

BOONE COUNTY

RIGHT OF WAY

WORK PERMITS

POLICY

Established September 10, 2002

Updated March 15, 2011

Revised March 7, 2012

RIGHT OF WAY WORK PERMITS

Applicability - This policy shall be applicable to excavation work performed within county owned or maintained road right of way. The term “excavation” as used in this policy means work that results in the alteration or damage of the road surface, drainage ditches, curbs and gutters, or other drainage structures, traffic control devices or county maintained pedestrian walkways within the road right of way; excavation also includes actions which physically undermine the structural integrity of the road base or road drainage or traffic control devices or pedestrian walkways within the right of way. This policy does not apply to construction permits issued to developers or other persons who desire to construct new public roads or streets for which a plat is required under the subdivision regulations of Boone County and which are intended to be dedicated to public use and accepted for maintenance by Boone County. This policy also does not apply to construction of private roads or driveways when permitted or regulated under the zoning or subdivision regulations of the county except when they connect to a county maintained road which requires a Driveway permit as described in this policy.

Permit Types - There are four (4) types of Right of Way Work Permits:

1. **General Work Permit** – A permit issued to utility service providers which are required to regularly perform excavation work within Boone County road right of way.
2. **Special Work Permit** – A permit issued to utility service providers that requires a specific on-site inspection for excavation work within Boone County road right of way.
3. **Individual Work Permit** – A permit issued to all other applicants to perform excavation work within Boone County road right of way.
4. **Driveway Permit** – A permit issued to all applicants who wish to obtain access to, or improve an existing access, to a roadway maintained by Boone County.

All permits may be obtained at the Boone County Resource Management office or on the Resource Management page of the Boone County website (www.showmeboone.com).

General Work Permit – A General Work Permit shall be issued to utility service providers that are required to regularly perform excavation work within Boone County road right of way.

General Work Permits shall be required for excavation work as follows:

1. All excavation work within ROW a minimum of 2’ behind flow line of ditch on property side when the ditch is not located more than 10 feet from the edge of the roadway surface.
2. All excavation work within ROW which is a minimum of 4’ from edge of road surface when there are no ditches.
3. All bores and pushes if # 1 & # 2 above are satisfied unless the bore or push undermines or damages the structural integrity of the road, road surface, or drainage ditches.

Note: All excavation work within the ROW of County maintained curb & guttered roadways requires a Special Work Permit. (See below)

General Work Permits may be issued and maintained in accordance with the following procedures, and subject to the following terms and conditions, to which the utility service providers, which receive such permits must agree as a condition to obtaining the Permits:

1. Each utility service provider requesting a General Work Permit must enter into a written General Work Permit Agreement with County as shown on the attached form agreement.
2. Annually each utility service provider must submit a list of anticipated improvement projects scheduled to occur within Boone County ROW to the Boone County Resource Management – Inspection Division. The list should include: location, explanation of work, whether work involves excavation, and estimated number of days required to complete project. Boone County and utility service providers shall agree upon a reporting methodology which is mutually acceptable as a condition to issuance of a General Work Permit.
3. Any additional Work Orders must be added during the period submitted for the general purpose of maintaining a current list or data base of all work within Boone County maintained ROW.
4. If any excavation work being performed under a General Work Permit changes in scope and no longer meets the criteria for work under General Work Permit, an application for a Special Work Permit must be filed with Boone County as soon as reasonably practicable after the change in scope has been identified.
5. Boone County will spot check excavation work performed under a General Work Permit for all utility service providers operating under General Work Permits. The initial goal is to check approximately 50% of all excavation work. The frequency of spot checks may be reduced under a uniform policy adopted by the inspecting department applicable to all utility service providers which abide by the terms and conditions of the General Work Permit Agreement for 6 consecutive months or more.
6. Fees shall be charged on account for each utility for the actual time logged for inspection, mileage and administrative/management time necessary to administer the permit process. (Current year billable rates are available upon request.)
7. Utility service providers must comply with the terms and conditions of the General Work Permit Application. Boone County will document and notify the utility service provider of any violation(s) warranting corrective action or which may result in suspension or termination of a General Work Permit. General Work Permits may be denied, suspended or revoked for the reasons and in accordance with the procedures outlined in Chapter II, Section 2.9.3.3 of the Boone County Roadway Regulations.
8. Any utility service provider that damages County infrastructure, regardless of having a General Work Permit, shall promptly repair and restore such damage, at its expense, to the reasonable satisfaction of Boone County. Failure to do so will result in Boone County making the repairs and billing the utility service provider for the cost. In addition, Boone County may suspend or revoke the utility service provider's General Work Permit in accordance with the procedures outlined in Chapter II, Section 2.9.3.3 of the Boone County Roadway Regulations.

