



# DUCHESNE COUNTY ROAD DEPARTMENT

P.O. Box Duchesne, Utah 84021 435.738.2468

## Right-Of-Way Crossing/Encroachment Permit

(Adopted by Resolution No. 16-03, April 11, 2016)

**BOND REQUIREMENT:** For a single Bore or Push (or similar activity) of any utility line, pipe, wire, culvert, along with other similar material crossing or within a County right-of-way, requires a bond of \$5,000.00 per bore or per mile for paved roads, and \$250.00 per bore or \$1,500.00 per mile for unpaved roads. For a single crossing or cutting of any County road bond requirement will be \$25,000.00 per crossing for paved roads and \$500 per crossing for unpaved roads.

Bonds may be in the form of a cash deposit, surety bond, irrevocable letter of credit, or a certificate of deposit.

Should the Permittee elect to use a CD, the deposit shall be in the name of the Permittee and the County. Any money withdrawn from the account will be replenished by the Permittee within two weeks of being notified of the withdrawal. It is understood that any interest accrued from this CD will remain the property of the Permittee.

**BLANKET BOND: (ALL SURFACES)** individuals or entities anticipating the need for multiple utility encroachments during a year shall post a \$100,000.00 bond for all crossings /encroachments.

**BLANKET BOND: (ASPHALT / CONCRETE ROADS)** Individuals or entities anticipating the need for multiple utility encroachments during a year shall post a \$ 75000.00 bond for all crossings/encroachments.

**BLANKET BOND: (Class B & D ROADS)** individuals or entities anticipating the need for multiple utility encroachments, over unpaved surfaces during a year shall post a \$10,000.00 bond for all crossings/encroachments.

Bonds for encroachments shall be refunded two years after the date of final inspection, and project has been approved by a Duchesne County Road Department official.

### General Policies, Obligations, and Terms:

Notice will be given in the event a Duchesne County Road Department official determines additional work needs to be completed to be within compliance of permit. The Permittee will have 14 days to perform requested repairs/upgrades. Permittee can request in writing or make a request with the Duchesne County Commission for deadline extension if reasonable accommodations exist. Failure to perform can result in a penalty of \$100.00 per day. Duchesne County holds the right to retain the bond if proper completion or accommodations have not been completed within 90 days.

A separate permit is required for each instance a crossing/encroachment occurs within Duchesne County's right-of-way.

It is the responsibility of the permittee to make any accommodations with all concerned parties that have utilities within the County's right-of-way including Duchesne County, to call 811 before proceeding with permitted activities, and to follow the MUTCD (Manual on Traffic Control Devices) guidelines for all traffic control and flagging activities.

The application or approval of this permit is not to be a consideration of or a grant of easement in any Duchesne County right-of-way.

All Laws of the State of Utah and ordinances of Duchesne County will and shall apply to the permittee during construction activities, including the Utah State Noxious Weed Ordinance R68 and Duchesne County Ordinance No. 04-224.

**REQUIREMENTS FOR RESTORATION OF UTILITY CROSSINGS ON COUNTY ROADS:**

1. Restoration must be carried out at the time of crossing.
2. **All asphalt roads shall be bored and cased.** Arrangements shall be made if any asphalt cut is necessary. All concrete/asphalt roads shall be saw-cut to provide for a proper T-Patch repair. (See plan drawings provided for guidelines)
3. The completed crossing shall be properly backfilled and compacted in 8" minimum lifts for proper compaction. Match thickness of existing asphalt/concrete. (See plan drawings provided for guidelines of trench backfill and asphalt T-Patch repair)
4. For gravel roads the top 8" shall be replaced with a minimum of 3/4" gravel and finished to provide a smooth transition for traveling vehicles.
5. It shall be the permittees responsibility for proper workmanship and materials. The Permittee shall also provide during the two year period of bond requirement, if the need shall arise for any necessary repairs and maintenance. The permittee is obligated under the bond to provide Duchesne County a quality product.
6. If at a future date the County should make a change in the road, moving of the utility, culvert, water lines, etc., it will be at the owner's expense. Work must be completed in a reasonable amount of time. If not relocated in a timely manner to a suitable location the County will move it and will bill the owner's expenses incurred, at the contractor's rates, or will hire a contractor and the owner will be billed for the costs incurred.
7. Maximum length for an open trench. A trench within the County right-of-way shall not run longer than the amount of pipe or line/product that can be placed in one working day. All trenches shall be properly compacted and buried at the end of each working day, with any openings being properly marked with the appropriate barricades in place.
8. All Permittees shall involve the Duchesne County Road Department in all phases of changes of scope that arise during the construction process.
9. The permittee shall follow and provide all traffic control devices needed within the work zone according to the MUTCD Permittee should file a traffic plan with the County Roads Department before any project starts.
10. Where applicable, projects shall follow and have a proper SWPPP protocol in place.

FINES: Persons/Contractors shall be subject to pay the following fine if required permit is not properly applied for and approved before any encroachment is commenced: \$1,000.00 for unpaved roads, \$5,000.00 for paved roads.

**PERMITTEE AGREES TO ALL OF THE ABOVE CONDITIONS FOR THIS PERMIT:**

\_\_\_\_\_ Date \_\_\_\_\_

Pricing Schedule:

	\$750	Cut across a paved County road
	\$25	Bore under a paved County road
	\$250	Cut across a gravel or native County road
	\$25	Utility maintenance to pre-existing material
	\$500 + .50/ft	Encroachment along the right-of-way within the asphalt surface
	\$250 + .25/ft	Encroachment along the right-of-way, outside the asphalt, but within four feet of road shoulder
	\$250 + .10/ft	Temporary pipeline within or adjacent to the County right-of-way
	\$5000	Moratorium road

**Description of proposed construction:**

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**Fees:**

Exempt \_\_\_\_\_ Cash \_\_\_\_\_ Check \_\_\_\_\_ Check # \_\_\_\_\_

Total Due \_\_\_\_\_

Date of Application \_\_\_\_\_ Permit # \_\_\_\_\_

Permit Issued By \_\_\_\_\_

**Contact Information**

Name of Permittee \_\_\_\_\_

Mailing Address \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone Number \_\_\_\_\_

**Crossing/Encroachment Location:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Pre-Construction Inspection:**

Date \_\_\_\_\_ Inspector \_\_\_\_\_

Remarks \_\_\_\_\_

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Construction Final Inspection:**

Date \_\_\_\_\_ Inspector \_\_\_\_\_

Remarks \_\_\_\_\_

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Bond# \_\_\_\_\_ Date of Bond \_\_\_\_\_

Bond Release Date \_\_\_\_\_ Released By \_\_\_\_\_