



**RILEY COUNTY HIGHWAY USE PERMIT
Requirements and Procedures**



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HIGHWAY USE PERMIT Requirements and Procedures

This document shall be considered an integral part of every permit issued for work performed within County road right-of-way. The work authorized by any permit shall conform to the requirements and standards of Riley County as herein specified.

The County Engineer has the authority to exempt a public or private utility from any and/or all of these requirements and procedures for just cause.

Section 1 – GENERAL ITEMS

Any utility work may be performed by the Utility Company (Permit Holder) or by a Subcontractor but for simplicity either will be referred to in these construction requirements as "Contractor". This permit is not considered a temporary easement to work on private property.

Roadway is defined as the total width of the driving surface excluding shoulders and ditches.

Right-of-Way (ROW) is defined as the legally-described area of land dedicated to the County for general transportation purposes.

Private utilities are allowed only to cross the County's right-of-way and shall adhere to the requirements stated in this document.

Any utility sharing facilities with another entity is required to obtain a separate Highway Use Permit for their installation.

The Contractor shall protect all existing utility installations, public facilities and private property from damage. Any damage shall be repaired to the satisfaction of the County.

Utilities within the County right-of-way will be required to relocate prior to the beginning of a County construction project at their own expense.

Section 2 – APPLICATION FOR PERMIT:

Highway Use Permits are required when utilities are installed, relocated, removed or repaired within, crossing over or under all Riley County public right-of-way. The permit application shall be accompanied with the following:

- Appropriate maintenance performance bond, cashier's check or letter of credit (when required)* issued to the permit applicant
- Appropriate certificate of liability insurance*
- Appropriate fees

* May be submitted on an annual basis

Work on a Township road requires prior approval from both the County and Township.

Fees: KSA 17-1902 allows for the collection of fees to offset costs. Fees shall be established by the County Engineer.

Plans: The applicant shall furnish plans for the proposed work. Plans shall include a location map, a description of the size and type of installation, the method of installation and adequate drawing(s) to indicate the location of the proposed facilities with respect to the right-of-way line and the edge of the road. Prior to permit issuance, the Contractor shall stake the location of any vaults, splice facilities, guy wires and poles for review by the County.

Opportunity to View: Prior to permit issuance, the County shall approve the planned location of any vaults, splice facilities, and poles after locations are staked.

Notification: The Contractor shall notify the County at least two business days before starting work and upon completion. The notification shall include: the Utility Company name, Contractor name, location of work, contact person and call back telephone number. Any work performed prior to notification will be considered unauthorized.

The Contractor shall notify the County immediately whenever public property is damaged and the landowner if the damage occurs to private property.

Permit on the Job: A copy of the Highway Use Permit and this document shall be kept by the Contractor at the site while the work is in progress. Failure to produce the documents will result in all work being suspended until such documents are on site.

Unauthorized/Non-Permitted Work: Work will be removed as necessary to assure proper installation. It shall be reinstalled with inspection by the County.

Enforcement: If the Contractor fails to obtain final acceptance or the project is left in an unacceptable condition requiring repair, the maintenance performance bond, cashier's check or letter of credit may be utilized to finish the work. In the absence of the above guarantees, the County will invoice the Permit Holder for the cost.

Revocation: If the Contractor fails to perform and comply with the requirements and procedures of the permit, the County may revoke the permit and order the Contractor to remove any and all facilities installed not in conformance with the permit requirements and restore the disturbed area to its original condition.

Easement: The issuance of a Highway Use Permit by Riley County does not in any way imply a grant of easement on public or private property.

Permanent Identification Signs: Any underground utility crossing public right-of-way shall place permanent markers and identification signs at the right-of-way lines. Identification signs shall include owner name, contact information (including emergency contact) and type of utility.

Section 3 – LIABILITY/BONDS

Riley County will be held harmless for damage to utilities located in County right-of-way due to road construction or maintenance activities if the utility's facilities are not installed as specified in this document. Riley County will be held harmless for damage by others to utilities located in County right-of-way.

Utility Companies (Permit Holder) shall submit a standard refundable deposit of \$1,000 with their permit application. The County Engineer may require a larger refundable deposit based on the scope of work. The deposit will be returned after the work has been inspected and approved or the warranty period has expired, whichever is longer. If contractor fails to properly perform Clean Up and Restoration as specified in Section 6, Riley County may use all or a portion of the deposit to cover expenses to complete the work.

Bonds/deposits may be submitted either for a specific project or for an entire calendar year. Any bond/ letter of credit submitted by a Permit Holder must remain in effect during the entire length of the project. If the project extends into more than one year a new bond/letter of credit will be required for the second year.

A Permit Holder may submit a \$20,000 performance bond or equivalent letter of credit, in January of each year in lieu of submitting individual fees/deposits for each project. Larger projects may require an increase in the amount of the performance bond or equivalent letter of credit as determined by the County Engineer.

Section 4 - WORK ZONE TRAFFIC

Traffic Control Plan: Operations shall be conducted in a manner to provide safe and reasonably free-moving travel within the limits of the work zone. The Contractor shall provide a traffic control plan for work zone traffic with each permit application. The traffic control plan shall conform to the current MUTCD manual.

