

LAWRENCE COUNTY
HIGHWAY DEPARTMENT

UTILITY PERMIT
POLICY AND REGULATIONS

EMERGENCY
MINOR MAINTENANCE
MAJOR MAINTENANCE
MODIFICATION OR NEW CONSTRUCTION

JANUARY 16, 2019

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Lawrence County
Highway Department

**UTILITY PERMIT POLICY
AND REGULATIONS**

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I. UTILITY PERMIT POLICY

A. Purpose

The purpose of these regulations is to establish policies and procedures for accommodating utilities on right-of-way of the County highway, which will provide public benefit consistent with the preservation of the integrity, safe usage, and visual qualities of the County Highway System. These regulations apply to all utility facilities on highway right-of-way in which the County has an interest, whether those facilities were permitted or not and whether those facilities were in place before or after the promulgation of this Policy. Because it is impossible to anticipate all future highway needs or proposals, the County Engineer reserves the right to deny any application for any reasonable cause.

B. Definitions

Clear Zone – the area adjacent to the highway starting at and beyond the edge of the pavement, available for safe use by errant vehicles. This area may consist of a shoulder, a recoverable slope, a non-recoverable slope, and a clear run-out area. The desired clear zone width is dependent upon the traffic volumes and speeds, and on roadside geometry. Distances are specified in the AASHTO Roadside Design Guide (most recent publication).

Emergency - When the existing utility system serving the general public is not functioning as originally intended and lack of immediate repairs or reconstruction thereto said system will create additional hardship to the utility or the general public. The duration of the work period for an emergency repair is generally considered 72 hours or less.

Facilities – Means all of the plant, equipment and appurtenances of a utility, including the tangible and intangible property, without limitation, owned, operated, leased, licensed, used, controlled, or supplied for, by, or in connection with the business of the utility.

Major Maintenance – repair, inspection and access to and from an existing utility system that may impact the safety or efficiency of the motoring public within the County Highway pavement and shoulder areas. Major maintenance or inspection work may require excavation and roadway lane and shoulder closures. The work period is considered to range from a short-term stationary to long-term stationary duration, which is generally considered work that occupies a location for 60 minutes or more (90 days maximum). The installation of new single residential service installations is considered Major Maintenance.

Minor Maintenance – repair or minor maintenance or inspection and access to and from the existing utility system that will not impact the safety or efficiency of the motoring public within the County Highway right-of-way. Excavations and open cuts are not considered Minor Maintenance and will be prohibited under this work item. The work period for Minor Maintenance is considered a short duration, which is generally considered work that occupies a location for 60 minutes or less.

Modification or New Construction – major enhancement, modification or new work and access to and from the existing or new utility system that may impact the safety or efficiency of the motoring public within the highway right-of-way, pavement and shoulder areas. The duration of the work period for Modification or New Construction is generally considered 3 days or more.

Non-public Utility – any utility that is not considered a public utility as defined herein.

Public Utility - a utility that is listed with the Illinois Commerce Commission as a public utility or a utility that has a franchise or license agreement with the County.

Shoulder – For the purpose of establishing a work zone, the shoulder or shoulder area, regardless of whether the shoulder has a paved surface, will be considered as the area from the edge of the traveled pavement out to a distance of fifteen (15) feet.

Single Residential Service Installation – the installation of a new single service utility installation to a residential site. The service installation may require excavations outside the highway pavement and generally do not exceed 200 feet in length. The duration of the work period for a single residential service installation is generally considered 3 days or more. This work will be permitted under the Major Maintenance Permit.

Utility – Every corporation, company, limited liability company, association, joint stock company or association, firm, local government, partnership or individual, their lessees, trustees, or receivers appointed by any court whatsoever that owns, controls, operates or manages, within the State of Illinois, directly or indirectly, for public use, any plant, equipment or property used or to be used for or in connection with, or owns or controls any franchise, license, permit or right to engage in the production, storage, transmission, sale, delivery or furnishing of heat, cold, power, electricity, water, or light, except when used solely for communications purposes, the disposal of sewage or the conveyance of oil or gas by pipe line or the latest definition provided by the Illinois State Statutes in which case law shall govern.

C. **Accommodation of Utility in the County Right-of-way**

Only utilities that have franchise agreements with the County or are listed with the Illinois Commerce Commission as a Public Utility shall be allowed to be within the County right-of-way. The public utility will be required to submit evidence of this fact to the County Engineer.

Non-Public Utilities will require special approval from the County Engineer to be within the right-of-way. These utilities will be considered on a case-by-case basis.

All utilities and utility work, regardless of the type, will be required to follow the provisions of these LCHD Permit Regulations and laws of the State of Illinois. The law shall supersede this policy unless such authority is granted to the County Engineer by law.

D. Permit Types and Application Requirements

As defined previously, there are four types of utility work. The following describes the specific permit application requirements for each of the types of utility work; Emergency, Minor Maintenance, Major Maintenance and Modification or New Construction.

Emergency Work

Emergency work **will not** require a permit. However, the Applicant must contact the LCHD before beginning work. The public or non-public utility or its agent shall inform the County Engineer as to what steps will be taken for protection of the public and what work will be required to make the necessary repairs. If the nature of the emergency is such as to interfere with the free movement of traffic, the County Engineer or Local Police shall be notified. The Lawrence County Highway Department can be contacted during normal business hours (8:00 a.m. to 4:00 p.m., Mon.-Fri.) at **(618) 943-4215** or if the emergency occurs after regular business hours, contact the Lawrence County Sheriff's Office at **(618) 943-7364**.

Emergency Work Traffic Control

If an emergency or emergency work creates a hazard on the traveled portion of the roadway, immediate steps shall be taken by the utility company to provide all necessary protection for traffic on the highway including the use of signs, lights, barricades or flaggers. If a hazard does not exist on the traveled way, but the nature of the emergency is such as to require the parking on the shoulder of the County Highway or right-of-way of equipment required in repair operations, signs and lights shall be provided. Parking on the County Highway shoulder or right-of-way in an emergency will only be permitted when no other means of access to the utility facilities is available.

