

APPLICATION FOR OCCUPANCY ON THE RIGHT-OF-WAY OF COUNTY HIGHWAYS

This permit is site specific. One site per form.
Filling out this permit in no way gives you permission to do any work in the R.O.W. until the permit is approved by the Board of County Commissioners.

To: The Board of County Commissioners of Clay County, Vermillion, SD.

Application is made by _____, for a (circle one) cable, pipe line, or tile line occupancy of Highway number _____, in Section _____, Township _____, Range _____, in Clay County.

Attach a map showing the location of the proposed work.

All county roads shall be bored, from toe of in-slope to toe of in-slope. Minimum depth of cable, pipeline, or tile line shall be five feet, 30” if buried in ditch bottom. ALL PIPE AND CABLE SHALL BE ENCASED.

Permit Price:

A \$125.00 Fee is required for each R.O.W. permit.

Inspection Cost:

A \$125.00 Fee shall be assessed for inspecting each boring under a county road if such inspection is required to be completed during regular Highway Department business hours, which is subject to seasonal change.

A \$150.00 Fee shall be assessed for every boring under a county road, if such inspection is required to be completed outside of regular Highway Department business hours.

Notice:

Applicants must give at least one business day’s notice prior to completing any borings in order to allow for Highway Department personnel to be on site to inspect the boring.

The following information is pertinent to the proposed installation:

1. Intended Usage: _____
2. Cable, Pipe, or Tile Size: _____
3. Type and Size of Material Used for Encasement: _____

All installations must comply with AASHTO’s & MUTCD’s requirements. A marker sign will be installed where appropriate.

AGREEMENTS:

The applicant agrees that the following stipulations shall govern this permit.

1. The applicant will, at any time subsequent to placing the cable, pipeline, or tile line, and at his own expense, re-lay, reconstruct, or encase his lines as may become necessary to conform to new grades, alignment or widening right-of-way, resulting from maintenance or construction operations by the Board of County Commissioners regardless of whether or not additional right-of-way is acquired in connection with such highway improvement. The applicant agrees to do this promptly on order of the Board of County Commissioners and without cost to the County. If the applicant is unable to comply promptly, the Board of County Commissioners may cause the work to be done, and the applicant will pay the cost thereof upon receipt of statement.

2. The County and the Board of County Commissioners assume no responsibility for damages to the applicant's property occasioned by any construction or maintenance operations on said highways, including new or additional right-of-way acquired in connection therewith, subsequent to the building of the said pipe line, conduit, or tile line.
3. The applicant shall take all reasonable precautions during the construction of said cable, pipe line, or tile line to protect and safeguard the lives and property of the traveling public and adjacent property owner(s) and shall save the County and the Board of County Commissioners harmless of any damage or losses that may be sustained by the traveling public or adjacent property owners on account of such construction operations.
4. Operations in the construction and maintenance of said cable pipe line or tile line shall be carried on in such a way as to not interfere with or interrupt traffic on said highway.
5. The applicant shall hold the County and the Board of County Commissioners harmless from any damage that may result to said highway because of the construction or maintenance of said cable, pipe line, or tile line, and shall reimburse the County for any expenditures that the County or the Board of County Commissioners may have to make on said highway on account of said applicant's cable, pipe line or tile line having been constructed thereon.
6. This permit is subject to any laws now in effect or any laws which may be hereafter enacted.
7. This application is subject to all the rules and regulations of the Board of County Commissioners and to revocation by the Board of County Commissioners at any time, when in the judgment of the Board it is necessary in the improvement or maintenance of the highway or for other reasonable cause. And in such event the applicant hereby agrees to remove all applicant's property from the said right-of-way without delay and without cost to the County.

Submitted: _____, 20__

By: _____

Address: _____

Applicant Signature

Applicant Title

Cable Co. Job No. _____

Pipe Line Co. Job No. _____

Tile Line Co. Job No. _____

Recommended for Approval

By: _____

Clay County Highway Superintendent

Highway Superintendent Signature

APPROVED: _____, 20__

By: _____

Chair, Board of Clay County Commissioners
Vermillion, South Dakota

Chairperson Signature