance of from 200 feet minimum to 500 feet maximum and the following escort vehicle shall maintain a distance of from 100 feet minimum to 250 feet maximum.
4. Warning signs shall be required on the front and rear of any oversized vehicle or the escort vehicles. The minimum size of warning signs shall be 6 feet wide by 1 foot high. The term "WIDE LOAD" or "OVERSIZED LOAD" shall be displayed on the sign in black letters 10 inches high, on a yellow background.
5. Warning flags shall be red in color and its minimum size 18 inches square and required as follows:
  - (a) Warning flags shall be displayed in the two front corners of the preceding escort vehicle and on the two rear corners of the following escort vehicle.
  - (b) Warning flags shall be placed at the four corners of an oversized vehicle or load.

**SECTION 9: FINES AND PENALTIES**

The penalty prescribed for any violation of this resolution or any section thereof shall be a fine of \$500.00 or imprisonment in the County Jail not exceeding ninety (90) days or both. Each day shall be considered a separate offense.

**SECTION 10: SAVINGS CLAUSE**

Should any section, clause, sentence, phrase or provision of this resolution be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this resolution.

**SECTION 11: INCONCISTENT RESOLUTIONS REPEALED**

All prior resolutions or parts of resolutions inconsistent with this resolution be and the same are hereby repealed to the extent of such inconsistencies.

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**SECTION 12: ANNUAL REVIEW & ESCALATION CLAUSE**

This Resolution will be subject to annual review starting January 1, 2020.

The base fees set forth in Section 6 shall increase \$5.00 on every second January following the first January after the adoption of this Resolution.

**STATEMENT**

*This Resolution revises the permit regulations established by County Resolution 194-84 for occupancy of a County Highway.*

cc: Engineer's Office  
Department of Law  
Road Department  
Office of Risk & Safety

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