Emergency Work Duration

The duration of work under an emergency situation by definition is considered 72 hours or less. The County Engineer recognizes that this time frame is meant to resolve the immediate emergency and that temporary pavements, etc. may have been required as part of this work. For emergency work, all permanent restoration to pavements, shoulders and right-of-way shall be completed within one (1) week of the completion of the emergency repair. If a longer period of time is required

by the Applicant, the County Engineer may require that the Applicant submit and work be completed under the appropriate maintenance permit.

Emergency Work Temporary Patches

When temporary patches are required as part of the emergency work, the temporary patches shall be continuously maintained until the permanent pavement restoration is completed. This applies to all permit work. The type of patch shall be determined by the County Engineer based on the time of year and the nature of the emergency.

Minor Maintenance Work

A permit **will not** be required for this work. The work may begin immediately and does not require verbal or written authorization of the County Engineer to proceed.

Major Maintenance

A permit **will** be required for Major Maintenance work. The Applicant may only begin this work with the written or verbal authorization of the County Engineer. The permit application process, fees and guideline can be found in Articles II and III of this Section.

Modification or New Construction

A permit **will** be required for Modification or New Construction. The Applicant may only begin this work with the written or verbal authorization of the County Engineer. The permit application process, fees and guideline can be found in Articles II and III of this Section.

E. General Requirements

The following are general requirements pertaining to the various types of utility work proposed within the County right-of-way.

Authority of County

A "Permit" from the County Engineer grants permission only to undertake certain activities in accordance with these regulations on a County right-of-way, and does not create a property right or grant authority to the Applicant to impinge on the rights of others who may have an interest in the right-of-way. Such others might include an owner of an underlying fee simple interest if the right-of-way consists of an easement, an owner of an easement, or another Applicant. It is the responsibility of the Applicant to satisfy all owners of property within or outside of County right-of-way.

Written Consent

Only a permit issued by the County Engineer under this policy will satisfy the “written consent” requirement of the Illinois Highway Code.

Compliance

The Applicant shall comply with all other applicable laws relating to the placement of utility lines. The issuance of a utility permit by the County Engineer does not excuse the Applicant from complying with other requirements of the County Engineer (e.g., oversize and overweight vehicles) or the requirements of other Local, State and Federal agencies, including but not limited to IDOT, USACOE, IDNR, IEPA, and EPA.

Non-conforming Utilities

The following information pertains to utilities that existed prior to the effective date of the Utility Permit Policy and Regulations that may not be in full compliance with the provisions of this document. The practice of accepting nonconforming utilities is commonly referred to as “grandfathering”. Nothing in these regulations shall prohibit the lawful use of sub-standard utilities provided the utility was permitted with the County Engineer prior to the effective date of these Utility Permit Policy and Regulations. However, if it is determined by the County Engineer that an existing utility, in whole or portion of, needs to be relocated, the utility must comply with all conditions and requirements of these regulations. Minor and Major Maintenance work to the utility must comply with these Utility Permit Policy and Regulations.

Compliance by Other Agencies

State, County, Township, and municipalities, and other local units of government, utility and levee district’s occupation or crossing of County right-of-way by their utility installations are subject to all of the requirements of this policy.

Signatory Authority

A Utility Permit issued to a public entity shall be executed by a duly authorized officer thereof.

Removal of Existing or Abandoned Facilities

The County Engineer, at his option, may require that utility facilities (underground or above ground) being abandoned as part of the permit work be removed from the right-of-way. If the utility facility to be abandoned is not part of permit work, the utility right-of-way user shall notify the County Engineer when the facility is abandoned. The right-of-way user shall submit to the County Engineer a plan for the removal of the abandoned equipment or facility. The County Engineer may require the right-of-way user to post a bond in an amount sufficient to reimburse the County for reasonably anticipated costs to

be incurred in removing the equipment and facilities if the public right-of-way user fails to do so.

Obligation to Remove, Relocate or Modify Existing Utility Facility

The Applicant shall remove, relocate, or otherwise modify its facilities, including the removal of bridge attachments, as specified by the Illinois Highway Code. The Illinois Highway Code gives sole authorization to the County Engineer, and no other administrative agency or commission may review or overrule a permit related decision or direction of the County Engineer. The failure of an Applicant to comply with the directions of the County Engineer may cause sanctions to be imposed on it.

Notice to Remove, Relocate or Modify Existing Utility Facilities

The County Engineer may also give written notice that the Applicant or utility shall remove, relocate, or otherwise modify its facilities. If, within 60 days after receipt of such written notice, satisfactory arrangements are not made, the County Engineer may undertake the requested actions and may bill the Applicant or utility for the total cost thereof.

Notice shall be considered to have been received if either the County Engineer receives from the U.S. Postal Service a signed return receipt or a notice that the Applicant has refused to accept a notice by mail, or the County Engineer obtains such other reliable evidence of receipt as he/she may deem appropriate, or notification is satisfied by direction of the Illinois Highway Code. For example, the receipt of a hand delivered notice might be evidenced by a statement by the messenger that the notice was delivered. A receipt from an express service would also suffice.

If notice of receipt is not received within 10 days or the County Engineer receives a notice of undeliverability or refusal of delivery, the notice shall be posted in a conspicuous place in the area of the permit. If, within 60 days after posting such written notice, satisfactory arrangements are not made, the County Engineer may undertake the requested actions itself and may bill the Applicant for the total cost thereof.

Reimbursement for Removal, Relocated or Modify Existing Utility Facilities

The Applicant, by use of its permit, agrees to the following:

1. To pay the County's costs incurred under this section,
2. If the full amount of the County's invoice to the applicant is not paid by the date specified on the invoice, to pay all costs of collection, including attorney's fees, litigation expenses, and fees (including contingency and percentage fees) paid to collection agencies, and

3. That any attorney at law is authorized, on behalf of Applicant, to do the following:
 - a. Appear before any court of competent jurisdiction in Illinois, upon complaint made by the County, and enter Applicant's appearance;
 - b. Waive process and service;
 - c. Confess judgment for the full amount billed under this Section, for all attorneys' fees and costs incurred by LCHD associated with attempt(s) to collect the amount billed under this Section;
 - d. Accept the release and indemnification provisions stated in this Section;
 - e. Waive all errors and all right of appeal from said judgment(s); and
 - f. Provide such other consents or cooperation as may be helpful to complete the collection process so that the County may be fully paid.

