



Document 121356

Book 2012 Page 1356 Type 04 099 Pages 4

Date 3/28/2012 Time 11:46 AM

Rec Amt \$.00

Ret. Boone County Auditor

VERONICA A RARDIN, COUNTY RECORDER
BOONE IOWA**BOONE COUNTY ORDINANCE 114**

**AN ORDINANCE AMENDING ORDINANCE 21 WHICH PROVIDES FOR THE ISSUANCE OF
BOONE COUNTY UTILITY PERMITS FOR PLACEMENT OF UTILITY IMPROVEMENTS ON
BOONE COUNTY SECONDARY ROAD SYSTEM OR COUNTY RIGHT-OF-WAY.**

BE IT ENACTED BY THE BOONE COUNTY BOARD OF SUPERVISORS OF BOONE COUNTY, IOWA:

SECTION 1: Purpose. The purpose of this ordinance is to affirm the tabulation of requirements of permit as previously defined in Ordinance Number 19, adopted April 12, 1993; which was amended by ordinance 21 which was adopted May 7, 1993. These requirements are to be provided on the form of the Boone County Utility Permit adopted and included with this ordinance.

SECTION 2: Definitions. For use in this ordinance, certain terms and words used herein shall be interpreted or defined as follows:

1. "Applicant" – Includes person, persons, company, corporation or governmental entity desirous of placing a utility on the Boone county Secondary Road System.
2. "Utility Line" – Refers to a telecommunications, electric, gas, water or sewer line.

SECTION 3: Powers of the Boone County Board of Supervisors. All jurisdiction and control over the rules governing the requirements to be complied with and approval of the form of the Boone County Utility Permit shall rest with the Boone County Board of Supervisors. The form of the permit herewith attached is approved and may be changed or a fee schedule adopted by a resolution of the Boone County Board of Supervisors.

The Board of Supervisors hereby authorizes the Boone County Engineer or Assistant Engineer to issue said permit. A copy of each permit issued will be filed with the Board of Supervisors for informational purposes.

SECTION 4: Authority to Establish. The Board of Supervisors of Boone County is empowered under the authority of Chapter 319, Chapter 320, Chapter 478, Chapter 479 and Chapter 479.1, of the 2011 Code of Iowa to establish and require a utility permit.

SECTION 6: Liability Insurance Required. The utility company shall save Boone County harmless of any damages resulting from the applicants operations. Certification of insurance required naming Boone County as an additional insured for the permit work for at least \$1,000,000.

SECTION 7: Severability Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof, not adjudged invalid or unconstitutional.

SECTION 8: When Effective. This ordinance shall be in effect after its final passage, approval, and publication as provided by law.

ACTION UPON FIRST READING

DATE: March 7, 2012

Moved by: Lusher

Seconded

by: Foster

Discussion:

AYES (A), NAYES (N), ABSENT (X):

Bill Lusher Steve Duffy

Tom Foster

ACTION UPON SECOND READING

DATE: March 14, 2012

Moved by: Foster

Seconded

by: Duffy

Discussion:

AYES (A), NAYES (N), ABSENT (X):

Bill Lusher Steve Duffy

Tom Foster

ACTION UPON FINAL READING

DATE: March 21, 2012

Moved by: Foster

Seconded

by: Lusher

Discussion:

AYES (A), NAYES (N), ABSENT (X):

Bill Lusher Steve Duffy

Tom Foster

[Signature]
Chairman
Boone County Board of Supervisors

March 21, 2012
Date

Philippe E. Meier

March 21, 2012
Date

ATTEST:
Philippe E. Meier, County Auditor



BOONE COUNTY UTILITY PERMIT

COURTHOUSE
201 STATE ST.
BOONE, IA 50036
PHONE 515-433-0530/FAX 515-433-0532
E-MAIL: boonecountyengr@boonecounty.iowa.gov

UTILITY PERMIT NO. _____

Utility permit for telecommunications, electric, gas, water, and sewer.

APPLICANT NAME _____

STREET ADDRESS _____

CITY _____

STATE AND ZIP
CODE _____

TELEPHONE
NUMBER _____

CONTACT PERSON _____

The applicant agrees to the following permit requirements:

1. The applicant will file a Location Plan setting out the location of the proposed line on the Secondary Road System. This Location Plan will include a description of the proposed installation.
2. The applicant agrees to give the county forty-eight (48) hours notice of its intention to start construction in the County right-of-way.
3. Boone County will name a party to inspect the construction operation of the utility company. The utility company agrees to pay the cost of the inspection services.
4. The party will inspect for the following items. Any items listed that are found to be deficient by the inspector shall be corrected by the applicant at its expense.
 - a. "Traffic Controls" to comply with current Iowa Department of Transportation (IDOT) standards controls.
 - b. Minimum depth of cover shall be: Telecommunication 36", Electric 48", Gas 48", Water 60", Sewer 60". If the ditch has silted in, add the depth of the silt to the minimum required above.
 - c. Reference markers in the R.O.W. boundary to locate line and changes in alignment.
(At least every 1,000 feet)
 - d. All tile line locations will be marked with references located in the R.O.W. line.
 - e. Residents along the utility route will not be without access to the public roads. An all weather access will be maintained for residents adjacent to the project.
 - f. An assessment of the road surfacing will be made both before and after construction. Granular surfacing will be added to the road to restore the road to its original condition. After surfacing has been applied, the road surface will be reviewed after the roadway has been saturated, to determine if

additional surfacing on the roadway is necessary.

- g. All damaged areas within the R.O.W. will be repaired and restored to at least its former condition.
 - h. Areas disturbed during construction which present an erosion problem shall be solved by the utility company or the contractor in a manner approved by the County Engineer.
 - i. All trenches, excavations, and utilities that are knifed will be properly tamped as approved by the County Engineer.
 - j. The vertical clearance of overhead wires shall comply with the applicable National Safety Code.
 - k. All utilities constructed on a longitudinal line along the road shall be placed at a location approved by the County Engineer.
 - l. The inspector may opt to shut the contractor down if the contractor's work does not meet Boone County's Ordinance.
 - m. Road crossings will be bored. The depth below the road surface will match the minimum depth of cover for the respective utility. Exceptions will be a condition of the permit.
5. The utility company shall save Boone County harmless of any damages resulting from the applicant's operations. A certificate of insurance shall be required naming Boone County as an Additional Insured for the permitted work. (Limits of Liability \$1,000,000.00)
 6. The applicant will, at any time subsequent to installation of utility lines at his own expense, relocate or remove his 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. Maintenance problems shall not be governed by the time restraints of the ONE CALL SYSTEMS.
 7. Repealed.
 8. Exceptions to the required inspection may only be granted by the Boone County Engineer of Boone County, Iowa.
 9. Inspection required.

DATE

NAME OF COMPANY

By _____

RECOMMENDED FOR APPROVAL

DATE _____

COUNTY ENGINEER

- **Four (4) copies of this form will be required with application submittal. A site plan or location map shall be attached to each copy submitted.**