

**RALLS COUNTY
UTILITY PERMIT APPLICATION**

- 1.) Pursuant to MO Rev Stat § 229.100 no person or person, association, companies or corporations shall erect poles for the suspension of electric light, or power wires, or lay and maintain pipes, conductors, mains and conduits for any purpose whatever, through, on, under or across the public roads or highways of Ralls County, without first having obtained the assent of the Ralls County Commission. Assent shall be in the form of approval of this Utility Permit Application.
- 2.) The applicant agrees to comply with the following permit requirements. The 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 highway; compliance shall be determined by the sole discretion of the County Highway Engineer. These requirements shall apply unless waived in writing, due to unique local conditions, by the County Highway Engineer prior to installation; any such waiver shall be attached to the permit.
- 3.) Applicant must provide a listing of emergency repair vehicles and equipment, location of such equipment and response times. Demonstrate the response times by performing an on-site drill of all equipment listed as available.

The applicant must show proof of assents from adjoining Counties.

The Ralls County Commission will determine after receipt of this information, if application may proceed.

Applicant Name: _____

Street Address: _____

City, State & Zip Code: _____

Telephone Number: _____

Contact Person: _____

Brief Description (type facility, location) _____

- 1. **Location Plan.** The applicant shall file a completed location plan as an attachment to this Utility 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. The location plan shall clearly define the path the proposed utility is to be constructed. If said utility is to be constructed through the entire county, each proposed location which crosses county right of way shall be clearly defined with type and location (height, depth, pole locations, etc.) of proposed utility. The location plan shall show where the proposed utility enters and leaves the county (if applicable). All construction must give R.O.W. to farm equipment.
- 2. **Construction/Maintenance Traffic Plan.** The applicant shall file a completed traffic plan clearly defining proposed routes for construction and/or maintenance activities. The traffic plan shall include the number and type of anticipated traffic at all locations crossing county right of way. Such information shall include the length, weight and number of trucks and/or other equipment necessary for construction and maintenance of proposed utility. Any proposed traffic deemed by the County Highway Engineer to be beyond that of recommended design parameters will require pre and post inspection of the roadways to determine any corrective action that may be required of the utility to repair the roadway to pre-construction conditions.

3. Assent of Other Parties. The applicant shall provide copies of assent from all property owners over which the proposed utility crosses. Assent shall be in the form of a recorded easement. If being constructed in multiple counties, assent shall also be provided from any adjacent county through which the proposed utility crosses. Assent shall be in the form of an approved utility permit for any and all locations which proposed utility crosses county right of way. For any county which does not require a utility permit, assent shall be in written form and be on official county letterhead.
4. Agreements with Other Utilities. The applicant must submit any and all agreements with other utilities over whose easements the project will cross allowing the applicant's use of those utilities' easements.
5. Federal and State Agency Approval. The applicant must submit final approvals for the project from all federal and state agencies involved as part of the application process.
6. Pending Litigation. The applicant must provide an affidavit representing that there is no pending federal and/or state and/or regulatory litigation that would adversely impact the development and installation of the project in whole or part.
7. Bonding Requirements. The applicant shall provide a bond in the amount of 20% of the estimated construction cost. The bond shall name the Ralls County Commission as Obligee. Bond will be released upon final inspection and approval by the County Highway Engineer.
8. Structures Constructed on Private Property. Any proposed above ground structure constructed on private property shall require a bond of \$10,000 per structure naming the property owner as Obligee. Underground facilities on private property shall require a bond equal to \$20 per linear foot of utility naming the property owner as Obligee. Bonds will apply to any work performed by third parties or subcontractors. Bonds will be released upon restoration of private property to the landowner's satisfaction.
9. Proof of Financial Standing/Stability. Adequate records showing that the applicant has sufficient financial resources and stability to complete and maintain the project as submitted for approval must be submitted.
10. Documentation of Pre and Post Conditions. The applicant shall provide upon request digital photographs showing pre and post construction conditions for each right of way crossing location. Photographs must show the entire right of way width at each utility crossing. Based on the submitted traffic plan and if deemed necessary by the County Highway Engineer, photographs/videos of the right of way corridor along the entire length of the routes proposed in the plan may be requested. The County Commission reserves the right to provide an inspector to document conditions prior to and upon completion of construction.
11. Inspection. The County Highway Engineer may provide an inspector during the installation 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. The utility company hereby agrees to pay the actual costs directly attributable to the installation inspection conducted by the County Highway Engineer.
12. Inspection Fee. Upon approval of the application, the Utility Permit will be issued by the County Commission upon payment of the required \$5,000 prepaid inspection fee made payable to Ralls County Commission. For projects involving multiple crossings across county right of way, the \$5,000 fee will be required for each crossing/location.
13. Remittance of Fees. The applicant shall pay actual costs directly attributable to the installation inspection conducted by the County Highway Engineer. Payment shall be made out of the prepaid inspection fee. Within thirty (30) days after completion of the installation, the County Commission shall remit any unused portions of the prepaid inspection fee to the applicant, along with a statement of services rendered. Excess inspection fees above \$5,000 per location must be paid by applicant.
14. 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. The minimum limits of liability under the insurance policy or proof of self-insurance shall be \$10,000,000.
15. Emergency Work. In emergency situations, work may be initiated by an applicant without first obtaining a Utility Permit. However, the County Commission shall be notified via telephone 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.
16. Notice to Proceed. At least two (2) working days prior to the proposed installation, an applicant shall file with the County Commission a notice stating the time, date, location, and nature of the proposed installation. A