Apportionment of Costs

There may be times when the County will incur delays or other costs, including third party claims, because the Applicant will not or cannot perform its duties under its permit. Unless the Applicant can demonstrate to the County Engineer that another allocation of the cost of undertaking the requested action is appropriate, the Applicant shall bear the County's costs of damages and its costs of installing, maintaining, modifying, relocating, or removing the facility that is the subject of the permit. No other administrative agency or commission may review or overrule a permit-related cost apportionment of the County Engineer. Sanctions may be imposed on an Applicant who does not pay the costs apportioned to it.

General Location of Facilities

All utility installations shall be located as follows:

- No new aboveground utility facilities shall be located in the area established as a clear zone.
- No new longitudinal utility installations will be permitted under paved portions of County highways; however, new cables will be allowed in existing ducts if they can be installed without damage to the pavement.
- Utility crossing facilities installed between the ditch lines or curb lines of County highways shall be designed and constructed and shall incorporate materials and protective appurtenances so as to virtually preclude future disruption of these areas. Protection may include encasement, additional cover, or other measures that might not otherwise be required.

- Utilities shall not be permitted to cross under County highways in cattle passes, culverts or other drainage facilities.
- New manholes and vaults shall not be permitted in the traffic lanes or shoulders of County highways. Existing manholes may be permitted to remain.
- Utility crossings shall be at or as near as practicable to a 90 degree angle with the highway centerline.
- No utility appurtenances such as pumping stations and transformers serving a longitudinal facility will be allowed in interchanges.

Utility Attachments to Bridges or Traffic Structures

It shall be the general policy of the County Engineer to grant approval for accommodation of utilities on bridges or grade separations only when engineering and economic study substantiates that all other means of accommodating the utility are not practical. Other means shall include, but not be limited to, underground, under stream, independent poles, cable supports and tower supports, all of which are completely separated from the bridge. The utility company shall include the supporting data in their request that indicates the impracticality of alternate routing. All costs required to develop the engineering and economic study shall be paid by the utility.

Easements

New utility easements shall not be allowed within the County right-of-way.

Suitability of Materials and Workmanship

Only materials approved by the County Engineer shall be used in utility installations in the County right-of-way. The quality of workmanship in every respect, including geometrical layout of work, proper installation of all facilities, and proper finish of exposed work, shall conform to IDOT standards. At the sole opinion of the County Engineer, the Applicant shall be required to replace all faulty material and reconstruct or correct any work showing or developing unsatisfactory conditions. The completed work shall be inspected for compliance with the terms of this permit by the County Engineer. A letter will be furnished to the Applicant from the County Engineer itemizing the incomplete or unsatisfactory work.

Pavement Open-cuts/Augering

Open cutting of pavements shall not be allowed on County Highways having hot-mix asphalt surfaces for Minor Maintenance, Major Maintenance or Modification or New Construction. All installation of mains, pipes, conduits, etc., under these types of roadways shall be done by approved pipe boring and jacking methods as specified in the

current edition of the Illinois Department of Transportation “Standard Specifications for Road and Bridge Construction”.

Other issues that may become a factor in not allowing an open cut are as follows:

1. Roadway has been resurfaced in the past 5-7 years
2. Motorist inconvenience and vehicle delays
3. Roadway is a direct route for emergency vehicle use
4. Known locations for running sand or unstable material
5. Utility impacts – causing delay beyond maximum road closure of 5 days

Casing pipe on County Highways having traffic volumes greater than 1000 cars a day shall be of a length great enough to extend from right-of-way to right-of-way. The length of casing pipe on roadways having a traffic volume of less than 1000 cars a day shall be based on the future widening width plus fifteen (15) feet on each side.

The County Engineer may consider open-cuts on roadways having a traffic volume of less than 500 cars a day and the closure being no longer than 5 days in duration. All open cuts that are permitted will be required to use an approved flowable fill (Controlled Low Strength Material) in place of trench backfill. The flowable fill shall be placed 2 feet outside the edge of pavement on both sides of the highway right-of-way.

The County Engineer will require that LCHD or their consultant be on site during those hours that work is taking place within the County right-of-way. The cost of the consultant shall be the responsibility of the agency or person taking out the permit for the open-cut.

Where an open-cut is allowed the Applicant shall be responsible for maintaining the permanent patch for 2 years from the date the patch was completed and then resurfaces over the permanent patch. The resurfacing shall consist of a 2-inch thick asphalt surface extending out 4 feet horizontally for every one (1) foot of vertical depth of the open-cut in both directions.

A temporary run around or one lane traffic with flaggers shall be used where possible to minimize the impact of the work delay to the traveling motorist. Where it is impossible to maintain normal traffic flow through the work site a temporary detour shall be put in place.

Both the augering and open-cuts will require the following:

1. Performance Bond, Surety Bond, or Escrow Account
2. Certificates of Insurance from Applicant, contractor, and subcontractors
3. An approved traffic control plan

Temporary Dewatering for Construction Activities

The County Engineer will permit the temporary discharge of water from dewatering activities associated with construction activities assuming the following criteria have been met.

1. The outlet velocity at the point of discharge must not cause scour or erosion within the right-of-way.
2. The downstream drainage systems must have the capacity to convey the dewatering flow as well as the ten-year storm for the tributary area.
3. Downstream right-of-way or off-site impacts are the responsibility of the Applicant.
4. The Applicant shall indemnify the County from impacts or damages to either the right-of-way or off site areas caused by the dewatering discharge.
5. All dewatering discharge shall be contained within a pipe system until discharged at a location approved by the County Engineer. The discharge point may be a significant distance from the dewatering activities due to a lack of a suitable discharge point.
6. A regional map will be required, showing the location of all drainage features, including ponds, ditches, storm sewers, etc., effected by the work. This exhibit shall also include sizes and elevations of all relevant features.

