

COUNTY OF HAWAII
DEPARTMENT OF PUBLIC WORKS

CONVEX MIRROR INSTALLATION

PERMIT NO. _____

Street Name(s): _____

Tmk: _____

THIS PERMIT is issued by the Director of Public Works, hereinafter called the DIRECTOR,
as authorized by Hawaii County Council Resolution No. 315-00 (Draft 2), to _____

_____ ,

whose address is _____ ,

hereinafter called the PERMITTEE;

WHEREAS, the Permittee has submitted a sight-distance study, by a registered professional engineer, that verifies, to the satisfaction of the Director, that there are sight-distance limitations at the Permittee's driveway. The sight-distance study is attached to this permit as Exhibit 1; and

WHEREAS, the Permittee has demonstrated to the satisfaction of the Director that he has considered all usual means of improving sight distance such as relocating his driveway, cutting vegetation, removing obstructions, and excavating slopes, and that a mirror is deemed to be appropriate for his situation; and

WHEREAS, the Permittee's engineer has determined the optimum location of the mirror including impacts caused by sunlight and headlight reflections on other drivers, properties and businesses; and

WHEREAS, the Permittee has provided a plot plan, drawn to scale, showing location of the

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mirror, his driveway or road 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 2; and

WHEREAS, the Permittee shall be responsible for installation, proper alignment and maintenance of the mirror.

NOW, THEREFORE, The Director grants to the Permittee the right to place a mirror 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 mirror, the Permittee, as required by Chapter 22 of the Hawaii County Code, 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 3, and shall comply with all of its requirements and conditions.

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

(3) This Permit is a license issued to the Permittee only and is not transferrable.

(4) 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 convex mirror within the County's right-of-way.

(5) The County of Hawaii shall have no obligation to repair or replace the mirror, unless damaged by County employees.

(6) Should the mirror interfere or obstruct any existing County improvements, the Permittee shall, at his own cost and expense, temporarily or permanently relocate the mirror to another location that meets with the approval of the Director.

(7) This permit is automatically cancelled upon termination of use or upon the

abandonment of the intended purpose for which this permit is issued.

(8) This agreement shall continue until terminated in writing by the Director. The Director may terminate this permit if he finds that the mirror is deemed to be a safety hazard. The Permittee shall immediately remove the mirror upon receiving written notification by the Director.

(9) This permit may be subject to other restrictions, conditions and terms which will best serve the interests of the County and the general public.

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

COUNTY OF HAWAII

By: _____
Director
Department of Public Works

By: _____
Police Chief
Police Department

PERMITTEE

By: _____
Print Name: _____