

ALABAMA DEPARTMENT OF TRANSPORTATION  
APPLICATION FOR  
PERMIT  
TO TRIM TREES AND UNDERBRUSH, PURSUANT TO  
SECTION 23-1-270 THROUGH SECTION 23-1-288, CODE OF ALABAMA, 1975

Pursuant to the provisions of Section 23-1-270 through Section 23-1-288, *Code of Alabama, 1975*, as amended by Act. No. 383 of the Regular Session of the State of Alabama Legislature, 1978, and rules and regulations promulgated thereunder, the undersigned \_\_\_\_\_,  
Address \_\_\_\_\_

applies for permission to perform minor trimming of trees, shrubs and other plant life on Alabama Department of Transportation (hereinafter ALDOT) right-of-way, for the purposes of retaining visibility of a Legal Permitted or Legal Non-conforming outdoor advertising signs subject to strict compliance with the following Conditions:

1. This application is limited to restoration of visibility to the particular sign's location at the following milepost of Interstate \_\_\_\_\_ or primary Highway \_\_\_\_\_ in \_\_\_\_\_ County:

PERMIT # \_\_\_\_\_  
MILE MARKER \_\_\_\_\_  
LOCATION \_\_\_\_\_

If non-conforming sign: \_\_\_\_\_  
MILE MARKER \_\_\_\_\_  
LOCATION \_\_\_\_\_

This permit applies to the above location only. A separate application will be required for each sign and for each time trimming or cutting proposed for a particular sign.

2. **The vegetation is due to be cut within sixty (60) days of the permit approval. There shall be no exceptions. Failure to *complete* cutting of the vegetation within the prescribed time of sixty (60) days will result in the permission to trim trees and underbrush being automatically revoked for this location. Should the expiration of sixty (60) days occur prior to the completion of the cutting, the applicant/permittee must reapply for a new permit. \_\_\_\_\_ (initials)**

3. In no case will trimming be allowed further than 500 feet in advance of the sign measured parallel to the roadway along the nearest edge of pavement, for legal conforming signs after the *Highway Beautification Act* of 1972. (Administrative Rule 450-1-.10(5)). \_\_\_\_\_ (initials)

4. In no case will the trimming of vegetation at signs be allowed further than 300 feet in advance of the sign for legal non-conforming signs, measured parallel to the roadway along the nearest edge of pavement. \_\_\_\_\_ (initials)

5. The applicant/permittee shall notify the District Engineer/Manager at least forty-eight (48) hours in advance of any trimming or cutting so that the area to be cut will be fully defined. No trimming will be allowed within the median areas of divided highways. No vegetation shall be trimmed or cut that is in place as a result of a Federal Aid landscape project. Only minimum trimming or cutting necessary to retain the sight distance and visibility that existed at the time of the erection of the advertising sign will be performed. (Administrative Rule 450-1-.10(2)(7)(9)).\_\_\_\_\_ (*initials*)
6. The applicant/permittee shall notify the District Manager at least forty-eight (48) hours after trimming or cutting is completed so that an inspection of the site may be performed. All cut vegetation shall be removed from the highway right-of-way by the applicant at no cost to ALDOT. (Administrative Rule 450-1-.10(3)(9)).\_\_\_\_\_ (*initials*)
7. Access to sites adjacent to Interstate and other controlled access highways must be gained without using the main travel way of the highway and performed in accordance with the Manual of Uniform Traffic Control Devices (MUTCD). The access gate will be locked or fence repaired in accordance with ALDOT specifications at the end of each workday. (Administrative Rule 450-1-.10(4)).\_\_\_\_\_ (*initials*)
- 8. The trimming or cutting shall not adversely affect the aesthetics of the right-of-way. Cutting of vegetation not approved by ALDOT shall result in the permit for the sign being revoked and the sign being removed at the sign owner's expense. Any clean-up necessary for the cutting of vegetation not approved by ALDOT will be at the sign-owner's expense. (Administrative Rule 450-1-.10(1)(11)).\_\_\_\_\_ (*initials*)**
9. Poisoning of vegetation is prohibited. No use of herbicides is allowed. (Administrative Rule 450-1-.10(12)).\_\_\_\_\_ (*initials*)
10. The applicant/permittee agrees to indemnify and hold harmless the State of Alabama and ALDOT from any actions resulting from his or her agent's operation. To the fullest extent permitted by law, the APPLICANT shall defend, indemnify, and hold harmless the State of Alabama, the Alabama Department of Transportation, and its agents, servants, employees and/or facilities from and against claims, damages, losses and expenses, including but not limited to attorneys' fees, arising out of or resulting from performance of the work, provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property (other than the work itself) including loss of use resulting therefrom, but only to the extent caused in whole or in part by alleged or proven negligent acts or omissions of the APPLICANT, anyone directly or indirectly employed by the APPLICANT or anyone for whose acts APPLICANT may be liable, regardless of whether such claim, damage, loss or expense is caused in part, or alleged but not legally established to have been caused in whole by a party indemnified hereunder.

The term "hold harmless" includes the obligation of the APPLICANT to pay damages on behalf of the State of Alabama, the Alabama Department of Transportation, and its agents, servants, and/or employees

The APPLICANT will be obligated for the payment of damages occasioned to private property, public utilities or the general public, caused by the legal liability ( in

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accordance with Alabama and/or Federal law) of the APPLICANT, its agents, servants, employees or facilities. (Administrative Rule 450-1-.10(8)).\_\_\_\_\_ (initials)

11. **Failure to comply with each and every stipulation in this permit shall be grounds to deny future consideration to this applicant/permittee and to revoke the outdoor advertising sign permit for the site involved. (Administrative Rule 450-1-.10(10)).\_\_\_\_\_ (initials)**

12. This permit does not preclude any rights of the sign owner granted under the Alabama Constitution of 1901 and the State of Alabama. (Administrative Rule 450-1-.10(13)).\_\_\_\_\_ (initials)

13. The attached drawings of the site are incorporated herein and deemed a part of the Permit identified as Attached Exhibit A. The identifiable drawn lines on Exhibit A are to be used as a cutting guide to the area that is deemed to be cut.\_\_\_\_\_ (initials)

14. Any formal extension of the terms of this permit must be executed in writing and signed by all the original parties. Extension will not be freely granted but based on extraordinary circumstances and the establishment of just cause.\_\_\_\_\_ (initials)

Approval of this applicant is requested

\_\_\_\_\_  
Name of Firm

\_\_\_\_\_  
Signature of Representative  
Address of Representative  
Phone Number of Representative  
Fax Number of Representative  
Email address of Representative

Permit # \_\_\_\_\_

Non-conforming sign:

\_\_\_\_\_ (yes)

\_\_\_\_\_ (no)

STATE OF ALABAMA )  
COUNTY OF \_\_\_\_\_ )

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I, the undersigned authority, a Notary Public in and for said state and county, hereby certify that \_\_\_\_\_, whose name is signed to the foregoing instrument, and who are known to me, acknowledged before me on this date, that being informed of the contents of said instrument, did voluntarily execute the same, on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public, State of Alabama at Large

My commission expires: \_\_\_\_\_.

Recommended:

\_\_\_\_\_  
District Manager  
Alabama Department of Transportation

Approved:

\_\_\_\_\_  
Division Engineer  
Alabama Department of Transportation

(Type name of Division employee)

\_\_\_\_\_  
Division Primary Contact Personnel

DATE \_\_\_\_\_

This Permit shall expire on: \_\_\_\_\_