Special Work Permit – A Special Work Permit shall be issued to a General Work Permit holder for excavation work which does not qualify for a General Work Permit.

Special Work Permits shall be required for excavation work within the ROW as follows:

1. All work within the ROW of curb & guttered streets maintained by Boone County.
2. All open cut excavations within R.O.W. when:
 - a. Excavation work within the R.O.W. is less than 2 feet behind the flow line of the ditch, on the property side, and the ditch is less than 10 feet from the edge of the roadway surface.
 - b. Excavation work within the R.O.W. is less than 4 feet from the edge of the road surface, where there are no ditches and no curb and gutter for the road surface.
3. Excavation work occurring at multiple locations on the same road requiring a Special Work Permit will be authorized by the same permit as long as all work is within the scope of the same project and is approved in advance by Boone County.

Special Work Permits may be issued and maintained in accordance with the following procedures for utility service providers possessing a current General Work Permit:

1. Each utility service provider must apply for Special Work Permit from Boone County in advance in accordance with the Boone County Roadway Regulations.
2. Fees shall be charged on account for each utility service provider for the actual time logged for inspection, mileage and administrative/management time necessary to facilitate the permit process. (Current year billable rates are available upon request.)
3. Each Special Work Permit shall have a minimum of one (1) inspection and as many as required to ensure compliance with the roadway regulations.
4. A minimum of 24 hours notice is required for all inspections under this permit.
5. Should Boone County be unable to perform the requested inspection in a timely fashion, work may be authorized to proceed. Boone County will make arrangements for the next inspection, should one be required, or perform the inspection after completion.
6. Utility service providers must comply with the terms and conditions of the General Work Permit Application. Boone County will document and notify the utility service provider of any violation(s) warranting corrective action or which may result in suspension or termination of a General Work Permit. General Work Permits may be denied, suspended or revoked for the reasons and in accordance with the procedures outlined in Chapter II, Section 2.9.3.3 of the Boone County Roadway Regulations.

Individual Work Permit – An Individual Work Permit shall be required for all applicants who plan to perform excavation work within County maintained road ROW who do not qualify for or have not been issued a General Work Permit and which does not qualify for a Driveway/Culvert Permit.

Individual Work Permits shall be issued in accordance with the following terms and conditions:

1. An application for Permit must be filed with and approved by Boone County in accordance with the construction permit requirements of the Boone County Roadway Regulations.
2. The applicant must submit a \$150.00 deposit with application; a larger deposit may be required if warranted by the scope of the work and number of inspections required. Any unused balance of the deposit will be refunded to the applicant upon completion and approval of the work authorized by the permit. Unpaid balances shall be billed for any additional work as required over the deposit. No Individual Work Permit will be approved and closed out, nor will any new permit be issued, if the applicant has any unpaid balance.
3. Fees shall be charged against the deposit according to the actual time logged for inspection, mileage and administrative/management time necessary to administer the permit process (Current year billable rates are available upon request.)
4. Individual Work Permits shall require a minimum of one (1) inspection and as many as required to ensure compliance with the roadway regulations.
5. An applicant must provide Boone County with a minimum of 24 hours notice for an inspection under this permit.
6. Individual Work Permit holders must comply with the terms and conditions of the Individual Work Permit Application. Boone County will document and notify the individual of any violation(s) warranting corrective action or which may result in suspension or termination of the Individual Work Permit. Individual Work Permits may be denied, suspended or revoked for the reasons and in accordance with the procedures outlined in Chapter II, Section 2.9.3.3 of the Boone County Roadway Regulations.

