

**WAYNE COUNTY SECONDARY ROADS DEPARTMENT  
UTILITY PERMIT**

This permit is for the installation of and/or construction of telecommunications, electrical power, natural gas, potable water, sanitary sewer and storm sewer utilities. The applicant agrees to comply with the following permit requirements. Wayne County reserves the right to inspect and approve any construction work performed within its right-of-way as it relates to the condition of the county roadways and highways. 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 and/or construction. 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 in Iowa Code Chapters 388, 390, 474, 476, 476A, 477, 478, 479, 479A and 480 or by the Iowa Utility Board or other state or federal regulations.

Applicant’s Name: \_\_\_\_\_

Applicant’s Mailing Address: \_\_\_\_\_

Applicant’s Phone Number: \_\_\_\_\_

Applicant’s Fax Number: \_\_\_\_\_

Applicant’s E-mail: \_\_\_\_\_

Site Address of Said Property: \_\_\_\_\_

Brief Project Description (i.e. facility type, facility location): \_\_\_\_\_

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1. Location Plan – An applicant shall file a completed location plan as an attachment to this Utility Permit. 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 and/or construction.
  
2. Notice to Proceed – At least five (5) working days (i.e. days that the County Engineer’s Office is open) prior to the proposed installation and/or construction, an applicant shall file with the County Engineer a notice stating the time, date, location, and nature of the proposed installation and/or construction.
  
3. Inspection – The County Engineer may provide an inspector during the installation and/or construction of all lines to ensure compliance with this Utility Permit. The inspection 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 this Utility Permit, the Board of Supervisors reserves the right to review and approve or disapprove this permit. The Utility Permit will be issued by the County Engineer contingent upon the applicant’s agreement to pay the actual costs directly attributable to the installation and/or construction inspection, if any, conducted by the County Engineer. Pre-payment of such costs is not required if the applicant posts a surety bond or other proof of financial responsibility, which posting or showing may be made on an annual basis. Otherwise, a prepaid inspection fee, made payable to the Wayne County Treasurer’s Office, may be assessed as follows:

<b>Telecommunications \$1,000</b>	<b>Natural Gas \$1,000</b>	<b>Sanitary Sewer \$1,000</b>
<b>Electrical Power \$1,000</b>	<b>Potable Water \$1,000</b>	<b>Storm Sewer \$1,000</b>

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Upon completion of the installation and/or construction, 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 (45) days.

5. Requirements – The applicant shall meet the following requirements:

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

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

- (1) 48 inches for electrical cables
- (2) 30 inches for communication cables
- (3) 36 inches for all other underground facilities

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

C. The applicant shall use reference markers in the right-of-way boundary to locate the utility line and changes in alignment.

D. All tile line locations encountered during construction shall be protected in accordance with Iowa Administrative Code (IAC) 199-9.4(2) et seq.

E. No underground utility lines shall cross over a driveway or crossroad drainage structure.

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 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.

H. Areas within the right-of-way damaged by the installation and/or construction 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.

I. Areas disturbed during construction which create an erosion problem shall be solved by the applicant in a manner approved by the County Engineer.

J. All trenches, excavations, and utilities that are knifed shall be properly tamped.

K. Road crossings shall be bored. The depth below the road surface shall be a minimum depth of 48 inches for all utility facilities.

L. All excavated areas within the traveled way shall have a minimum 8" granular backfill at the surface. Granular Material shall meet the Iowa Department of Transportation specifications 4120.04, "Class A Crushed Stone".

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UTILITY PERMIT**

6. Non-conforming Work – The County Engineer may halt the installation and/or construction at any time if the applicant’s work does not meet the requirements set forth in this Utility Permit.

7. 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 or fax as soon as possible and a Utility Permit must be requested within five (5) days of initiation of the work. All emergency work shall be done in conformity with the provisions of this permit and may be inspected for full compliance.

8. County Infraction – Violation of this permit is a county infraction under Iowa Code Section 331.307, punishable by a civil penalty for each violation.

9. 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 and/or construction. The minimum limits of liability under the insurance policy or proof of self-insurance shall be \$1,000,000.

10. Permit Required – No applicant shall install any lines unless such applicant has obtained a Utility Permit from the County Engineer. Applicants agree to hold Wayne 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.

11. Relocation – The applicant shall, at any time subsequent to installation and/or construction 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 right-of-way resulting from maintenance or construction operations for highway improvements.

12. 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.

13. Utility organizations or contractors applying for a permit from Wayne County shall make themselves familiar with the Buy America requirements as described in the Code of Federal Regulations 23 CFR 635.410 and Section 1518 of the Moving Ahead for Progress in the 21<sup>st</sup> Century Transportation Bill. These articles state that all utility relocations eligible for Federal reimbursement utility work must meet Buy America regardless of funding source if the project has at least one authorized Federal-Aid Highway Program (FAHP) construction contract.

Name of Company: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant’s Signature: \_\_\_\_\_

**DO NOT WRITE BELOW THIS LINE. FOR OFFICE USE ONLY!**



Special Provisions: \_\_\_\_\_

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Permit Granted: \_\_\_\_\_  
(Date)

By: \_\_\_\_\_  
(Wayne County Engineer)