

June 20, 2000

Permit No. _____

☐ UNDERGROUND

Marshall County Utility Application/Permit

☐ AERIAL

This is a Utility Permit Application for telecommunications, electric, gas, water and sewer utilities. The applicant agrees to comply with the following permit requirements. Compliance shall be determined by the sole discretion of the County Engineer as deemed necessary to promote public health, safety and the general welfare. These requirements shall apply unless waived in writing by the County Engineer prior to installation.

Applicant/Firm Name: _____

Street Address: _____

City, State, & Zip: _____

Contact Person: _____ Telephone No. _____

Location: Sections _____ Township _____

1. **Attachments.** Each permit application shall be filed in triplicate and include a general location map highlighting the proposed utility installation location and two sets of detailed drawings describing the proposed work. Any variances from the normal permit application shall be highlighted on the detailed plan and requested in separate written form.
2. **Permit Bond.** After approval of the application by the Board of Supervisors and before issuance of the permit by the County Engineer, the applicant shall furnish Marshall County with a permit bond in an amount equal to the lesser amount of \$1,000.00 per mile of installation or \$10,000.
3. **Written Notice.** At least two (2) working days prior to commencement of construction, the applicant shall file with the County Engineer a written notice stating the time, date and location where work will begin.
4. **Inspection.** If the installation does not follow the requirements of this permit, the County Engineer may provide a full or part-time inspector during the installation of all lines to insure compliance with this permit. The inspector shall have the right, during reasonable hours and after showing proper identification, to enter any installation site in the discharge of the inspector's official duties, and to make any inspection or test that is reasonably necessary to protect the public health, safety and welfare.
5. **Requirements.** The installation shall meet the following minimum requirements:
 - A) Construction signing shall comply with Manual or Uniform Traffic Control Devices.
 - B) Depth – (Add additional depth if ditch has silted to the thickness of the deposited silt.) The minimum depth of cover shall be as follows:

Telecommunications 30"	Electric 42"	Gas 42"
Water 60"	Sewer 60"	
 - C) Witness markers shall be installed at a minimum of the following locations:
 - a) At all intersections
 - b) Each side of the road at road crossings
 - c) At no greater than ¼ mile intervals
 - d) At all tile crossings
 - e) At all culverts as specified on this permit form
 - f) At all bridgesAll witness markings (except "e" above) are to be installed in the right-of-way line. "d" witness markers shall be labeled "tile"
It shall be the applicant's responsibility to maintain all markers in a visible manner in the future.
 - D) Cable/pipe is to be placed below the adjacent ditch grade at driveways as if the driveway did not exist when the cable/pipe is placed in the ditch.
 - E) No underground utility line shall cross over a crossroad drainage structure or culvert. See drawings for details at drainage structures.
 - F) 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.
 - G) A joint assessment of the road surfacing shall be made by the applicant and the County Engineer both before and after construction. After construction, surfacing shall be added to the road by the applicant to restore the road surface to it's original condition, as judged by the County Engineer.
 - H) Any and all damaged areas within the R.O.W. shall be repaired and restored to at least it's former condition by the applicant.
 - I) Areas disturbed during construction which present an erosion problem shall be solved by the applicant in a manner approved by the County Engineer. If it is determined by the County Engineer that the disturbed area should be reseeded, the seeding mixture shall contain the following mixture: Sideoats Gramma-15#/acre, Switchgrass=10#/acre, Birdsfood Trefoil-5#/acre and Perennial Rye Grass-10#/acre.

J) All trenches, excavations and utilities that are knifed shall be properly backfilled and tamped. Trenches across driveways shall be backfilled and compacted in 6" lifts.

K) The applicant shall take care to see that no roadway or driveway drainage structure is damaged or its flow impeded. Any damaged culvert shall be replaced or repaired as directed by the County Engineer.

L) All buried road crossings shall be bored. Paved road crossing transporting a liquid substance shall be encased. The utility line crossing shall be placed below the road surface to the same elevation as that placed in the adjoining road ditches.

M) All disturbed driveways on paved roads and all surfaced driveways on rock/gravel roads shall be surfaced with surfacing material approved by the County Engineer in a quantity adequate to restore the drive to the condition that existed prior to construction.