Driveway/Culvert Permit – A Driveway/Culvert Permit shall be required for all applicants who plan to perform excavation work within County maintained road ROW and which creates a new access point onto county maintained ROW, or which will physically affect access onto county maintained ROW as a result of driveway widening, surface upgrades and related ditching. (Sealing or patching of existing hard surfaced driveways or adding additional gravel does not require a permit)

Driveway/Culvert Permits shall be issued in accordance with the following terms and conditions:

1. A completed application for a Driveway/Culvert Permit shall be submitted to the Boone County Resource Management office, along with a \$60.00 permit fee.
2. Sidewalks located within the ROW shall be inspected as part of the Driveway/Culvert Permit where applicable and any such inspection shall be included with the application fee.
3. A minimum of 24 hours notice is required for all inspections under this permit.
4. Driveway/Culvert Permit holders must comply with the terms and conditions of the Driveway/Culvert Permit Application. Boone County will document and notify the individual of any violation(s) warranting corrective action or which may result in suspension or termination of the Driveway/Culvert Permit. Driveway/Culvert Permits may be denied, suspended or revoked for the reasons and in accordance with the procedures outlined in Chapter II, Section 2.9.3.3 of the Boone County Roadway Regulations.

5. Driveway/Culvert Permit holders shall furnish and install all materials at their own expense and are responsible for other driveway or private road maintenance. Note: after initial installation of a culvert and driveway connection that meet County requirements Boone County will maintain and replace storm drainage pipes as necessary and at the discretion of Boone County Public Works.

Permit Fee Dispute Resolution - Any permit applicant or holder disputing the imposition or amount of fees charged under this policy who desires resolution of the dispute shall submit a written statement of the dispute to the Director of Boone County Resource Management in sufficient detail for the director to understand the specific nature of and reasons for the dispute. The submission of such a statement does not relieve the permit holder or applicant from the obligation to pay such fee unless the director for good cause shown suspends the payment obligation until the dispute is resolved under this dispute resolution process. The director or the director's designee in his absence shall review and investigate the dispute as necessary in order to rule upon the dispute; the director's ruling shall be in writing and provided to the permit applicant or holder within 10 business days of submission. A permit applicant or holder may further appeal the director's decision to the county commission by filing a written request for review and public hearing of the dispute within 3 business days of receipt of the director's ruling; failure to file such a request for review with the commission within this time frame shall constitute a complete waiver of the right to commission review. Upon receipt of a request for review the county commission shall schedule a public hearing on the dispute as soon as reasonably practicable at which time the commission shall review the permit applicant or holders statement of dispute, director's ruling, and shall hear and consider such additional evidence or testimony as it deems necessary and proper under the circumstances to render a decision. The commission shall render a final decision within 30 days of the hearing unless an extension of time for decision is warranted for good cause, which shall be stated upon the commission's record. If a permit applicant or holder seeking commission review of the director's ruling shall desire to preserve the option to seek judicial review of the commission's decision on the dispute, then the permit applicant or holder seeking commission review must notify the commission of this fact at the time of hearing and request the commission to issue written findings of fact and conclusions of law along with its decision. Any further review or appeal after the commission's decision shall be as provided by law unless permit applicant or holder seeking review and the commission agree to an alternative dispute resolution process.

Boone County Work - Any utility service provider performing utility relocation work or other work involving excavation within the ROW at the request of or under contract with Boone County shall be required to obtain a ROW work permit and shall be subject to inspections as provided for in this policy and in accordance with the Boone County Roadway Regulations, but no permit or inspection fees shall be chargeable to the utility performing such work.

**APPLICATION FOR GENERAL RIGHT OF WAY WORK PERMIT
BOONE COUNTY, MISSOURI**

The undersigned submits the following application and information for issuance of general right of way work permit:

1. Name and Billing Address for the applicant Company/Government Agency:

2. Field Work Contact Information: The following person(s) are designated company/government agency representative(s) for purposes of coordinating or reporting work within the right of way performed by or on behalf of the applicant:

Names: _____

Mailing and Email

Addresses: _____

Telephone/Cellular

Phones: _____

3. In consideration of the issuance of a general right of way work permit, the applicant agrees to abide by the following terms and conditions:

§ Abide by the attached written policies concerning general work permits as well as all applicable Boone County Roadway Regulations.