Road Closures: No road will be closed or re-opened without permission from the County. **The Contractor will notify the County a minimum of 5 business days prior to a road closure to allow for proper notification of emergency services, school districts, postal service, etc.** Private entrances shall not be closed overnight, and shall be opened for access as promptly as possible unless coordinated with the landowner.

Prior to any road closure, the Contractor will have all traffic control in place. Permission to re-open the road will be based on the proper repair of the road. The Contractor shall inform the County when backfilling and pavement repair has been scheduled to insure proper inspection and to minimize the time the road is closed to traffic.

Flaggers: Flaggers will be required when one lane of traffic is closed or obstructed. **All personnel working within the Riley County right-of-way shall wear ANSI Class II High Visibility Safety apparel.**

Enforcement: If at any time, the County finds the work zone is not in accordance with the approved traffic control plan, the Contractor shall immediately take the necessary steps to correct any traffic safety concerns. Failure to comply may result in suspension of work and revocation of the permit.

Section 5 – OPERATIONS

Emergency Work: Emergency repair of utilities located within the right-of-way is permissible without first obtaining a Highway Permit, if an emergency exists which interrupts critical services and/or is dangerous to the life, safety or welfare of the public. The Utility Company shall take all reasonable safety measures. Temporary traffic control measures shall be consistent with the current MUTCD. The Utility Company will advise the County of the location as soon as possible but no later than 24 hours after discovering the emergency. All work will be performed in accordance with these requirements and procedures.

Weather: Except in emergencies, contractors shall not work in weather conditions which, in the opinion of Riley County, may damage County property or cause a hazard to the traveling public.

Damage to Road: Damage to signs, pavement, or other Public Facilities shall be immediately reported to the County. If determined by the County to be a traffic hazard, the damage shall be immediately repaired by the Contractor.

Open Excavations: Open excavations shall be fenced when left unattended. Excavation near a road or sidewalk shall be cribbed or sheeted as necessary to prevent damage to the roadway or sidewalk.

Protection of Vegetation: The permit herein granted does not confer upon the Contractor the right to cut, remove or destroy trees or shrubbery within the legal limits of the right-of-way or relieve the Contractor from obtaining any consent otherwise required from owners of adjacent property. Trees, shrubs, bushes, vines or ground cover on the road right-of-way shall not be sprayed, trimmed, cut down, rooted up, removed or mutilated in any manner without prior written approval of the County.

Ditches: All ditches and culverts shall remain open and operative during and upon completion of the work.

Tracked Equipment: No tracked equipment shall be operated on a paved road surface without prior County-approved pavement protection.

Cleanup: The road surface and roadside shall be kept clean, neat and presentable throughout construction. All cut branches, dead limbs, etc., shall be removed from the Clear Zone while traffic control is in place and cleared from the right-of-way within forty-eight (48) hours or as directed by the County.

Storage: Materials shall not be stored in the right-of-way without prior written approval from the County.

Parking: Equipment or vehicles when not in use shall not be parked on the roadway. Equipment shall not be parked at night on the right-of-way without prior written approval from the County.

Section 6 - CONSTRUCTION ITEMS

Prior to any work in the right-of-way all existing utilities shall be located by calling Kansas One Call System.

General: All utilities (above or below ground) shall be placed in the right of way as directed in advance by the County Engineer or the Township Board designated representative.

Vaults & Splicing Facilities: Vaults shall not block corridors for future utility installations. Above ground splicing facilities shall be located away from front yards and landscaped areas. Location of splice vaults and above ground splicing facilities must be specifically approved on site by the County. In subdivisions with platted utility easements, the facilities shall be located in the utility easement.

Above Ground Installations: All above ground facilities should be located as close as possible to the right-of-way line, preferably within three feet or less. No facilities, including foundations, installed above ground shall be placed within 10 feet from the edge of a road surface for a 40 foot right-of-way or 12 feet from the edge of a road surface for a 60 foot right-of-way. Pedestals, guys, anchors and other above ground items shall be located to minimize interference with road maintenance operations. Overhead lines crossing the road shall provide a minimum clearance of 18 feet or as required National Electrical Safety Code, whichever is greater.

Above ground utilities crossing the right-of-way shall be perpendicular to the highway alignment to the extent feasible and practical. Complete spanning of the right-of-way is required.

Underground Installations: No utility will be permitted in the roadway except for crossings. All underground utility installations and appurtenances shall be located to minimize interference with maintenance operation of the County and other utilities in the right-of-way. In the road right-of-way, the top of the buried utility shall be placed a minimum of 3 feet below the existing grade line unless otherwise noted.

All utilities crossing under ditches and roadways shall have a minimum depth of cover of three feet below ditch grade. All utilities crossing paved roads shall be cased from top of ditch back slope to top of ditch back slope.

Utility lines installed parallel to the road may require casing at certain locations.

Fiber optic lines shall be buried at a minimum depth of 42 inches. All buried non-metallic pipes, cables, or casings are required to utilize a tracer wire.

