

# PERMIT FOR UTILITY

## INSTALLATION ON PUBLIC RIGHTS-OF-WAY

### Massac County Highway Department

2736 North Avenue, Metropolis, IL 62960 Phone: (618) 524-5227 Fax: (618) 524-5921



**PERMIT NO.:** \_\_\_\_\_ *(ISSUED BY MASSAC CO. HWY DEPT.)*

### TYPE OF COMMUNICATION UTILITY AND PERMITTEE INFORMATION

Type of utility: \_\_\_\_\_

PERMITTEE (Company) Name: \_\_\_\_\_

Address: \_\_\_\_\_  
Number and Street/Road Name/City/State/Zip

Contact Person: \_\_\_\_\_ Phone #: \_\_\_\_\_

Signature \*: \_\_\_\_\_ Date: \_\_\_\_\_

Permittee's Reference Job No.: \_\_\_\_\_

### GENERAL PERMIT INFORMATION

WHEREAS, the above referenced PERMITTEE has requested permission to construct/install, operate, maintain, and own a new underground or above-ground utility (hereinafter referred to as "utility" or "utilities") along roads in Massac County, subject to the jurisdiction and authority of Massac County and its officers.

WHEREAS, the proposed construction consists of installation of the new *utility* according to the STANDARD PERMIT CONDITIONS, SPECIFIC PROJECT PERMIT CONDITIONS, and the attached PLANS; to be placed crossing and/or along the following roadways under the jurisdiction of the Massac County Highway Department:

*Along and Crossing:* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### STANDARD PERMIT CONDITIONS

1. That the PERMITTEE shall furnish all materials, do all work and pay all costs of such work.
2. That the PERMITTEE ensure that one-way traffic be maintained during the period of construction and adequate protection for the safety of the public be provided. This includes all necessary signing, flagmen or other traffic control.
3. That the PERMITTEE or his assigns shall assume all risks and liability for accidents and damages that may occur to persons or property on account of said work.
4. That the PERMITTEE or his assigns shall lay, construct, operate, maintain and own said *utilities* so as not to interfere with the natural drainage of the highway and so as not to interfere with the construction or maintenance of said highway.

5. That this permit is effective insofar only as the County has jurisdiction and does not presume to release the petitioner from compliance with the provisions of any existing statute relative to the work involved or to any other entity having jurisdiction over this project.
6. This permit does not authorize nor does it imply any permission to be on private property. It is solely the PERMITTEE's responsibility to obtain all easements and/or permission from private property owners themselves to be on private property.
7. That the PERMITTEE shall assume all responsibility for the determination of existing right-of-way limits and shall obtain utility easements for ANY location NOT within the County's dedicated right-of-way. This shall include private property AND any prescriptive right-of-way for roadway purposes.
8. That the said work and restoration of the right-of-way shall be constructed to the satisfaction of the County Engineer.
9. That the work shall be performed so as not to permanently impair the existing road, and that any damage to the said road that might be done during the time of construction shall be repaired, at the cost of the PERMITTEE, to the satisfaction of the County Engineer.
10. That the *utility* shall be placed in the top, back slope of the ditch and in the outer 3 feet of right-of-way. The *utility* shall be buried a minimum of forty-two inches (42") below existing grade or below the lowest elevation of adjacent culvert pipes or the lowest proper flow line of the ditch, whichever is less, where the *utility* is installed by direct bury. The *utility* shall be buried a minimum of forty-eight inches (48") below existing grade or below the lowest elevation of adjacent culvert pipes or the lowest proper flow line of the ditch, whichever is less, where the *utility* is installed by boring. Ditches may be silted-in under existing conditions, and the "proper flow line" of the ditch is defined as the flow line of the ditch that would drain water with consideration to all upstream and downstream ditch elevations, culvert pipe invert elevations and or other topographic ditch features that would govern. In the case of steeper ditch side slopes, the *utility* shall also be buried sufficiently to maintain a minimum of forty-eight inches (48") horizontal cover.
11. That the *utility* shall be installed around culvert ends and not over any pipes.
12. That the *utility* shall be bored beneath major drainage channels adjacent to bridges and culverts larger than forty-eight inches (48") in diameter or span. For these major drainage channels, the *utility* must be bored a minimum of sixty-inches (60") below the lowest point along the bottom of drainage channel, continuously, from a minimum point of 50 feet back of the top of bank on both sides of the drainage channel.
13. That the *utility* shall be relocated by the PERMITTEE at no expense to the County if such a move is needed for maintenance work or construction work on the subject roads and/or road rights-of-way. Upon request of relocation by the County, said *utility* relocation must be completed within 60 days of the request.
14. That all road crossings shall be bored beneath the roadway, at right angles to the road, unless approved by the County Engineer. All driveways, landscaping, and hardscaping within the path of the *utility* installation shall be bored beneath.
15. That all trenching or open cuts made within county right-of-way must be repaired/restored to the prior condition or better. This includes seeding and mulching these areas. PERMITTEE shall correct all areas of erosion and/or settlement that are a direct cause of the *utility* installation, for an indefinite period of time.
16. That all at-grade boxes and all above-ground appurtenances for the *utility* be installed on the R.O.W. line, or on the top back of ditch slope, whichever is farthest away from the road and adjacent ditch. In addition, all at-grade boxes must be

