

APPLICATION FOR PUBLIC UTILITY ACCOMMODATION PERMIT

Per Iowa Code 318.8: A person shall not excavate, fill or make a physical change within a highway right-of-way without obtaining a permit from the applicable highway authority. At the request of a permittee, a modification may be granted in the discretion of the highway authority. Work performed under the permit shall be performed in conformity with the specifications prescribed by the highway authority. If the work does not conform to permit specifications, the person shall be notified to make the conforming changes. If after twenty days the changes have not been made, the highway authority may make the necessary changes and immediately send a statement of the cost to the responsible person. If within thirty days after sending the statement the cost is not paid, the highway authority may institute legal proceedings to collect the cost of correction. A violation of the permit specifications shall be considered a violation of section 318.3.

This is a Utility Accommodation Permit Application for telecommunications, electric, gas, water and sewer utilities. The applicant agrees to comply with the following permit requirements. The County reserves the right to inspect and approve any new construction, alignment or re-location work performed within its right-of-way as it relates to the condition of the highway; compliance shall be determined by the sole discretion of the Board of Supervisors and 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 this permit. This permit is not intended to conflict with any utility owner's rights or duties mandated in Chapters 306, 318, 320, 331, 390, 477, 478, 479, 479A, and 480 of the Code of Iowa or by the Iowa Utility Board or other state or federal regulations.

Applicant Name: _____

Street Address: _____

City, State & Zip Code: _____

Telephone Number: _____ **FAX Number:** _____

Contact Person: _____

Brief Description [type facility, specific location (address, section, township, range)]:

Location Plan: An applicant shall file a completed location plan as an attachment to this Utility Accommodation 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 including, but not limited to, type, height, spacing of poles, maximum voltage, lengths of cross arms, minimum clearance, number of wires; type, size and capacity of underground cables, conduits, tile lines and pipe lines; maximum working pressures for pipe lines carrying gas or flammable petroleum products.

Notice to Proceed: At least two (2) business days prior to the proposed installation/construction, an applicant shall file with the County Engineer a notice stating the time, date, location, and nature of the proposed installation.

Above ground utilities shall be placed as close to the right-of-way line as possible. It is the intent of this permit that no utility poles or guide wires be placed in the ditch bottom or fore slope. In the event that topography will not allow for such placement at this location the County Engineer may approve an alternate location. Such approval must be provided in writing prior to installation and attached to this permit.

Underground utility lines shall not cross over a driveway or crossroad drainage structure unless approved in writing by the County Engineer. Such approval must be provided in writing prior to installation and attached to this permit. The applicant shall not excavate across a paved or granular road. Boring will be required. The applicant may be required to provide special design features, such as looping or coiling cable, to accommodate future culvert maintenance.

The minimum cover of utility facilities in the right-of-way shall be 48 inches for electrical cables and all directional boring under roadways and 36 inches for all other underground facilities. All trenches, excavations, and utilities that are knifed shall be properly tamped.

In critical situations 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. Any such waiver shall be provided in writing prior to installation and shall be attached to this permit. The County shall determine the depth in these situations. The County Engineer may require additional depth in areas identified being silted or scheduled for future excavation.

Construction signing shall comply with the Manual on Uniform Traffic Control Devices. If applicant does not hold a current copy of (MUTCD), then the applicant may view the County's copy at the Secondary Road Department. The applicant shall furnish, install and maintain all signing during construction of said utility line. When not performing construction, all vehicles, equipment & material shall be parked or stored outside the clear zone.

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

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.

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 may 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.

Areas within the right-of-way that are 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.

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

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 Accommodation Permit. Non-conforming work under an approved permit will be handled in accordance with Iowa Code Section 318.8.

Emergency Work: In emergency situations, work may be initiated by an applicant without first obtaining a Utility Accommodation Permit. However, the County Engineer shall be notified via telephone or Fax as soon as possible and a Utility Accommodation Permit must be requested within two (2) 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.

Hold Harmless: The utility company shall hold Davis County harmless from any damages or losses that may be sustained by the traveling public or adjacent property owners resulting from the negligence of the applicant or assigned. A copy of a certificate of insurance naming Davis 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.

Permit Required: No applicant shall install, upgrade or change alignment of any utility lines unless such applicant has obtained an approved Utility Accommodation 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.

Relocation: The applicant will at any time subsequent to placing the public utility line, and at the Applicant's own expense, relay, reconstruct or encase such lines as may become necessary to conform to new grades, alignment or widening right-of-way, resulting from maintenance or construction operations by the County irrespective of whether or not additional right-of-way is required in connection with such highway improvement. The Applicant agrees to do this promptly on order by the County and without cost to the County. If the Applicant is unable to comply promptly, the County may cause the work to be done, and the Applicant shall pay the cost thereof upon receipt of statement. The County will endeavor to give the Applicant sufficient notice of any proposed construction or maintenance work, on either existing or newly acquired right-of-way that is likely to expose, cover up, or disturb any public utility belonging to the Applicant, in order that the Applicant may arrange to protect such lines.

Hand Work: At the request of the County Engineer or his assigned, the utility company shall provide any or all handwork necessary to ensure the safe excavation around such cables or underground lines.

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.

Changes: Should it be necessary to change or amend the permit and/or construction operation, the Applicant should address in writing such changes/deviations from the original permit application.

One Call: The owner of the utility facility acknowledges that for the purposes of Iowa Code Chapter 480 any utility facility buried or placed below ground in the County right-of-way is an "underground facility" and the owner of the facility is an "operator" and shall participate in the Iowa One Call system. Any variations or addendums to this permit must be approved by the County Engineer before work is started and attached to the permit.

County Infraction: Violation of this permit shall be handled in accordance with the Davis County Utility Accommodation Permit Ordinance.

DATE: _____ COMPANY NAME: _____

SIGNED BY: _____

APPROVED:

DATE: _____
Chairman - Davis County Board of Supervisors

DATE: _____
Davis County Engineer