



DUCHESNE COUNTY ROAD DEPARTMENT



P.O. Box 356 • Duchesne, Utah 84021-0356
Phone (435) 738-2468 • Fax (435) 738-5924

RIGHT OF WAY CROSSING PERMIT APPLICATION (Adopted by Resolution No. 13-10, October 7, 2013)

PERMIT # _____ DATE: _____

Permission Is Granted To:

Name: _____

Address: _____

Telephone: _____

Contact: _____

Location of Encroachment: _____

Paved _____ Gravel _____

PERMITTEE SHALL CONTACT ROAD DEPARTMENT AS TO DATE & TIME OF ENCROACHMENT

Deposit Received: _____ Bond/Check # & Amount _____

Non-Refundable Fee Received By: _____ Check # & Amount _____

Permit issued By: _____ Completed Job Checked By: _____

Released By: _____ Deposit Refunded By: _____

<ul style="list-style-type: none"> ___ 1. Road cut across a paved county road. \$750. ___ 2. Road bores across a paved county road. \$25. ___ 3. Road cut across a gravel or native county road. \$250. ___ 4. Utility maintenance. \$25. (no new installations) ___ 5. Right-of-way encroachment along the run of the road within the asphalt surface. \$500 + .50 per foot. ___ 6. Right-of-way encroachment along the run of the road outside the asphalt but within four feet of the shoulder of the road. \$250 + .25 per foot. ___ 7. Temporary pipelines within or adjacent to the county's right-of-way. \$250 + .10 per lineal foot. ___ 8. Moratorium road. \$5000. 	<p>Notes:</p>
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BOND REQUIREMENT: For a single Bore or Push (or similar activity) of any utility line, pipe, wire, culvert or other similar material underneath a County road or any placement of such products or materials 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.

BLANKET BOND; ALL SURFACES: Those individuals and/or entities anticipating the need for multiple utility encroachments in any calendar year may post \$100,000.00 for all encroachments, both paved and unpaved surfaces, by that individual and/or entity during one calendar year (a calendar year shall be from January 1st through December 31 of that same year.)

BLANKET BOND; UNPAVED SURFACES ONLY: Those individuals and/or entities anticipating the need for multiple utility encroachments, over unpaved roadways only, in any calendar year may post \$10,000.00 for all encroachments by that individual and or/entity during one calendar year (a calendar year shall be from January 1st through December 31 of that same year.)

General Policies, Obligations, and Terms:

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 such deposit will be in the name of the Permittee and the County. Any money withdrawn from the account will be replenished by the Permittee within two (2) weeks of being notified of the withdrawal. It is understood that any interest accrued from this CD will remain the property of the Permittee.

Bonds or Cash for encroachments will not be refunded until two (2) years after construction approval of the encroachment is met.

Written notice to the Permittee will be given in the event the County's Road Supervisor determines additional work needs to be completed at the site of the encroachment. The Permittee will have two (2) weeks to cure the problem or provide a written request to extend this deadline. Failure to cure said problem within the permitted time will result in a penalty of \$100.00 per day. The County is authorized to recover any penalty out of the bond listed above. However, in the event of an emergency, as defined by the County's Road Supervisor, the County's Road Supervisor is authorized to take any steps deemed reasonable to cure such emergency and shall have unfettered access to the bond to reimburse the County for any costs incurred.

A separate permit is required in each and every instance an encroachment occurs within the County's right-of-way.

It is the responsibility of the Permittee to be acquainted with the rules as relating to encroachments. This permit is given in as far as Duchesne County has the authority to give it. It will be the Permittee's responsibility to contact and receive permission from all other parties involved.

Under no condition is the approval of this permit to be construed as a grant of easement or other similar interest.

REQUIREMENTS FOR REINSTATEMENT OF UTILITY CROSSINGS ON COUNTY ROADS:

1. Reinstatement must be carried out at the time of crossing.
2. **ALL ASPHALT ROADS MUST BE BORED AND PROPERLY CASED**, or arrangements made if any asphalt cut is absolutely needed, then all asphalt roads will be cut with concrete or asphalt saws so as to have a smooth edge.
3. The completed crossing shall be properly backfilled with 3/4" road base and compacted in 6" layers with a mechanical compactor. The top 4" will be compacted plant mix asphalt.
4. If the road is gravel the top 8" shall be replaced with 3/4" gravel and finished as to provide for a comfortable crossing by a vehicle.
5. It shall remain the permit holder's responsibility for repairs and maintenance for two (2) years after approval. It is therefore in the permit holders own interest to ensure good workmanship.
6. If at a future date the County should make a change in the road, moving of the utility, culvert, water lines, etc., 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 contractors rates, or will hire a contractor and the owner will be billed for the costs incurred.
7. **MAXIMUM LENGTH OF OPEN TRENCH.** Except by permission of the County, the maximum length of open trench when paralleling a road shall be 600 feet, or the distance necessary to accommodate the amount of pipe installed in a single day, whichever is greater. The distance is the collective length at any location, including open excavation, pipe laying, and appurtenant construction and backfill which has not been temporarily resurfaced.
8. This Authority does not supersede federal or state regulations.
9. Permittee must apply for permit to install anything in the road-right-of-way regardless if it is across the road or down the side.
10. Duchesne County will not be responsible for any damage to any utilities, including pipelines, which are installed in the county road right of way, unless such discharge of responsibility is expressly prohibited by the laws of the State of Utah.
11. It shall be the responsibility of the Permittee to use traffic control signs as described in the manual on uniform traffic control devices.
12. The applicant shall comply with all ordinances and laws of Duchesne County and the State of Utah relating to the work to be done, including the Utah State Noxious Weed Ordinance R68 and Duchesne County Ordinance No. 04-224.

FINES: Permittee will be subject to pay the following fine if required permit is not properly acquired before any encroachment is commenced: \$1,000.00 for unpaved roads, \$5,000.00 for paved roads.

PERMITTEE HEREBY AGREES TO ALL OF THE ABOVE CONDITIONS AS INDICATED BY THEIR SIGNATURE:

Print: _____ Sign: _____

Road Dept. Application approved by:

County Commission application approval (When required):

Deposit and Fee received by:

Fee Schedule:

a. Road cuts across a paved county road.	\$750.00 per cut (no paved road may be cut without verification that it cannot be bored)
b. Road bores across a paved county road.	\$25.00 per bore
c. Road cuts across a gravel or native county road.	\$250.00 per cut
d. Right-of-way encroachments along the run of the road within the asphalt surface.	\$500.00 plus \$0.50 per foot
e. Right-of-way encroachment permits along the run of the road, outside the asphalt but within four (4) feet of the shoulder of the road.	\$250.00 plus \$0.25 per foot
f. Temporary pipelines within or adjacent to the county's right-of-way.	\$250.00 plus \$0.10 per lineal foot of pipe
g. Utilities maintenance permit four (4) feet from edge of the shoulder of the road for maintenance of utilities but not for installation of new utilities or replacing of existing utilities.	\$25.00 per encroachment
h. Exigent encroachment on moratorium road.	\$5,000.00 per encroachment