

<b>CLINTON COUNTY PERMIT NUMBER</b>	DEPARTMENT USE
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## APPLICATION FOR APPROVAL OF CONSTRUCTION WITHIN CLINTON COUNTY RIGHT-OF-WAY (ROW)

This is a Permit Application for telecommunications, electric, gas, water, earthwork, drainage and other miscellaneous work within Clinton County ROW. The applicant agrees to comply with the following permit requirements. Compliance shall be determined by the sole discretion of the Clinton County Engineer's Office as deemed necessary to promote public health, safety and the general welfare.

<b>APPLICANT (INDIVIDUAL OR COMPANY)</b>			
FIRST NAME	LAST NAME	PHONE NUMBER	
COMPANY NAME		PHONE NUMBER	
STREET ADDRESS	CITY	STATE	ZIP CODE
E-MAIL ADDRESS		SUBMITTAL DATE	
CONTRACTOR NAME		PHONE NUMBER	
CONTRACTOR ADDRESS			
GENERAL DESCRIPTION OF THE PROPOSED WORK IN ROW:			

1. An applicant shall file a proposed location plan as an attachment to this Permit Application. The location plan shall set forth the location of the proposed utility and/or construction on the secondary road system and include a description of the proposed installation. The applicant shall allow for a minimum two week review and approval process (longer time frame may be required for large projects).
2. At least 10 working days prior to the proposed construction, an applicant shall file with the Clinton County Engineer a notice stating the time, date, location and nature of the proposed construction via email at [engineer@clintoncounty-ia.gov](mailto:engineer@clintoncounty-ia.gov) or fax at 563-243-3739. Permits will be issued for a maximum period of one year. Permitted construction not completed within a year will need a new permit.
3. The Clinton County Engineer may provide a full-time inspector during the installation of utilities and construction within ROW to insure compliance with this permit. The inspector may 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.

- 4. **(Utility Permits Only)** Upon approval of the application by the Board of Supervisors, the permit will be issued by the Clinton County Engineer upon payment of the required prepaid \$100.00 permit fee made payable to the Clinton County Secondary Road Department. Permit review and inspection fees may be required by the Clinton County Engineer and paid by the applicants. The applicant shall pay actual costs directly attributable to the permit review and installation inspection conducted by the Clinton County Engineer’s Office.
  
- 5. The proposed installation shall meet the following requirements:
  - A) Construction traffic control and signing shall comply with the current Manual on Uniform Traffic Control Devices (MUTCD).
  
  - B) Aboveground installations on paved roads must meet a minimum clear zone requirement of 15 feet measured from the traveled way. The actual clear zone requirements will be determined based on the roadway section, posted speed and corresponding traffic volume when the permit is submitted for review. Obstructions placed within the clear zone will be required to be break away type construction. On non-paved roads poles, guys and other supporting structures and related aboveground facilities should be located as near to the right-of-way line as practical. These aboveground obstructions shall be located in an area beyond the clear zone or the highway foreslope, whichever area locates the obstruction a greater distance from the edge of the traveled way, right-of-way width permitting.
  
  - C) Poles, guys, anchors and other appurtenances shall not be located in drainage ditches, at drainage structure openings or on roadway shoulders. All poles, guys, anchors and other appurtenances shall be located to minimize interference with the maintenance operations of the department.
  
  - D) The minimum depth of cover shall be as follows:

Utility Type	Minimum Depth (inches)
Telecommunications	36
Gas	48
Sewer	60
Electric	48
Water	60
All Others	60

- E) In no event shall the vertical clearance be less than 20 feet above the roadway centerline for all overhead utilities.
  
- F) The applicant shall use reference markers in the ROW boundary to locate line and changes in alignment as required by the Clinton County Engineer. A permanent warning tape shall be placed one (1) foot above all underground utility lines.
  
- G) All tile line locations shall be marked with references (white or orange steel post) located on the ROW line. Tile risers and intakes shall not be placed in the ROW.
  
- H) No underground utility lines shall cross over a crossroad drainage structure without written approval.