The County Engineer may require the assistance of a consultant to review the submittal to ensure that there are no adverse impacts to the County right-of-way or off-site areas. The costs of this review shall be the responsibility of the permit Applicant.

At no time will the dewatering discharge system be located within any ditch in the right-of-way. The water will be conveyed off the right-of-way as far as is practical and then allowed to traverse the right-of-way in a manner that will not disrupt the normal use of the right-of-way to a suitable discharge point.

The permit will be revoked at any time should the County Engineer determine that there are any damages or adverse impacts to the County right of way or off-site areas.

Detours

The County Engineer recognizes that there may be situations when highway detours are necessary. The Applicant or utility is required to coordinate the detour with LCHD. The following requirements shall be followed when initiating a detour.

For emergency work, the Applicant should contact LCHD as outlined in these permit regulations, with the exception that LCHD shall be contacted immediately since a detour

is involved. The Lawrence County Highway Department will assist in determining the appropriate traffic route based on the road classification.

For an emergency, the County contact number is 618-943-4215.

For maintenance, modification or new construction work, the Applicant should contact LCHD as outlined in these permit regulations. Under this process LCHD should be notified that a detour will be required. The Lawrence County Highway Department will coordinate with the Applicant to determine an appropriate traffic route based on the highway classification and other work within the County. Under these permits a drawing or maintenance of traffic plan will be required showing the detour(s). Advanced notification of the detour is required (see Advanced Public Notification in this section). The Applicant will be responsible for the coordination, setup, maintenance and cost of the detour.

The Applicant shall maintain the detour at all times and shall respond to maintenance of traffic deficiencies noted by the County Engineer within 2 hours of the contact. Corrective measures shall be completed within the time specified after notification of the deficiency. If corrective measures are not commenced within this length of time, the County Engineer will take appropriate action to ensure correction of the deficiency to the County Engineer's satisfaction at the expense of the Applicant.

Damage to County Right-of-Way

Those facilities and roadway structures and appurtenances (i.e.: guardrails, street lights, etc.) within the highway right-of-way that are damaged as a result of the permit work shall be immediately reported to LCHD. Damaged items will be replaced or repaired by the Applicant to satisfaction of LCHD in a reasonable length of time as established by LCHD. Any signs damaged during emergency, maintenance or construction operations must be immediately repaired and/or replaced and erected. The occurrence will be immediately reported to LCHD.

Duty to Correct Defects

The Applicant shall guarantee the restoration of the County right-of-way for twelve (12) months following the issuance of the Final Completion and Compliance Certificate. During the 12-month period, the Applicant shall, upon written notification from the County Engineer, correct all non-complying work using methods and materials required by the County Engineer. The corrective measures shall be completed within ten (10) calendar days of the receipt of the notice from the County Engineer, not including days during which work cannot be done due to circumstances constituting force majeure or of unseasonable or inclement weather. If corrective measures are not commenced within the length of time specified, LCHD will take appropriate action to ensure completion of the work to the County Engineer's satisfaction at the expense of the Applicant.

Inspection

All improvements to a County Highway shall be inspected by a representative of LCHD or one of the County's consultants. The level of inspection will be determined by the County Engineer based on the complexity and magnitude of the improvements to the County Highway.

Enforcement

If improvements to the County Highway are not constructed in accordance with the approved design or made in accordance with the conditions of the permit, the County Engineer will issue a stop work order or revoke a permit as described below. If the Applicant does not correct any deficiencies or, at a minimum, contact the County Engineer to discuss the deficiencies within fourteen (14) calendar days after notification, the County Engineer has the right to correct the deficiencies either through the Performance Bond, Surety Bond, or Escrow Account for the permit or as a bill submitted to the Applicant. In addition, the Final Completion and Compliance Certificate and/or Certificate of Occupancy will be withheld until the improvement conforms to the approved design.

Stop-Work Order/Revocation of Permit

The County Engineer may issue a Stop-Work Order or suspend or revoke a permit for the following reasons:

- The work was started without a valid permit. In addition to the permit application fee, a fine will be assessed in the amount **double the applicable permit fee**.
- A material provision or condition of the permit has been substantially breached.
- A material misrepresentation has been made in the application for a permit.
- The Applicant failed to maintain the required bonds or other security and insurance.
- The Applicant failed to complete the work within the time specified in the permit unless the failure to complete the work is due to reasons beyond the Applicant's control.
- The Applicant failed in a timely manner to correct work that does not conform to applicable standards, conditions federal, state or local laws, rules or regulations.
- An evasion or attempt to evade any material provision of the permit, or the perpetration or attempt to perpetrate any fraud or deceit upon the County.
- The work poses a hazardous situation or constitutes a public nuisance, public emergency, or other threat to the public health, safety or welfare.

If the Applicant does not correct any deficiencies or, at a minimum, contact the County Engineer to discuss the deficiencies within fourteen (14) calendar days, the County Engineer has the right to correct the deficiencies either through the bond or other security for the permit or as a bill submitted to the Applicant.

All conditions that pose a hazardous situation or constitute a public nuisance, public emergency or other threat to the public health, safety, or welfare shall be corrected immediately by the Applicant.

Lifting of Stop-Work Order/Reinstatement of Permit

The County Engineer may lift a Stop-Work Order or reinstate a permit if:

- A permit application and applicable fees and fines are paid and submitted, and the County Engineer has issued a permit.
- An amended application is submitted correcting any misrepresentations included in the original permit application.
- The Applicant provides proof that the required bonds or other security and insurances have been reinstated.
- After discussions with the County Engineer, the Applicant submits a revised schedule and completion date that is acceptable to the County Engineer.
- The Applicant corrects work that does not conform to applicable standards, conditions, or federal, state, or local laws.
- The Applicant agrees to follow all provisions of the permit and makes any reparations for the perpetration or attempt to perpetrate any fraud or deceit upon the County.
- The conditions posing a hazardous situation or constituting a public nuisance, public emergency, or other threat to the public health, safety, or welfare are corrected or removed.