a minimum distance of 6-feet from the flowline of ditches. Any deviation from this requirement must be specifically approved, in writing, by the Massac County Engineer.

17. That the *utility* installed must maintain a minimum separation from other existing utilities within the County R.O.W. Minimum separation shall be 5-feet horizontal and 2-feet vertical. When crossing an existing utility, the *utility* being installed must be inside a conduit or casing a distance of 5-feet on both sides of the existing utility and must maintain a minimum 18" separation below the existing utility. Any deviation from these requirements must be specifically permitted by the owner of the existing utility being encroached upon. Written approval must be provided from that utility owner and a copy must be provided to the Massac County Engineer as part of this permit.
18. That the PERMITTEE shall keep all vegetation clear of all above ground utilities or appurtenances in the County R.O.W. Massac County Highway Department will not be held responsible for accidental damage to utilities as a result of mowing or brush clearing, where visibility of the *utility* was the cause.
19. Massac County will practice due diligence with JULIE notifications and attempt to not compromise utilities within rights-of-way. Regardless, Massac County will not be held responsible and accepts no liability in the event the *utilities* are damaged during County maintenance or construction activities within the rights-of-way. Massac County Highway Department will not be required to hand dig ditches because of ditch maintenance activities or around any *utility* where the proposed construction or maintenance is planned to be 18" or more above the elevation of the proposed *utility* shown on the plans accompanying this permit. Areas where cover could be compromised by erosion will be given special consideration by the Massac County Highway Department. Massac County and Massac County employees, representatives, or contracted companies will not be held liable for utility damage on any and all county right-of-way or state right-of-way regardless of damage that may occur during maintenance or construction activities.
20. The PERMITTEE agrees to and will coordinate with and work with Massac County, as needed, during construction or maintenance work by the Massac County Highway Department, when field conditions exist where exposing *utility* utilities are necessary. This may include having a JULIE locator or representative of the PERMITTEE present for certain situations where excavation must be done close to the *utility* utilities. Massac County will coordinate such activities with the JULIE locator and PERMITTEE.

## SPECIFIC PROJECT PERMIT CONDITIONS

None for this Project

## PERMIT APPROVAL

THEREFORE, be it permitted and granted by the County Engineer of Massac County, Illinois, that permission be granted to proceed with said construction, subject to ***all requirements and conditions*** within this PERMIT. PERMITTEE agrees to abide by this PERMIT, in its entirety. If the PERMITTEE or their assigns installs the *utility* with any deviations from this PERMIT (STANDARD PERMIT CONDITIONS, SPECIFIC PROJECT PERMIT CONDITIONS, and PLANS), the PERMITTEE agrees to remove the *utility* and reinstall correctly according to this PERMIT at the sole expense of the PERMITTEE. If the PERMITTEE is in disagreement with any portion of this PERMIT, the PERMIT is considered VOID, and permission is withdrawn for the *utility* to be located on Massac County Right-of-Way; and, utility, conduit and all associated appurtenances shall be removed from the Right-of-Way at the expense of the PERMITTEE. \* The signature of the authorized person representing the PERMITTEE on this PERMIT indicates the PERMITTEE's agreement with this PERMIT, in its entirety.

**PERMIT NO.:** \_\_\_\_\_ **(CONTINUED)**

IN WITNESS WHEREOF, I have hereunto set my hand as the County Engineer of Massac County, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_.

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Brad Watson, PE, Massac County Engineer  
Massac County Highway Department