POCAHONTAS COUNTY

UTILITY IN ROAD ROW PERMIT APPLICATION

This is a Utility Permit Application for telecommunications, electric, gas, water and sewer utilities or private drainage tile facilities. The applicant agrees to comply with the following permit requirements. The County reserves the right to have the contractor dig up his installation so the County can inspect and approve any construction work performed within its right-of-way, compliance shall be determined by the sole discretion of the County Engineer. These requirements shall apply unless waived in writing, due to unique local conditions, by the County Engineer prior to installation; any such waiver shall be attached to the permit. This permit is not intended to conflict with any utility owner’s rights or duties mandated by the Iowa Utility Board, the Iowa Administrative Code, or any other Federal regulations.

Applicant Name:

Street Address:

City, State & Zip Code:  *,*

Telephone Number:  Fax:

Contact Person:

Brief Description (type facility, location):

1. Location Plan. An Applicant shall file a complete location plan as an attachment to this Utility Permit Application. The location plan shall set forth the location of the proposed line on the Secondary Road System and include a description of the proposed installation.
2. Notice to Proceed. At least forty-eight (48) hours prior to the proposed installation, the applicant shall notify the County Engineer’s Office at (712) 335-3252 stating the time, date, location and nature of the proposed installation.
3. Inspection. The County Engineer may provide an inspector during the installation of all lines to insure compliance with this Utility Permit. The inspector shall be limited to any construction work performed within the right-of-way as it relates to the condition of the right-of-way; the utility facility owner shall provide reasonable cooperation.
4. Inspection Fee. Upon approval of the application by the Board of Supervisors, the Utility Permit will be issued by the County Engineer. By execution of this application, applicant agrees to pay the actual costs directly attributable to the County’s inspection of the installation and appurtenant work, if any. The Board of Supervisors may require the applicant to post surety or other guarantee of payment or to deposit funds for the prepayment of such costs.

Upon completion of the installation, the County Engineer shall provide a statement for services rendered to the applicant. Such statement shall be paid within thirty (30) days of receipt. In the event of a prepaid inspection fee, the County Engineer shall provide a statement for services rendered and refund any excess payment to the applicant within forty-five days.

1. Requirements. The applicant shall meet the following requirements.

A. Construction signing shall comply with the Manual on Uniform Traffic Control Devices.

B. All workers on-foot within County Road Right-of-Way shall wear ANSI Class 2 High Visibility Apparel.

C. The minimum cover of utility facilities in the right-of-way shall be:

(1) Communications cables: 30 inches if placed in road top, otherwise same as entry (3).

(2) Gas lines: 60 inches below ditch grade.

(3) All other: 48 inches below ditch grade or 60 inches below adjacent field, whichever is deeper.

In critical situation where necessary cover cannot be obtained, other protective measures may be approved. The County reserves the right to waive the minimum depth of installation where rocky terrain and/or other circumstances make it difficult to obtain the desired depth. The County shall determine the minimum depth in these situations. The County Engineer may require additional depth in areas identified as being silted or scheduled for future excavation.