Advance Public Notification

Advance public notification may be required prior to commencing with the work. The advance public notification shall be by use of advance warning signs or message boards placed for each direction of traffic. The advanced notification shall be posted at least 72 hours prior to commencing the work. The message will be as specified by the County Engineer.

Permit Working Hours

For County Highways, the working hours shall be as directed by the County Engineer, but generally are considered 7:00 am to 4:00 pm.

Existing Utility Location Drawing

For Major Maintenance and Modification or New Construction permit work, the Applicant must provide a detailed location drawing separately or as part of the plans (whichever is applicable) of all existing facilities prior to the County Engineer's permit review of the proposed facilities.

Traffic Control

The Applicant is responsible for providing, installing and maintaining traffic control devices. Such traffic control devices may include, but are not limited to beacons, signs, protective devices, and flaggers. To provide protection of the traveling public and the utility's workers when working within the right-of-way, all warranted traffic control devices shall be installed and maintained in accordance with the provisions of MUTCD, the Illinois Supplement to the MUTCD and the IDOT Highway Standards (latest revisions).

Tree Cutting

The permission herein granted does not confer upon the Applicant the right to trim, cut, remove, or destroy trees or shrubs within the right-of-way that are not specifically identified on the plan or drawing attached to the permit or relieve Applicant from obtaining any consent otherwise required from the owner of the property adjacent thereto. The Applicant shall protect the root growth of any significant trees and shrubs within the highway right-of-way adjacent thereto. Significant trees and shrubs will be determined by the County Engineer.

Driving Limitations

Vehicles or equipment traversing roads shall not utilize caterpillar traction, or any other form of traction that will result in damage to the surface. Any damage to the surface of the roads will be repaired by the Applicant to the satisfaction of the County Engineer.

Erosion Control

Temporary erosion control will be required until the restoration work is completed. Temporary erosion control measures shall be installed and maintained in accordance with the provisions of the Illinois Procedures and Standards for Urban Soil Erosion and Sedimentation Control (latest edition).

Magnetic Tape or Tracer Wire

All new or relocated underground utility facilities placed in trenches will have warning tape installed in the trench one (1) foot above the utility. In addition, non-metallic utilities placed in a trench shall have a shielded tracer wire taped or secured to the utility. The color of the warning tape shall be as specified by J.U.L.I.E.

Clean-up and Restoration

The right-of-way shall be restored to a condition that is at least equal to that before the permitted work took place. The restoration shall be completed within 30 days of the completion of the work, regardless of the type of permit the work was completed under. This includes restoration of entrances, side road and shoulders. Restoration of highway surfaces will be made using IDOT approved materials and methods described in the IDOT “Standard Specifications for Road and Bridge Construction” (latest edition).

Special care must be taken during the day to avoid tracking mud or other material onto the highway. Mud or other material tracked onto the highway shall be removed immediately.

Record Drawings for Emergency and Minor Maintenance Work

If the emergency or maintenance work required a physical change in the location of the permitted facilities, the Applicant shall submit a set of Record Drawings to LCHD within 60 calendar days after the completion of the work. The deviation shall be identified and shall be treated as a request for variance in accordance with this section. If the County Engineer does not reject the Record Drawings within 60 calendar days after their receipt, they will be considered approved. If the County Engineer disapproves the Record Drawings, then the Applicant shall either remove the facility from the right-of-way or modify the facility so that it conforms to the permit requirements. Record Drawings will also be required for Modification or New Construction work.

F. Aboveground Facilities

Power and Communication Lines

Electric power or communications installations on County right-of-way shall be constructed, operated, and maintained in conformity with the provisions of the National Electric Safety Code and Illinois Commerce Commission’s rules entitled Construction of Power and Communications Lines (83 Ill. Adm. Code 305), except for certain vertical-clearance and horizontal-clearance requirements as hereinafter noted.

Ground-Mounted Facilities

Ground-mounted facilities shall be provided with a vegetation-free area extending one foot beyond the facilities in all directions within the right-of-way. The vegetation-free area may be provided by an extension of the mounting pad or by heavy-duty plastic or similar material approved by the County Engineer.

The housing for ground-mounted appurtenances shall be painted an inconspicuous color. All ground-mounted facilities shall be installed within designated areas (see Typical Section For Facility Location at the end of Part 1 of this section). Ground mounted facilities shall be located no closer than (10) feet to fire

hydrants, water valves, manholes, or within the sight lines of any sign, monument or amenity for facilities or parks. If this is not possible, they shall be placed on an easement that does not fall within the right-of-way.

Poles

Poles other than wood (A-frame or truss, painted steel) will require special consideration and will be evaluated by the County Engineer on a case-by-case basis.

Guy Wires and Brace Poles

Guy wires and braces will be allowed only in areas designated for facilities, and all wires shall be equipped with guards for maximum visibility up to an elevation of 10 feet above ground level.

Longitudinal Lines

Overhead power and communication lines longitudinal to the centerline of County highways when located in the County right-of-way shall be of single-pole construction, located as near as practicable to the right-of-way line and as nearly parallel to the right-of-way line as reasonable pole alignment will permit. Joint use of poles (by other utilities) will be required where practical.

Overhead Crossings and Right-of-Way

Overhead power and communication lines crossing a highway shall have a minimum vertical-line clearance over the roadway of 18 feet, with additional clearances as required by Illinois Commerce Commission's rules entitled, Construction of Electric Power and Communication Lines (8 Ill. Adm. Code 305) for higher-voltage lines.

Other Utilities - Aboveground Facilities

Other light poles, power lines and communication lines facilities and appurtenances to underground facilities such as regulator vault gauge boxes, highway crossing casing vents, service and system pressure regulator installations and pipeline markers will be allowed above-ground on County highways.

G. Underground Facilities

Power and Communication Lines

Longitudinal lines within the right-of-way shall be located within two (2) feet of the right-of-way line and parallel to the right-of-way line.

Installation shall have a **minimum cover of 42 inches**.

Underground power cables must be grounded in accordance with the National Electrical Code.

