

BOONE COUNTY ORDINANCE #21

TITLE: AMENDS THE ORIGINAL ORDINANCE NO. 19, ADOPTED APRIL 12, 1993, ESTABLISHING THE REQUIREMENTS FOR PLACING A UTILITY ON THE BOONE COUNTY SECONDARY ROAD SYSTEM OR COUNTY RIGHT-OF-WAY BY REPEALING SUBSECTION 7 OF SECTION 5.

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

SECTION 1. Purpose. The purpose of this ordinance is to tabulate these requirements in the form of a utility permit.

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

- 1. "Applicant" - Includes a 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 issuance of a utility permit shall rest with the Board of Supervisors of Boone County.

SECTION 4. Authority to Establish. The Board of Supervisors of Boone County is empowered under authority of Chapter 319, Chapter 320, Chapter 478, Chapter 479, Chapter 479.1, of the 1991 Code of Iowa to establish and require a utility permit.

UTILITY PERMIT NO.

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

APPLICANT NAME: _____

STREET ADDRESS: _____

CITY: _____

STATE & 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 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:

A. Traffic Controls to comply with the current IDOT standards controls.

B. Minimum depth of cover shall be: Telecommunications 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 applicants operations. Certification of Insurance required naming Boone county as an Additional Insured for the permit work. (Limits of Liability \$1,000,000.)

6. The applicant will, at any time subsequent to installation of utility lines, at his own expense, relocate or removed 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 constraints of the One Call System.

7. REPEALED.

8. Exceptions to the required inspection may only be granted by the Board of Supervisors.

9. Inspection required _____.

DATE _____

NAME OF COMPANY _____

BY _____

RECOMMENDED FOR APPROVAL

DATE _____

COUNTY ENGINEER _____

APPROVED

DATE _____

CHAIRMAN, BOARD OF SUPERVISORS
BOONE COUNTY, IOWA

SECTION 6. 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 7. When Effective. This ordinance shall be in effect after its final passage, approval, and publication as provided by law.

Passed and approved this 7th day of May, 1993.

Robert G. Whitmore
CHAIRMAN, BOONE COUNTY BOARD OF SUPERVISORS

David W. Reed

Robert Lind

ATTEST: Philippe E. Merz
BOONE COUNTY AUDITOR

Certified published the 12th day of May, 1993.