

**ROAD CUT /RIGHT OF WAY PERMIT
TELECOMMUNICATIONS COMPANIES**

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Permit Number RWT _____

WASHINGTON COUNTY

STATE OF COLORADO

Date of Application _____

Name of applicant _____

Address _____
City, St, Zip

Telephone Number _____ Fax _____

Email _____

Property Location:

Township _____ Range _____ Section _____ 1/4Section _____

Nearest intersection and distance from _____

Installation type (cable, fiber optics, etc.) _____

Owner of facilities to be installed _____

Address _____
City, St, Zip

Telephone Number _____ Fax _____

Contractor for installation _____

(if different from owner of facilities)

Additional requirements for utilization of county right of way:

- a) All underground telecommunications cable, pipe, conduit, etc. installation shall be as determined on a case by case basis as either within the traveled portion of the right of way or adjacent to the roadway. In the case of placement adjacent to the traveled portion of the road, placement shall be a minimum of 5 feet from the base of the shoulder adjacent to the traveled portion of the roadway.
- b) In order to determine proper placement, applicant shall supply construction plans to the Board of County Commissioners and the District Road Supervisor with this permit application. The Board pursuant to C.R.S. 38-5.5-107(1) (b) has retained an engineering firm to review the construction plans for installations. Any project plans may be submitted to the County's engineering firm within 5 days from the receipt of application. The District Road Supervisor must sign off on all applications prior to submitting the application to the Board of County Commissioners for final approval.
- c) If required, it shall be the responsibility of the County's engineering firm and the appropriate road supervisor to review the proposed construction plans with the engineer for the Telecommunications Company and return within 30 days of receipt a detailed report and proposal which the County will utilize in approving the permit. This report shall include an engineered scale final construction plan which the telecommunications company must follow so as to alleviate right of way disturbances and record exact cable location for future reference. The report may also include a soils analysis to determine whether or not the cable, etc. should be placed within the traveled roadway surface and / or adjacent to the traveled surface. The costs associated with the County's engineering firm report shall be borne by the telecommunications provider as they are directly related to the granting of any permit.

- d) Upon receipt of the engineers report as agreed upon by the applicant's engineer and the County's engineer in conjunction with the appropriate Road Supervisor the applicant will then be advised as to any additional conditions the Board may impose in approving the permit.
- e) A pre-construction meeting will be required prior to the Board reviewing the application . The District Road Supervisor, the construction company representative and /or engineer and the county engineer (if requested by the county) will meet to determine the final details of the project prior to presentation to the Board (See attached "Pre-construction Meeting".) The Board will take final action of approval within 21 business days after the pre-construction meeting.
- f) In administering the permit during the course of construction, for every 10 miles, or increment thereof, the County reserves the right to inspect the installation with the County Engineer and the appropriate Road Supervisor to confirm that the final construction plans are being adhered to and that the permit as approved is being constructed according to the permit and engineering standards. The costs associated with the County's engineer being on site for these inspections shall be borne by the telecommunications provider as they are directly related to the administration and / or granting of any permit.
- g) In addition, applicant shall notify the County at least **one week** prior to actual commencement of construction so as to allow scheduling of the on site representative of the County.
- h) All the aforementioned installations shall be buried at least **48 inches** from the surface of the roadway or top soil, if adjacent to the roadway. Manholes, hand holds, cabinets, junction boxes and / or other access ports are not allowed in the traveled portion of the roadway and must be placed at least 5 feet from the base of the shoulder adjacent to the roadway. No obstruction, pedestals, or other access facilities shall be allowed within the flow line of Washington County culverts.
- i) Any cable, etc. installed shall be subject to relocation in the event that the traveled portion of the highway is widened, relocated, or the roadway elevation is changed. In that event, applicant agrees to bear the costs of any such relocation due to the aforementioned factors. This permit is revocable and does not assure applicant the continued use of county rights of way in perpetuity. The applicant shall also be responsible for the relocation of any existing utilities currently located within the affected right of way.
- j) Applicant understands and agrees to bore under any and all culverts, and / or other County facilities and all such facilities damaged by applicant shall be replaced to current County standards.
- k) In the event that a county road is cut /trenched, applicant agrees to restore the roadway surface by compaction or other means to the condition of the roadway prior to the cut. To assure the roadway is restored properly, applicant shall provide either an irrevocable Letter of Credit in the amount to be determined based on current restoration costs per linear mile, or fraction thereof, or an escrow amount acceptable to the Board of County Commissioners payable to the County of Washington upon approval of the permit. The Letter of Credit shall issue in favor of Washington County for a period of 12 months past the projected date of project completion as may be approved by the BOCC. Escrow amounts will also be held for a period of 12 months past the projected date of project completion. The appropriate County Road Supervisor shall periodically inspect the restoration and if said roadway cuts have been restored to current county standards, and there has been no degradation within or upon the roadway, the Board shall adopt a resolution releasing the Letter of Credit or escrowed funds. In the event that the County Road Supervisor does not approve any restoration, the applicant will be notified of any deficiencies and given a 10 day period from notification to correct said deficiency. If the roadway has not been restored within the 10 day period, the County will restore the roadway, and seek remuneration of costs incurred from the Letter of Credit or escrowed funds. Applicant understands that county rights of way are available to all public utilities and private telecommunication providers and that Washington County will not be responsible for contractor installation errors which result in cut cables etc. or subsequent disruptions of service.

