

**BENTON COUNTY PERMIT 2024**  
**for MC-70 DUST CONTROL EXEMPTION**  
PO BOX 759, Vinton, IA 52349  
Email: [dcummings@bentoncountya.gov](mailto:dcummings@bentoncountya.gov)  
Must be received by Friday, May 3, 2024

Portion of secondary road currently treated with MC-70 dust control is described as follows:

ROAD NAME \_\_\_\_\_ FOOTAGE \_\_\_\_\_

AREA \_\_\_\_\_ TOWNSHIP \_\_\_\_\_ SECTION \_\_\_\_\_  
(FOR OFFICE USE ONLY)

NAME OF APPLICANT: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE \_\_\_\_\_

**CONDITIONS OF PERMIT**

- 1) The Permit Applicant is responsible for perpetually keeping the treated portion free of "pot holes" by filling them as soon as they develop.
- 2) Iowa law specifies that the purpose of a public highway is to serve the traveling public. Therefore, Benton County is obligated to, and reserves the right to scarify any treated portions and maintain them as rock surface if in the County's opinion, proper maintenance has not been done by the Permit Applicant.
- 3) The permit is valid until **October 31<sup>st</sup>** of the year issued, but the County reserves the right to tear up all portions before this date if in the County's opinion the surface will not remain reasonably sound throughout the dust permit season and may become a detriment to the traveling public.
- 4) The Permit Applicant understands that if the treated area deteriorates and must be reverted back to a rock surface before the end of the dust permit season, Benton County will not create a program to apply MC-70 to these areas at that time.
- 5) The Permit Applicant understands that by acceptance of this Permit, they assume full responsibility for any and all liability resulting from this work on a public roadway.
- 6) Should the treated area remain intact throughout the dust permit season, the treated area will be scarified and reverted back to a rock surface after **October 31<sup>st</sup>**.

In signing and accepting this permit for dust control, I agree to abide by all of the conditions contained herein and assume full responsibility and liability for dust control material on the above-described portion of public highway in Benton County, Iowa. The Applicant expressly agrees to indemnify, defend and hold the County, its directors, officers, and employees free and harmless from and against any and all loss, liability, expense, claims, costs, suits and damages including attorney's fee, arising out of Applicant's operation or performance under this agreement.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date