1. The applicant shall use reference markers in the right-of-way boundary to locate line and changes in alignment.
2. The installation shall meet the requirements of local municipal, county, state, and federal laws, franchise rules and regulations, regulations and directives of the Iowa State Commerce Commission; Utilities Division, the Department of Natural Resources, all rules and regulations of Pocahontas County and any other laws or regulations applicable.
3. All known or suspected tile lines shall be dug up and exposed and a minimum of three foot (3') clearance below existing tile lines will be maintained.
4. No underground utility lines shall cross over a driveway or cross-road drainage structure. Must provide a minimum of three foot (3’) clearance from these structures.
5. Residents along the utility route shall have uninterrupted access to the public roads. An all-weather access shall be maintained for residents adjacent to the project.
6. A joint assessment of the road surfacing may be made by the applicant and the County Engineer both before and after construction. After construction, granular surfacing shall be added to the road at the applicant’s cost, if necessary, to restore the road to its original condition. After surfacing has been applied, the road surface may be jointly reviewed by the County Engineer and the applicant once the road has been saturated, to determine if additional surfacing on the roadway by the applicant is necessary.
7. Areas within the R.O.W. damaged by the installation shall be repaired and restored to at least its former condition by the applicant or the cost of the repair work caused to be performed by the County will be assessed against the applicant.
8. Areas disturbed during construction, which create an erosion problem, shall be solved by the applicant in a manner approved by the County Engineer.
9. All trenches, excavations and utilities that are knifed shall be properly tamped. Trenches and excavations shall be backfilled and compacted. The County Engineer may require the applicant to provide results of compaction testing. Crossings of paved roads shall be bored. The depth below the road surface shall be a minimum depth of 48 inches for all utility facilities except gas.
10. If any tile is found to be damaged during construction:
11. If the tile is bigger than 15", contractor must replace tile with reinforced concrete pipe of same diameter that existing tile. Concrete pipe to be 2,000D strength (Iowa Department of Transportation approved) with standard tongue and groove joints. Pipe sections shall be connected in accordance with Iowa DOT Standard Road Plan DR-121, type 3. If the tongue/groove does not fit with the existing pipe that will remain in place, connection shall be made in accordance with Iowa DOT Standard Road Plan DR-122, type 3 or 4 (for clay tile, eye bolts may be embedded in the P.C. concrete grout without drilling a hole in the clay tile). Tile shall be bedded by 6” of compacted rock and shall have compacted granular material placed up past the haunch.
12. If the tile is 15" and smaller contractor, must replace Drainage District tile line with HDPE Dual Wall Plastic with plastic compliers fitting inside the tile on both ends. If the tile is not a size made the HDPE Dual Wall Plastic tile will be one size bigger than the tile replacing and will go over exiting tile on native soil. No joints will be allowed. Tile shall be bedded by 6” of compacted rock and shall have compacted granular material placed up past the haunch. (Details are subject to review and approval).
13. Non-conforming Work. The County Engineer may halt the installation at any time if the applicant’s work does not meet the requirements set forth in this Utility Permit.
14. Emergency Work. In emergency situations, work may be initiated by an applicant without first obtaining a Utility Permit. However, the County Engineer shall be notified via telephone as soon as possible and a Utility Permit must be requested within five (5) days of initiation of this work. All emergency work shall be done in conformity with the provisions of this permit and may be inspected for full compliance.
15. County Infraction. Violation of this permit is a county infraction under Iowa Code section 331.307, punishable by a civil penalty for each violation.
16. Hold Harmless. The utility company shall save this County harmless from any damages resulting from the negligence of the applicant. A copy of a certificate of insurance naming this County as an additional insured for the permit work or proof of self-insurance shall be provided to the County Engineer prior to installation. The minimum limits of liability under the insurance policy or proof of self-insurance shall be $1,000,000.00 (one million dollars).
17. Permit Required. No applicant shall install any lines unless such applicant has obtained a Utility Permit from the County Engineer. Applicants agree to hold the County free from liability for all damage to applicant’s property, which occurs proximately as a result of the applicant’s failure to comply with said ordinances or requirements.
18. Relocation. The applicant shall, at any time subsequent to installation of utility lines, at the applicant’s own expense, relocate or remove such lines as may become necessary to conform to new grades, alignment or widening of R.O.W. resulting from maintenance or construction operations for highway improvement.
19. Term of Permit. In accordance with Section 320.5 of the Code of Iowa, applicable gas mains and water mains described in Section 320.4 shall be granted a permit for a period not to exceed twenty (20) years. At the end of the twenty years, if neither of the parties object in writing, the permit will automatically renew itself.
20. Damage Found. If damage to any structure, including but not limited to tile lines, is found any time (no time limit) after the project is done. The damage will be repaired and billed to the utility.

Date:  NAME OF COMPANY:

 BY:



APPROVAL:

DATE:

 COUNTY ENGINEER