Longitudinal Facilities

New or relocated underground power and communications lines longitudinal to the centerline will not be permitted within the right-of-way of County highways under the following conditions:

- The installation of the utility would require pavement cuts.
- A non-emergency repair of the utility would require the use of any part of the highway or shoulder.
- The installation of the utility would endanger or impair other utility facilities already in place.
- The installation of the utility would be aboveground after installation.
- The utility would interfere with or impair the present use or future expansion of the highway.

When new or relocated underground power and communications lines are constructed longitudinally to the centerline of a County highway, the following additional conditions will apply:

- No aboveground appurtenances will be allowed on County Highway right-of-way.
- No utility facilities will be allowed between the edge of pavement and the back of abutment of the intersecting highway at grade separation structures.
- Bridge attachments may be allowed as previously specified in this section.

Crossings

Underground power and communication lines will be permitted to cross County right-of-way under the following conditions:

The crossing shall be installed by boring or jacking and encasement shall be provided between jacking or bore pits. Encasement will also be required when installation is by open trench method on new or reconstructed highways.

Gas Transmission Line

Gas pipelines shall be constructed, maintained, and operated in conformance with Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards.

Gas pipeline crossing shall have a **minimum cover of 42 inches** at all locations on right-of-way.

New longitudinal gas pipelines shall be located within five (5) feet of the right-of-way line and parallel to the right-of-way line. Existing longitudinal gas pipelines may be permitted to remain if they can be serviced without access from the through-travel lanes, shoulders, or ramps of the County highways.

Crossings

Gas transmission and distribution lines may be permitted to cross County right-of-way under the following conditions:

Crossing under County highway shall be installed by jacking, or boring. No aboveground vent pipes shall be located in the area established as clear zone for a County highway. The crossing may be installed using tunneling with vented encasement but only when the installation is not possible by other means. When tunneling, the venting of the encasement shall extend to within one foot of the right-of-way line. Crossing may also be installed by the use of “moles,” “whip augers” or other approved methods, which compress the earth to make the opening for pipe.

Crossing installations by open trench will be permitted only prior to road way construction with encasement provided between ultimate ditch lines or toes of slopes of the County highway as a minimum or as directed by the engineer. No aboveground vent pipes shall be located in the area established as clear zone for that particular section of highway.

Encasement

Encasement may be eliminated if extra heavy pipe is used; and cathodic protection of the pipe is provided.

If encasement is eliminated, maintenance of damaged or decayed pipe may not disrupt the right-of-way.

Location of crossing pipe shall be avoided where rock excavation or deep cuts would make crossings with proper cover impractical.

The locations of the crossing pipe shall be marked at the right-of-way line with markers that identify the utility and provide emergency utility telephone numbers.

In built-up or expanding areas, frequent service crossings are discouraged in favor of establishing distribution on both sides of the County highway. The County Engineer reserves the right to reject permits involving frequent service crossings.

Petroleum Products Pipelines

Petroleum products pipelines are those carrying crude or refined liquid petroleum products including, but not limited to, gasoline, distillates, propane, butane, or coal-slurry. Petroleum products pipelines are, with few exceptions, transmission lines delivering products to processing or distribution facilities. Petroleum products pipelines installed on County highway right-of-way shall conform to the applicable sections of ANSI Standard Code for Pressure Piping.

Longitudinal Facilities

New longitudinal petroleum products pipelines will not be permitted within the County right-of-way. Existing longitudinal installations shall be relocated if they cannot be serviced except from through travel lanes, or shoulders.

Crossings

Crossing installation by open trench will be permitted only prior to highway construction with encasement provided between ultimate ditch lines or toes of slopes of the highway as a minimum or as directed by the County Engineer. No aboveground vent pipes shall be located in the area established as clear zone for that particular section of highway.

Petroleum products pipelines may be permitted to cross County right-of-way under the following conditions:

Crossing of completed highway projects shall be installed by jacking or boring. No aboveground vent pipes shall be located in the area established as clear zone

for that particular highway. The crossing may be installed using tunneling with vented encasement, but only when the installation is not possible by other means. When tunneling, the venting of the encasement shall be within one foot of the right-of-way line.

Encasement

Encasement may be eliminated if extra heavy pipe is used and cathodic protection of the pipe is provided.

If encasement is eliminated, maintenance of damaged or decayed pipe may not disrupt the right-of-way.

The location of petroleum products pipeline crossings shall be marked at the right-of-way lines with markers that identify the utility and provide emergency telephone numbers in accordance with current Federal regulations.

Water Mains

Water mains generally are those pipelines carrying potable water. Permit applications for water mains shall indicate that all requirements of the IEPA, Division of Public Water Supplies, have been satisfied. Water mains shall be installed to meet or exceed the recommendations of the current Standard Specifications for Water and Sewer Main Construction in Illinois, most current edition.

Water main cover shall be sufficient to provide freeze protection and **shall be maintained at a minimum of four (4) feet**.

Encasement shall be required even if the water main is installed prior to new highway construction or reconstruction. The pipe shall be pulled into place utilizing pipe “chocks”. After installation of the pipe the encasement shall be filled with sand or gravel or as approved by the County Engineer.

Ground-mounted appurtenances to water mains shall be located within one foot of the right-of-way line.

Longitudinal Facilities

New longitudinal water mains will only be permitted within the County right-of-way when all opportunities for private easement have been exhausted. Existing longitudinal installations shall be relocated if they cannot be serviced except from through-travel lanes, or shoulders.

Crossings

Water main crossings of County highways may be permitted under the following conditions.

Crossing the County highway shall be installed by jacking or boring with encasement provided between jacking or bore pits. The encasement shall be filled as previously described.

Crossing shall provide water service to a general or expanding area.

Sewers, Sanitary and Storm

Sanitary sewers and storm sewers other than those installed only for highway drainage shall be regulated by these regulations. Drainage piping owned and operated by an organization, drainage district, sanitary district, municipality, or individual is regulated by these regulations.

Permit applications for sewer line installations shall indicate that the land and water pollution requirements of the IEPA, Division of Water Pollution Control, have been satisfied. Sewer lines shall be installed to meet or exceed the recommendations of the most current edition of the Standard Specifications for Water and Sewer Main Construction in Illinois.

