

STORY COUNTY USE OF RIGHT OF WAY PERMIT

To the Board of Supervisors, Story County, Iowa:

I, _____, on behalf of _____,
Installer/Contractor Owner Address

do hereby make application requesting permission to use certain portions of public right-of-way located along

We mutually, as installer/contractor and/or owner, (Both hereinafter referred to as the permittee), agree that the following stipulations shall govern under this permit.

1. The Permittee will file a plat setting out the location of proposed work on the Story County Secondary Road and that the description of the proposed installation will be included showing type, height, and spacing of the same:

2. The installation shall meet the requirements of county, state, and federal laws, the Iowa State Department of Health, and any other laws or regulations applicable.

3. The Permittee shall be fully responsible for any future adjustments of its installations within the established highway right-of-way caused by highway construction or maintenance operations.

4. Story County assumes no responsibility for damages to the Permittee’s property occasioned by any construction or maintenance operations on said highways.

5. The Permittee shall take all reasonable precautions during the construction and maintenance of said installation to protect and safeguard the lives and property of the traveling public and adjacent property owners. Traffic protection shall be in accordance with Part VI of the current Iowa Department of Transportation Manual on Uniform Control Devices for Streets and Highways.

6. The Permittee shall be responsible for any damage resulting to said highways because of the construction operation, or maintenance of said installation, and shall reimburse Story County for any expenditure the County may have to make on said highways because of said permittee’s installation having been constructed, operated, and maintained thereon.

7. The Permittee shall indemnify and save harmless Story County from any and all causes of action, suits at law or in equity, or losses, damages, claims, or demands, and from any and all liability and expense of whatsoever nature for, on account of or due to the acts or omissions of said Permittee’s officers, members, agents, representatives, contractors, employees or assigns arising out of or in connection with its (or their) use or occupancy of the public highway under this permit.

8. Noncompliance with any of the terms of permit, or agreement, may be considered cause for revocation of the permit.

9. Call Iowa ONE CALL before digging – 800-292-8989

10. A list of General Requirements has been received and is hereby acknowledged by the permittee. In addition, the following special requirements, if applicable, shall apply to this permit:

10. **** PERMIT EXPIRATION: 6-months after approved copy mailed date****

Date

Name of Owner (Applicant - Permittee)

Address

by _____ Phone no.

Date

Name of Installer/Contractor (Applicant - Permittee)

Address

by _____ Phone no.

Approved by:

Date _____

County Engineer 515-382-7355
Phone no.

Approved Copy mailed Date

GENERAL REQUIREMENTS FOR WORK IN THE ROAD RIGHT OF WAY

Supplement to accompany all "Use of Right of Way" Permits

In accordance with Chapter 318 of the Code of Iowa, no billboard, advertising sign or device, fence other than right of way boundary fence, or other obstruction except signs or devices authorized by law or approved by the highway authorities shall be placed or erected upon the right of way of any public highway. And further, "A person shall not excavate, fill, or make a physical change within a highway right-of-way without obtaining a permit from the applicable highway authority."

Any work proposals requesting approval of this permit must meet the following General criteria:

Permittee must provide a certificate of insurance for the work being done, (naming the County as an additional insured on the Permittee's policy), to the County Engineer before permit can be processed.

Final installation shall not create a hazard for errant vehicles from the roadway within ANY portion of the road right of way.

Final installation shall not hinder drainage in the roadway's ditch, culvert and tile systems

Final installation shall not reduce snow storage available or cause additional (or more severe) drifting

Final installation shall not block visibility of signs, intersections, etc.

Final installation shall not serve as a major distraction to the motoring public.

Final installation shall not disturb existing native plantings, unless special exception is made by the IRVM Director

Re-seeding of disturbed areas shall be with a seed mix approved by the IRVM Director

Work must be completed within 6-months

Types of things allowed:

Working soil and seeding of right of way back slopes with non woody plants

Work in back slope to prevent erosion (wash) from waterway

Work to reshape waterway TO A NATURAL DRAINAGE WAY through the back slope

Landscaping on the back slope that is flush with the ground.

Others???