proposed construction schedule shall also be filed with the County Commission at this time. Applicant shall notify all landowners impacted and the general public at least one week (7 days) prior to commencement of work. Proof of said notice shall be provided to the County Commission as set forth in this section.

17. 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:

Telecommunications.....	36"	Electric.....	48"
Gas.....	48"	Water.....	60"
Sewer.....	60"		

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 makes it difficult to obtain the desired depth. The County shall determine the minimum depths in these situations. The County Highway Engineer may require additional depth in areas identified being silted or scheduled for future excavation.

The minimum height over the surface of the roadway for overhead installations shall be determined on a case by basis. The determination will be made by the County Highway Engineer and will based on type and size of proposed utility.

- C. The maximum width of permitted crossings across public roadways, measured along said public roadway, shall be 15 feet. Utilities requiring widths larger than 15 feet shall submit a request in writing stating the width required and corresponding location. Any deviation to the location plan as required in Section 1 of this document shall be submitted to the County Commission for approval prior to any work commencing.
- D. The applicant shall use reference markers in the right of way ("R.O.W.") boundary to locate line and changes in alignment or other method deemed appropriate by the landowner.
- E. No underground utility lines shall cross over a driveway or cross-road 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 Highway 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 Highway Engineer and the applicant once the road has been saturated, to determine if additional surfacing on the roadway by the applicant is necessary. This includes the area directly impacted by the utility crossing as well as the roadway corridor along the entire length of the proposed truck/equipment route(s) outlined in the submitted traffic plan. All existing culverts and intersections/ditches along this route will also be assessed. The County Highway Engineer will determine the extent of any repairs required of the applicant, at the applicant's expense.

Any disturbed areas between the roadway and right of way line shall be compacted and graded to original conditions. The applicant shall apply seed and mulch to areas deemed appropriate by the County Commission and County Highway Engineer.

All materials used in making required repairs shall be purchased within Ralls County, if available.

Failure to comply with the above will forfeit your bond.

- H. Areas within the R.O.W. 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. Before and after photos of R.O.W. are required by the applicant for use of the Ralls County Commission to show adequate repairs.

- I. Areas disturbed during construction which create an erosion problem shall be solved by the applicant in a manner approved by the County Highway Engineer.
 - J. All trenches, excavations and utilities that are knifed shall be properly tamped.
 - K. Road crossings shall be bored for all underground utilities.
 - L. Applicant shall enter into a Road Use & Maintenance Agreement with the County Commission as a condition of obtaining a permit.
18. Non-conforming Work. The County Highway Engineer may halt the installation at any time if the applicant's work does not meet the requirements set forth in this Utility Permit. Prior to any relocation of an approved utility under Section 229.100 RSMo conditions, the applicant shall submit a 'Request to Modify Utility Permit' for review by the County Commission. No relocation shall commence until such a request is approved by the County Commission and such relocation shall comply with the conditions set by the County Commission for relocation.
 19. Permit Required. No applicant shall install any lines both underground and overhead unless such applicant has obtained a Utility Permit from the County Commission. 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.
 20. Relocation. 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, alignment or widening of R.O.W. resulting from maintenance or construction operations for highway improvement.
 21. Change of Ownership/Assignment. Any change of ownership and/or desired assignment of the utility permits requires prior approval of the County Commission.
 22. Term of Permit. Utility permits shall be granted for a period not to exceed three (3) years. At the end of the three years, if neither of the parties object in writing, the permit will automatically renew itself.

PERMIT APPROVAL:

DATE _____ NAME OF COMPANY _____

BY _____

APPROVAL:
DATE _____ RALLS COUNTY HIGHWAY ENGINEER _____

APPROVAL:
DATE _____ RALLS COUNTY COMMISSION _____