Sewer and drain lines shall have **minimum cover of 42 inches** with cover sufficient for protection from freezing.

Longitudinal Facilities

New longitudinal storm sewers, sanitary sewers, or drainage lines that are not a part of the highway facilities will not be permitted within the County right-of-way. Existing longitudinal sewage or drainage systems may be permitted to remain if they can be serviced without access from the through-travel lanes or shoulders of the highway.

Crossings

Storm sewers, sanitary sewers, or drainage lines may be permitted to cross highways under the following conditions:

Crossing of County highways shall be installed by jacking or boring with encasement provided between bore or jacking pits. The encasement shall be filled as previously described.

Agricultural Field Tile

Agricultural Field Tile that serves to drain a farm field will fall under the purview of these regulations. All installations shall be of a minimum of double-wall plastic pipe and shall have a **minimum of 42” of cover**. Vertical cleanouts shall be provided at points where the tile line crosses the County right-of-way line. The tile line will be installed in a straight line with no curving or meandering of the alignment allowed. If a change in direction is needed within the County right-of-way an inlet or manhole will be provided and installed and the change in alignment will occur at this structure.

Longitudinal Facilities

All opportunities to place longitudinal field tile in private easement outside of the County right-of-way shall be completely exhausted prior to seeking permission to place these facilities on County right-of-way. Once installed, any future maintenance of this line will be the responsibility of the property owner of the property being drained. In the case of a Drainage District the maintenance shall be the responsibility of the Drainage District. Future maintenance work shall require a separate permit at the time of the work.

Crossings

Crossing of County Highways shall be installed by jacking or boring the line under the County Highway.

II. PERMIT APPLICATION FEES

Emergency

The Lawrence County Highway Department **will not** charge an application fee for this work.

Minor Maintenance

The Lawrence County Highway Department **will not** charge an application fee for this work.

Major Maintenance

The Lawrence County Highway Department **will** charge an application fee for this work. The standard application fee for this permit is **\$75.00**.

Major Maintenance*	\$75
Single Residential Service Installation*	\$75

Agricultural Field Tile

The Lawrence County Highway Department **will** charge an application fee for this work. The standard application fee for this permit is **\$50.00**.

Modification or New Construction

1. The Lawrence County Highway Department charges an application fee of **\$500.00** for the Modification or New Construction Permit. The County Engineer may require an additional usage fee.

Public or Franchise Utility*	\$500
Non-Public Utility*	\$500 plus usage fees
Pavement Open-cuts*	\$500 plus vehicle delay cost, each occurrence

Note: The application fees for any permit involving an open-cut will be as specified above for pavement open-cuts, regardless of the type of permit the work is performed under.

All fees, including usage fees, for non-public utility work will be applied under this item. Emergency and Minor Maintenance work on an existing non-public utility system will not require an application or any usage fees. Application and usage fees for Major Maintenance and New or Modification (non-public) work will be assessed at the amounts stated above. The application and usage fees will be for each County highway impacted for each occurrence.

Permit Renewal or Extension – LCHD will charge a fee for the renewal or extension of any permit. The standard fee is \$50.

Fees in the form of a check made payable to the Lawrence County Highway Department shall be included with all application.

Review Cost – Permit types marked with an (*) asterisk, such as Modification or New Construction, pavement open-cuts and non-public utility permits may require additional pass-through consultant-review costs. Permits fees that include a base fee plus other costs must be discussed with the County Engineer to determine the total fee.

Usage Fees – The fee established at the time of permit issuance by the County Board and/or the County Engineer for the use of County right-of-way for placing utility facilities. This fee applies only to the placement of non-public utilities.

Fees for Local Government Agencies – Application fees will be charged for projects requiring a permit, utility, right-of-way, etc., sponsored by local government agencies. Application fees may be waived for a local government agency project. The local agency must request a waiver to the County Board unless a Memorandum of Understanding exists between the County and the local agency.

Fines – In addition to the permit application fee, a fine will be assessed when work, event or activity within the County right-of-way has commenced without a permit. The fine will be assessed in the amount **double** the applicable permit fee.

2. If approved, charges will also be assessed for the attachment of utility facilities to bridge structures. The assessment charge for utility attachment is based on the actual Engineering review time to assess impacts and provide comments to the County Engineer and Applicant.

III. UTILITY PERMIT PROCESS

The following steps outline the processes required to acquire a Utility Permit from the Lawrence County Highway Department.

Emergency

1. The process begins with the need to perform an emergency repair as defined previously.
2. The Applicant must contact the LCHD before beginning work. The Lawrence County Highway Department can be contacted during normal business hours (8:00 a.m. to 4:00 p.m., Mon.-Fri.) at (618) 943-4215 or if the emergency occurs after regular business hours, contact the Lawrence County Sheriff's Office at (618) 943-7364. A permit **will not** be required for this work.
3. Construction work and clean up and restoration shall be as required by the Utility Work Design and Construction Standards.

Minor Maintenance

1. The process begins with the need to perform a minor maintenance repair as defined previously.
2. A permit **will not** be required for this work. The work may begin immediately and does not require verbal or written authorization of the County Engineer to proceed.
3. Construction work and clean up and restoration shall be as required by these regulations and as directed by the County Engineer.

Major Maintenance

1. The process begins with the need to perform a major maintenance repair.
2. A permit **will** be required for major maintenance work. The Applicant may only begin this work with the written or verbal authorization of the County Engineer.
3. The contractor, utility company or governing municipal agency shall notify the LCHD during normal business hours (8:00 a.m. to 4:00 p.m., Mon.-Fri.) of the required maintenance repair(s) at (618) 943-4215 or in writing by email at lacohwy@gmail.com
4. The Applicant must submit in writing to the County Engineer a description of the repairs undertaken in the right-of-way within 24 hours after the initiation of the maintenance repair. The specific information necessary for the County Engineer

to be informed of the work undertaken will be provided as part of the application. The Major Maintenance Permit Application is included in this manual.