Trenches: Trenches shall be a minimum width of the outside diameter of pipe, plus two (2) feet unless backfilled with flowable fill. Trenches must be shored where necessary to protect the travel way, shoulders and slopes.

Bedding shall be provided to a depth of six inches or half of the diameter of the pipe, whichever is less. Bedding material shall be free of lumps, clods, stones and frozen material which produces a dense, well-compacted backfill.

Bridge Attachments: Bridge attachments may be allowed. All attachments greater than 2 inches will require plans prepared by a licensed professional engineer. All attachment methods and locations are subject to the County Engineer's prior written approval.

Manholes in Roadway: Rings (manholes, valves, etc.) shall be placed at finished grade in paved surfaces, and will not be allowed in rock and dirt road surfaces.

Boring: Installation of lines across paved roads and sidewalks shall be by directional boring or jacking only. The edge of the bore pit shall be located at least four feet from the edge of the road or shoulder whichever is greater. The depth under the pavement for jacking and directional boring shall be a minimum depth of 3 feet from the top of pipe or one foot for each inch of the jacking cone, whichever is greater.

The hole diameter resulting from bored or tunneled installations shall not exceed the outside diameter of the utility pipe, cable or casing by more than 1.5 inches on pipes with an inside diameter of 12 inches or less or 2 inches on pipes with an inside diameter greater than 12 inches.

Backfill Requirements: Contractor is responsible to notify Riley County 24 hours prior to backfilling. Failure to notify is basis for forfeiting any deposit as well as having the work rejected. All backfilling will be subject to observation by a Riley County representative while in progress. Contractor shall be responsible for repairing any settlement resulting from this work during warranty period (see below).

Under normal conditions, material removed from the trench may be used for backfilling. Materials containing frozen soil, sod, rock, debris, organic material shall not be used.

Backfilling under sidewalks and paved entrances may require special material. In new subdivisions, flowable fill is required under future pavement and sidewalks.

Rock/dirt road crossings are to be backfilled using only approved materials which will produce a dense, well-compacted backfill. The top 12 inches shall be filled with AB3 or equivalent.

The material shall be placed in uniform layers not to exceed eight (8) inches in depth with sufficient moisture to allow for the proper compaction with suitable equipment.

Sidewalk & Curb Replacement: Sidewalk and curb replacement shall match existing. Removal of existing sidewalk or curb shall be to the nearest joint. Concrete shall be air entrained 4,000 psi and cured per current KDOT specification.

Road/Street Replacement: All roads will be restored to the standards as stated in the Riley County Roadway Design in Platted Subdivision(s) policy.

All paving/re-paving and subgrade work will be subject to inspection by Riley County personnel. A minimum of one working day (24 hours) notification to the County is required prior to scheduled work. Failure to give notice is basis for forfeiting any deposit as well as having the work rejected.

Section 7 - CLEANUP AND RESTORATION

Prior to the final inspection, the road and right-of-way shall be restored to a condition equal to that existing before the commencement of the described work. Ensure all areas are properly backfilled, all ditches and slopes are restored to the original configuration and elevations, and all existing right-of-way profiles are properly re-established. All ruts shall be filled and smoothed to match the existing surface.

The Contractor shall sweep off excessive dirt or material from the roadway surface. All disturbed areas shall be smoothed, seeded/sodded and mulched. For disturbed areas adjacent to residences, the variety of seed or sod used shall match existing.

All materials and construction methods used to restore the pavement, base and subbase shall be equal to or better than required by the current edition of the "Kansas Department of Transportation Standard Specifications for State Road and Bridge Construction."

Section 8 – FINAL INSPECTION & ACCEPTANCE OF PROJECT

To receive final acceptance of the work authorized by a highway use permit, completion of the work must be verified by a final inspection. The Contractor must schedule a final inspection, prior to demobilization, with Riley County representatives. If the work or restoration is found to be defective or insufficient the Contractor shall complete such work and call for another inspection. The Contractor (at contractor expense) may be required to pothole buried lines to verify proper installation.

Riley County will issue a notice of acceptance for the project upon verification the work was performed in accordance with the permit.

Section 9 – WARRANTY PERIOD

The Utility Company (Permit Holder) shall warranty their work to the County Engineer's satisfaction for a period of one year upon issuance of the notice of acceptance. In the event, the right-of-way is not in an acceptable condition at any time during the warranty period, the County will contact the Utility Company (Permit Holder) to resolve the matter.

Warranty repairs occurring within the driving surface of the road shall be addressed immediately. Failure to respond within an agreed upon time or if contact cannot be established with the Utility Company (Permit Holder), Riley County will perform the repair(s) and submit an invoice for such repair to the Utility Company (Permit Holder).

All other warranty work shall be completed by the Utility Company (Permit Holder) within 30 days of said notification. Failure of the Utility Company (Permit Holder) to complete said work will allow Riley County to complete the repair(s) and submit an invoice for the repair to the Utility Company (Permit Holder).

If the Utility Company (Permit Holder) fails to pay the invoice within 30 days of receipt, Riley County will utilize the deposit, bond or letter of credit to satisfy the invoice. The deposit, bond or letter of credit will be returned to the Utility Company (Permit Holder) at the end of the warranty period.