6. **Right-of-Way Damages.** This permit is granted to the applicant and owner of the utility and it is their responsibility to see that all claims for damages are settled. Any work done by Marshall County to correct damages caused by the placement of this utility shall be billed to and become the responsibility of the applicant. Inspection fees incurred, as a result of this permit, shall be treated the same as damages to the Right-of-Way.
7. **Non-conforming Work.** The County Engineer may order a halt to the installation at any time if the applicant's work does not meet the requirements set forth in this utility permit.
8. **Emergency Work.** In emergency situations work may be initiated by an applicant, without first obtaining a Utility Permit, upon verbal permission of the County Engineer. However, a written Utility Permit must be obtained within fifteen (15) days of initiation of the work. All emergency work shall be brought into conformity with the provisions of this permit and ordinance.
9. **County Infraction.** Violation of this permit is a county infraction under Iowa Code Section 331.307, punishable by a civil penalty of \$100.00 for each violation. Each day that a violation occurs or is permitted to exist by the applicant constitutes a separate offense.
10. **Hold Harmless.** The utility company shall save Marshall County harmless of any damages resulting from the applicant's, or their agent's operations. A copy of a certificate of insurance covering the applicant and their contractors and/or agents naming Marshall County as an additional named insured for the permitted work shall be filed in the office of County Engineer prior to the commencement of any work. The minimum limits of liability under the insurance policy shall be \$1,000,000.
11. **Relocation.** The applicant shall, at any time subsequent to the installation of the utility lines and at the applicant's own expense, relocate or remove such lines located upon Marshall County's Rights-of-Ways as may become necessary to conform to new grades, alignment changes or widening of the Right-of-Way resulting from maintenance or construction operations of Marshall County.
12. **Permit Required.** No applicant shall install any lines unless such applicant has obtained a Utility Permit from the County Engineer and has agreed in writing that said installation will comply with all ordinances and requirements of the County for such work.
13. **Damage to Utility lines.** The applicant agrees to hold Marshall County and its employees harmless for any damage to the applicant's utility that is not correctly located within 48 hours of notification to the utility or its agent of the company's need for a locate. If the applicant feels that the proposed maintenance or construction activity proposed by Marshall County requires the precise location of the underground facility to be determined, it shall be the responsibility of the applicant to dig test holes to determine the location of the facility. The applicant agrees that neither Marshall County nor its employees shall be liable for damage to any unmarked or incorrectly located utility line or damages resulting from emergency situations.
14. **Notification to Utility.** Except for emergency situations, Marshall County shall attempt to give the applicant or their agent verbal warning at least 48 hours before performing any maintenance activity that may injure the applicant's lines. Emergency situations include, but are not limited to, the repair and replacement of the right-of-way, warning and/or regulatory signs and their supports whenever there exists a condition where there is clear and immediate danger to life or health, or essential services, or a potentially significant loss of property. For emergency situations, Marshall County will attempt to give as much warning as possible.
15. **Location of Utility Lines.** Unless otherwise noted below, the following utility lines shall be located within the Public Right-of-Way as follows:

Telecommunications and electric (underground) – longitudinal lines shall be buried within two (2) to four (4) feet of the centerline on unpaved roads and between the toe of the foreslope and the right-of-way limit on paved roads. See below for manner of location around roadway culverts and bridges.

Gas, Water and Sewer – Between the toe of the foreslope and the right-of-way limits on all roads.

Above ground utilities – No pole, guy or other structure shall be placed within the respective clear zone requirements for the road upon which the line is to be located. If the clear zone requirements cannot be met, then the utility shall be placed as close as practicable to the Right-of-Way line. Notwithstanding these requirements, no pole or guy shall be installed such that its location would create an unjustifiable hazard to the public. All overhead lines shall be installed to maintain a minimum of eighteen (18) feet clearance above the road surface.

Non-covered Items – For items not covered in this application form, consult the County Engineer. His decisions shall be based upon Section 761, Chapter 115 of the Iowa Administrative Code.

16. **Final Inspection and Release.** Upon notification by the permit holder or its agent that the work is completed, the County Engineer shall make an inspection of the items work included in the Permit and the condition of the road and right-of-way. The permit holder will be notified in writing of any non-compliance work. Once all work has been found in compliance the engineer shall notify the permit holder and release any remaining permit bond.

17. **Term of Permit.** The term of this permit shall be twenty (20) years.

18. **Variances.** The following items that vary from the above are agreed to by both applicant and County Engineer:

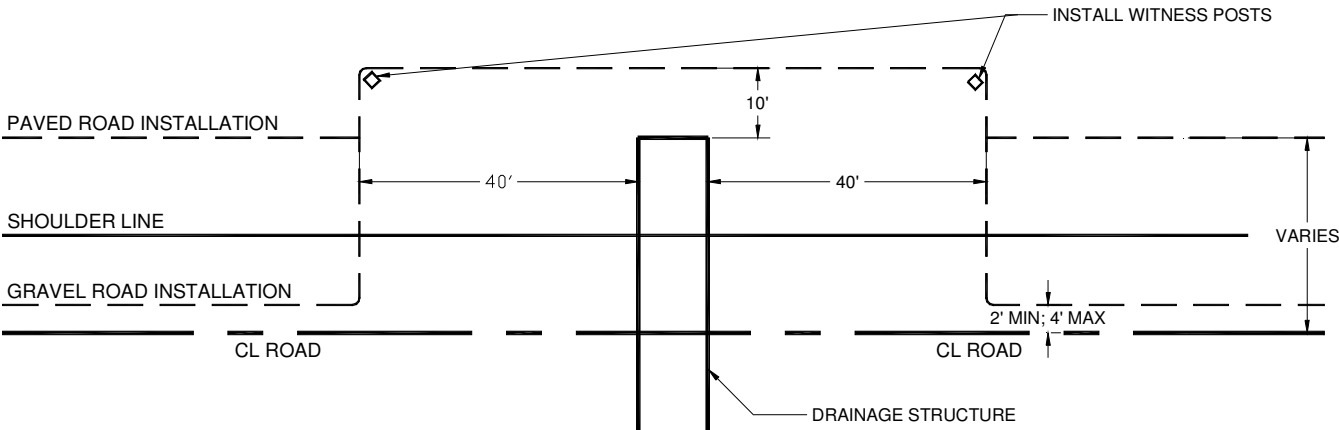
Date _____ Applicant/Firm _____
By _____

APPROVED

_____	_____	Entered in Board Minutes	_____
County Engineer	Date		Date

Note: The following details underground installations at crossroad culverts and bridges. Signs shall be erected at a minimum of two locations in each mile having buried utilities within it in addition to those signs placed near culverts and bridges.

NON-BORED INSTALLATION DETAIL



BORED INSTALLATION DETAIL