5. The County Engineer will authorize the work by issuance of a Utility Permit.
6. Construction work and clean up and restoration shall be as required by the IDOT “Standard Specifications for Road and Bridge Construction”.

Modification or New Construction

The Utility Permit Application shall be submitted on the form included in this section. The application shall require the Applicant to provide specific information necessary for the County Engineer to determine whether a permit should be issued. The following steps outline the process to acquire a Modification or New Construction Utility Permit from LCHD.

1. The process begins with the Applicant picking up the Utility Permit Application. No plans are to be submitted at this time.
2. The Applicant shall then submit the Utility Permit Application, application fee to the County Engineer. No plans are required at this time but concept drawings are encouraged.
3. The County Engineer reviews the application for completeness and determines if the review is to be performed by in-house staff or a consultant.
4. If a consultant is required, the County Engineer will require a Design Review Performance Bond, Surety Bond, or Escrow Account. The review **will not** begin until the Bond or Escrow is submitted and approved.
5. The County Engineer selects the consultant(s) and enters into a contract(s). At this point, the Applicant must also sign an agreement to pay the consultant(s) for the review fees.
6. The County Engineer shall review other County projects and other permit projects for coordination. The County Engineer will notify the Applicant if coordination with these other projects is required.
7. The County Engineer may schedule an application meeting for the project and the following parties shall be requested to attend:
 - County Highway Engineering
 - Public Works or Engineering Departments of any municipalities involved
 - County Consultants
 - Utility Company
 - Utilities Contractor (if subcontractor)

- Developer (If part of proposed development)
 - Developer's Engineer (If part of proposed development)
 - Applicant (If not one of the above listed)
8. Additional items presented by the Applicant that require special direction will be discussed further and a written response to the issues will be provided to the Applicant, the Applicant's engineer, the municipality, and the County's consultant.
 9. LCHD Staff or the Consultant shall review the submittal and return it with written comments to the County Engineer. The Plan Submittal Review Checklist will be utilized, but only as a guide. The checklist is included in the packet. The reviewer shall also utilize his/her own knowledge and expertise to ensure a thorough review.
 10. The County Engineer shall review all the comments and forward them to the Applicant. The County Engineer will also address any questions or special requests from the Applicant.
 11. The Applicant shall furnish to the County Engineer a revised submittal, which includes a written disposition of all comments from County Engineer and the Consultant(s), which is signed by the Applicant and engineer.
 12. The County Engineer shall follow the same procedures outlined above for the revised submittal. The process shall continue until all comments have been satisfactorily addressed by the Applicant.
 13. Once the Applicant meets or exceeds the requirements of the Utility Permit Regulations, the County Engineer shall be responsible for the issuance of a LCHD Utility Permit. A Construction and Observation Compliance Performance Bond, Surety Bond, or Escrow Account shall be submitted. The County Engineer shall ensure the amount of the Bond or Escrow is adequate, including the costs for a consultant for construction observation, if required. In any case, a Certificate of Insurance must be supplied prior to the issuance of the permit.
 14. If Consultant assistance is required during construction, the County Engineer shall be responsible for contracting with the Consultant. The Consultant shall attend any construction meetings to ensure coordination and compliance of the permit.
 15. Once the Applicant has submitted all required deliverables to the County the County Engineer will be issue the Utility Permit and special instructions. The person performing the site observation tasks shall ensure that the permitted plans are utilized in the field. This is critical to ensure all the work that went into the review is carried out in the field. The cover sheet of the plans shall be marked "Approved by LCHD For Construction".



UTILITY PERMIT APPLICATION

Lawrence County Highway Department
P.O. Box 88; 2204 South 15th Street
Lawrenceville, IL 62439
Phone (618) 943-4215
Email lacohwy@gmail.com

Location of Improvement

County Highway Route Number and Name: _____

Location or Nearest Cross Street: _____

Project Name: _____

Type of Permit Requested: _____

Date Applied: _____ Date Resolution Approved: _____

Applicant Information

Name: _____

Mailing Address: _____

City, State, ZIP: _____

Phone: (____) _____ Email address: _____

Fax: (____) _____

Type of Permit and Fees

Please check Permit Type

- | | | | |
|--------------------------|-------------------------|--------------|-------|
| <input type="checkbox"/> | Emergency Permit | Standard Fee | \$0 |
| <input type="checkbox"/> | Minor Maintenance | Standard Fee | \$0 |
| <input type="checkbox"/> | Major Maintenance | Standard Fee | \$75 |
| <input type="checkbox"/> | Agricultural Field Tile | Standard Fee | \$50 |
| <input type="checkbox"/> | Modification/New Const. | Standard Fee | \$500 |
| <input type="checkbox"/> | Renewal/Extension | Standard Fee | \$50 |

Note: If work has already begun on a project requiring a permit the application fee will be **double** those detailed above.
Additional Review Costs may apply- see Section II of the Policy.

Performance Bond, Surety Bond or Escrow Account

Issuing Institution: _____

Phone: (____) _____ Email address: _____

Bond Number: _____ Amount: _____

Note: This shall be provided once the permit and the estimate of cost have been approved. It shall be in the amount of the approved Estimate of Cost x 125%.

Certificate of Insurance

The undersigned applicant agrees to submit the required Certificate of Insurance prior to the issuance of this permit.

Contractor

(If work done by other than Petitioner)

Name: _____

Mailing Address: _____

City, State, ZIP: _____

Phone: (____) _____ Email address: _____

Engineer

(If more than one firm please list the prime.)

Name: _____

Mailing Address: _____

City, State, ZIP: _____

Phone: (____) _____ Email address: _____

Documentation

Please attach copies of all drawings, plan sheets, spec sheets, construction schedules, bonds and other documentation necessary to complete the permit.

Signatures

Signature

Date _____

Print Name

Applicant shall indemnify and save harmless the County of Lawrence, its officers, employees and agents from and against any and all judgements, damages, decrees, costs and expenses, which they or any number of them may suffer or incur or which may be obtained against any one or all of them by reason of damage to the applicant's facilities or use and occupation of the County of Lawrence's road right of way pursuant to this permit.

Approved _____

Date _____