MILLS COUNTY IOWA
UTILITY PERMIT APPLICATION **FEE: $100**

This is a Utility Permit Application for telecommunications, electric, gas and water and sewer utilities both above and underground. The applicant agrees to comply with the following permit requirements. Mills 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 Engineer. These requirements shall apply unless waived in writing, due to unique local conditions, by the County Engineer prior to installation; any such waiver shall be attached to the permit. This permit is not intended to conflict with any utility owner's rights of duties mandated in Chapters 388, 390, 474, 476, 476A, 477, 478, 479, 479A and 480 or by the Iowa Utility Board or other State and Federal regulations.

Applicant Name: _____

Address: _____

City, State, Zip: _____

Phone No. _____

Contact Person: _____

Brief Description (type facility, location) _____

1. **Location Plan** An applicant shall file a completed location plan as an attachment to the 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.

2. **Notice to Proceed** At least two (2) working days prior to the proposed installation, an applicant shall file with the County Engineer a notice stating the time, date, location and nature of the proposed installation.

3. **Inspection** The County Engineer may provide an inspector during the installation of all lines to insure 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.

4. **Inspection Fee** Upon approval of the application by the Board of Supervisors, the Utility Permit will be issued by the County Engineer contingent upon the applicant's agreement to pay the actual costs directly attributable to the installation inspection, if any, conducted by the County Engineer. Prepayment of such costs in not

required if the applicant posts a surety bond or other proof of financial responsibility, which posting or showing may be made on an annual basis. Otherwise, a prepaid inspection fee made payable to the County Treasurer's office may be assessed as follows:

Telecommunications	$1,000	Electric	$1,000
Gas	$1,000	Water	$1,000
Sewer	$1,000		

Upon completion of the installation, the County Engineer shall provide a statement for services rendered to the applicant. Such statement shall be paid within thirty (30) days of receipt. In the event of a prepaid inspection fee, the County Engineer shall provide a statement for services rendered and refund any excess payment to the applicant within forty-five (45) days.

5. **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:

1. 48 inches for electrical cable.
2. 30 inches for communication cables.
3. 36 inches for all other underground facilities.

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 rock terrain and/or other circumstances make it difficult to obtain the desired depth. The County shall determine the minimum depth in these situations. The County Engineer may require additional depth in areas identified being silted on scheduled for future excavation.

C. The applicant shall use reference markers in the right of way (R.O.W.) boundary to locate line and changes in alignment.
D. All tile line locations encountered during construction shall be protected in accordance with I.A.C. 199-9.2(479).
E. No underground utility lines shall cross over a driveway or crossroad drainage structure without express written permission of the County Engineer.
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. The applicant and the County Engineer both before and after construction may make a joint assessment of the road surfacing. After construction, granular surfacing shall 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 Engineer and the

applicant once the road has been saturated, (by rain or snow melt) to determine if additional surfacing on the roadway by the applicant is necessary.

H. Areas within the R.O.W. damaged by the installation shall be repaired and restored to at least their 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.

I. The applicant in a manner approved by the County Engineer shall solve areas disturbed during construction, which create an erosion problem.

J. All trenches, excavations, and utilities that are knifed shall be properly tamped.

K. Road crossings shall be bored. The depth below the road surface shall be a minimum depth of 48 inches for all utility facilities.

L. Installation Time Frame. All work involving the installation of the utility permitted shall be completed within 90 days of the approval date. A request for extension of time for installation will be considered by the County Engineer, provided the request is submitted prior to the 90 day deadline.

6. **Nonconforming Work** The County Engineer may halt the installation at any time if the applicant's work does not meet the requirements set forth in this Utility Permit.

7. **Emergency Work** In emergency situations, work may be initiated by an applicant without first obtaining a Utility Permit. However, the County Engineer shall be notified via telephone or fax as soon as possible and a Utility Permit must be requested within five (5) days of initiation of work. All emergency work shall be done in conformity with the provisions of this permit and may be inspected for full compliance.

8. **County Infraction** Violation of this permit is a county infraction under Iowa Code Section 331.307, punishable by a civil penalty for each violation.

9. **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 $1,000,000.

10. **Permit Required** No applicant shall install any lines unless such applicant has obtained a Utility Permit from the County Engineer. 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.

11. **Relocation** The applicant shall, at anytime 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 improvements.

12. **Term of Permit** In accordance with Section 320.5 of the Code of Iowa, applicable gas mains and water mains described in Section 320.4 shall be granted a permit for a period not to exceed twenty (20) years. At the end of the twenty years, if neither of the parties object in writing, the permit will automatically renew itself.

_____ _____

Date Name of Company

By _____

Phone No. to call in case of emergencies _____

Approved:

_____ _____

Date Mills County Engineer