§ Pay all invoices for inspection services within 30 days of the date of invoice.

4. The applicant understands and agrees that a general right of way work permit may be suspended or terminated at the discretion of the Director of Resource Management in the event that applicant fails to abide by the attached written policies applicable to general work permits, or the Boone County Roadway Regulations, or the applicant fails to pay inspection fees when due.

5. The undersigned by signing this application represents and warrants to the Director of Boone County Resource Management that he or she is duly authorized to complete and sign this application on behalf of the company or agency listed and to bind the company or agency to the terms and conditions contained within this application.

Company/Government Agency Representative: _____

Date: _____

Title: _____

**Application for Boone County Right of Way Work Permits
Permit for Excavation in Boone County Public Right of Way**

INDIVIDUAL PERMIT

Boone County Resource Management
801 E. Walnut, Room 315
Columbia, MO 65201
573-886-4339 / 573-886-4340 Fax

SPECIAL PERMIT

Name of Applicant: _____ Date _____
Address: _____
Telephone: _____ Fax: _____ *E-MAIL ADDRESS:* _____
Signature of Applicant _____

Requests permission to perform the following described work / activities with Boone County Right of Way:

Open Cut Roadway Bore Roadway Excavation Trench Other

Describe: _____

Address of Work: _____ Sketch Area: _____

Subdivision Name: _____

Type of Road: Curb & Gutter
 Asphalt
 Concrete
 Chip & Seal
 Gravel

A \$150.00 Deposit is required for all Individual Permits before Application will be processed.

In the event injury or damage to persons or private property should occur as a result of the above work by permittee, its agents, employees, or contractors, and as a condition to issuance of this permit, the applicant agrees to and shall be responsible for all such injury or damage as opposed to Boone County, and agrees to save and hold Boone County, its officers, employees, agents, and contractors, harmless from any loss of any character whatsoever that may arise from any of the work performed under this permit, or anything done in or associated within the working vicinity of the construction area. The permittee agrees that work performed under authority of this permit shall comply with all regulations and policies adopted by Boone County concerning use of and work within county maintained road right of ways. The permittee further agrees that driveways and/or property entrances disturbed as a result of the above work authorized under this permit shall be restored to a usable condition by the end of each work day prior to final completion of the work and disturbed areas shall be restored to a condition similar to or better than that in existence prior to the beginning of the work. All Traffic Control must meet MUTCD.

Approved, Permit # Issued _____ This Permit will expire: _____

Conditions of Permit: Above construction shall be performed in accordance with Boone County Roadway Regulations, Chapter II, Road, Bridge & Right of Way Regulations, effective date, **May 13, 2004.**

Contact _____ to coordinate activity.

Special Conditions:

Denied -

Authorized Representative

Date

Application for Driveway/Culvert Permit

(Please print legibly)

Return to Boone County Resource Management with \$60.00 permit fee

Date _____ Building Permit # _____ Application # _____

Name: _____

Mailing Address: _____

Email Address: _____

Telephone: (Work) _____ Home: _____ Cell: _____

911 Address: _____

Directions to site: _____

Subdivision: _____ Lot # _____

Zoning _____ Parcel # _____ - _____ - _____ - _____ - _____ - _____

S-T-R _____ - _____ - _____

Indicate Driveway Type:

Gravel/Dirt Asphalt Concrete

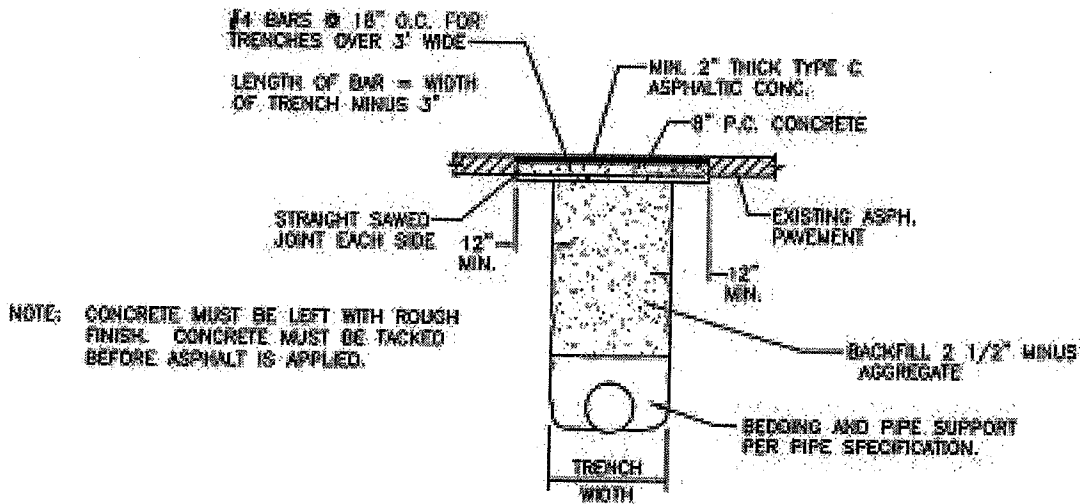
Indicate Road Type:

Gravel Asphalt Concrete Curb & Gutter

Conditions of permit: Above construction shall be performed in accordance with Boone County Roadway Regulations, Chapter II, Road, Bridge & Right of Way Regulations, effective date, May 13, 2004.

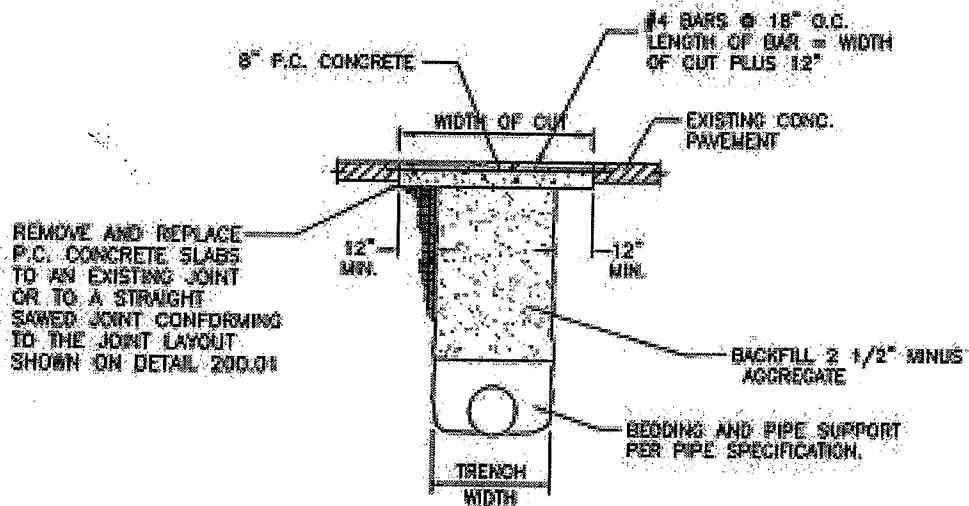
Signature

Date



NOTE: CONCRETE MUST BE LEFT WITH ROUGH FINISH. CONCRETE MUST BE TACKED BEFORE ASPHALT IS APPLIED.

EXISTING ASPHALTIC PAVEMENT



EXISTING CONCRETE PAVEMENT

- NOTES: 1) IF THE DISTANCE FROM SAW-CUT TO ANY LONGITUDINAL OR TRANSVERSE JOINT OR CRACK IS LESS THAN 4', THE PAVEMENT SHALL BE REMOVED TO THAT TRANSVERSE JOINT OR CRACK.
- 2) CONCRETE SHALL BE CLASS AA.
- 3) HIGH/EARLY CONCRETE IS PERMITTED WITH AUTHORIZATION.

04/08/03
Date

Revisions



PUBLIC WORKS

PATCHING PAVED STREETS

120.01