- I) Residents along the utility route shall have uninterrupted access to public roads. An all-weather access shall be maintained for residents adjacent to the project.
  - J) A joint assessment of the road surfacing may be made by the applicant and the Road Maintenance Superintendent both before and after construction. After construction, granular surfacing may be added to the road by the applicant or the County to restore the road to its original condition excluding tile crossings. Routine grading and shaping of the road surface will be completed by Clinton County.
  - K) All damaged areas within the ROW shall be repaired and restored to at least its former condition by the applicant or the cost of any repair work caused to be performed by Clinton County will be assessed against the applicant. Clinton County may require an escrow account be established for projects with the potential for substantial disturbance to the road system.
  - L) Areas disturbed during construction which present an erosion problem shall be rectified by the applicant in a manner approved by the Clinton County Engineer.
  - M) All trenches, excavations, and utilities that are knifed shall be properly tamped.
  - N) All utilities shall be located between the bottom of the backslope and the bottom of the foreslope, unless otherwise approved in writing by the Clinton County Engineer prior to installation.
  - O) **Paved road utility crossings shall be bored. The depth below the road surface shall match the minimum depth of cover for the respective utility.**
  - P) Any utility installations proposed to be attached to Clinton County bridges and or culverts must be identified on the location plan submittal with details of the proposed connections.
6. The Clinton County Engineer may suspend the installation at any time if the applicant's work does not meet the requirements set forth in this Permit. Substantial changes to the proposed work will require a new permit review process and a new permit to be issued.
  7. In emergency situations, work may be initiated by an applicant without first obtaining a permit. However, a permit must be obtained within fourteen (14) days of initiation of the work. All emergency work shall be done in conformity with the provisions of this permit and shall be inspected for full compliance.
  8. Violation of this permit is a county infraction under Iowa Code Section 331.307 (Clinton County Ordinance 92-3 Passed September 21, 1992 and Amended in 2004 re-codification) punishable by a civil penalty of \$500 for each violation. Each day that a violation occurs or is permitted to exist by the applicant constitutes a separate offense.
  9. The utility company shall hold Clinton County harmless of any damages resulting from the applicant's operations. A copy of a certificate of insurance naming Clinton County as an additional insured for the permit work shall be filed in the Clinton County Engineer's office prior to installation. The utility owner shall maintain the following insurance for bodily injury, death and property damage arising out of or in connection with the construction, maintenance and operation of the facility:

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- (1) General public liability insurance with limits of not less than \$500,000 for injury to or death of a single person, or not less than \$1,000,000 for any one accident, and not less than \$250,000 per accident for property damage.
  - (2) Comprehensive automobile liability insurance with limits of not less than \$500,000 for injury to or death of a single person, or not less than \$1,000,000 for any one accident, and not less than \$250,000 per accident for property damage.
10. No applicant shall install any utilities unless such applicant has obtained an approved permit from Clinton County. Applicants agree to hold Clinton 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 permit or other requirements.
  11. 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, bridge construction, alignment or widening of ROW resulting from maintenance or construction operations for highway improvements.
  12. The installation shall meet the requirements of local municipal, county, state, and federal franchise rules and regulations, regulations and directives of the Iowa State Commerce Commission, all rules and regulations of the State of Iowa and any other laws or regulations applicable.
  13. The applicant is responsible to obtain any other necessary permits required to complete the work including but not limited to: Clinton County Planning and Zoning, Clinton County Health Department, Clinton County Drainage Districts, Iowa Department of Transportation, Iowa Department of Natural Resources and the Corps of Engineers.
  14. A copy of the approved permit shall be available on the jobsite at all times for examination by Clinton County personnel.

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### Applicant Signature and Agreement

The undersigned have read the stipulations of this permit agreement as stated, as well as attachments which may be included, and by signing this application agree to abide by all stipulations and to complete the work as proposed in compliance with the stipulations and attachments within one year from the date of approval. Failure on the part of the applicant to abide by the stipulations or to construct the work desired as stipulated and within the time frame stated shall render this agreement and request null and void. The undersigned also agrees to hold harmless Clinton County and the Clinton County Secondary Road Department from any damage or losses that may be sustained by any person or persons on account of the conditions and requirements of this agreement.

<b>NAME OF AGENT (Print or Type)</b>	<b>AGENT/OWNER (Signature)</b>	<b>TITLE</b>
<b>NAME OF OWNER (Print or Type)</b>		<b>DATE</b>
<b>EMAIL ADDRESS</b>	<b>PHONE NUMBER</b>	

### Clinton County Secondary Road Department Approval

<b>COUNTY ENGINEER SIGNATURE</b>	<b>DATE</b>
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### Clinton County Board of Supervisors Approval

<b>BOARD OF SUPERVISORS CHAIRPERSON</b>	<b>DATE</b>
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**APPROVAL: Required for Franchise Utility Permit Applications Only**