- l) In relation to trenching within the traveled portion of the roadway, no trench shall be left open overnight. During construction, warning signs, barricades and lights, all in conformance with the Manual of Uniform Traffic Control Devices (MUTCD), shall be used in areas where trenching operations are taking place. No roads shall be completely closed to traffic unless approved by the Board of County Commissioners. In the event the Board completely closes a road to traffic, applicant agrees to notify the appropriate school districts, fire districts and / or other emergency service providers.

- m) Any telecommunications provider, who without first having obtained a permit and / or who having made a cut in a public right of way without obtaining a proper permit, shall be issued a "Stop Work Order" by the Board of County Commissioners. Upon said issuance, said party shall discontinue any or all future work within the public rights of way in Washington County until such time as a proper permit has been obtained.

Signature of Facilities Owner _____ Date _____

Title _____

Signature of Contractor _____ Date _____

(If applicable)

We hereby certify that we have read the above conditions relating to the issuance of this application for right of way, road cut and crossing permit and agree to be bound by same. Both the owner of the facilities and the contractor must sign this application and are deemed by the County to be responsible for meeting the conditions hereunder.

Permit Fees:

1. If the permit sought is limited to crossing County road intersections, and if the road crossing surface is cut either perpendicular or parallel to the traveled portion of the road, \$300.00 for administrative review and road reconstruction by County after installation by contractor is complete. Each county road crossing shall be subject to the aforementioned fees.

2. In relation to paragraph 1, if the road crossing is bored either perpendicular or parallel to the traveled portion of the road and encased, \$100.00 for administrative review and road reconstruction by County after installation by contractor is complete. Each county road crossing shall be subject to the aforementioned fees.

3. In the event that cable within the right of way needs to be installed, replaced or repaired and the extent of the said installation, replacement or repair is less than one mile and does not cross any County Road and same is placed parallel within the right of way, said installation, replacement or repair fee shall be \$100.00.

4. In granting permits larger in scope than paragraph 1 or 2 costs associated with the County's engineering firm in granting and / or administering the permit shall be paid by the telecommunications provider based upon actual costs incurred by the County. The permit approval costs shall be paid upon receipt of the report as set forth within (c) hereinabove and prior to issuance of the permit.

5. Any and all amounts remaining in the Letter of Credit or escrow accounts not utilized by the County shall be refunded 12 months from the effective date of the completion of construction. The Letter of Credit or escrow funds as required within (j) hereinabove shall be tendered to the County in conjunction with final approval of the permit.

SUMMARY OF FEES

BORE/CROSS: _____ x \$100.00 = \$ _____
 or CUT: _____ x \$300.00 = \$ _____

ADMINISTRATIVE FEE FOR OTHER
 CONSTRUCTION OR MINOR REPAIR
 \$100.00 _____

TOTAL FEES: \$ _____ **Amount of Escrow /LOC \$** _____

Check No _____ Date _____ Date Escrow /LOC Received _____
Received by County

Make checks payable to: Washington County Check No of Escrow Check _____

Date construction plans sent to WC Engineer _____

****Engineering fees will be billed separately**

Engineering Fees may applicable on any project.
 Restoration costs referred to in this document will either be withdrawn from escrow /LOC or billed to company with notification to applicant.

Road Supervisor _____ Dist _____ Date _____

Road Supervisor _____ Dist _____ Date _____

Action by Board of County Commissioners:

At the regular County Commissioners meeting held on _____ day of _____, 20____, the Board took the following action and authorized the Chairman to execute the application as follows:

_____ approved as submitted
 Chairman

_____ approved with conditions (see attached)
 Chairman

_____ denied (see attached)
 Chairman