

REQUIREMENTS FOR WORK WITHIN ROAD RIGHTS-OF-WAY IN UNION COUNTY

The requirements contained herein are established to provide for orderly and systematic use of the county road rights-of-way within Union County. The requirements are considered minimum requirements and may be exceeded as desired. The requirements apply to above ground, at ground and underground work. All work within county road rights-of-way shall conform to these requirements including, but not limited to, electric lines, telephone lines, cable TV lines, gas lines, petroleum lines, waterlines, sanitary sewers, driveways, driveway pipes, roadside pipes, storm sewers, agricultural drainage tiles, signs, mailboxes, trees, bushes, etc. The requirements are issued under the authority of Sections 4931.01, .03, .11; 4933.01, .05, .14; 5529.11; 5543.16; 5547.03, .04; and 5589.10, .31, .33 of the Ohio Revised Code. If, for any reason, any clause, sentence, paragraph, section or other part of these regulations should be decided by a court of competent jurisdiction to be invalid, such judgement shall not affect the validity of these regulations as a whole, or any part thereof, other than the part so held to be invalid.

1. PERMITS

- 1.1 Permits are required for all WORK undertaken within county road rights-of-way except as follows:
 - a. routine maintenance and repair
 - b. mowing
 - c. trimming
 - d. installing mailboxes
 - e. installing fence no closer to the road pavement than the road right-of-way line
 - f. seeding, sodding, etc.
 - g. removing trees and shrubs
 - h. detecting, locating, and marking underground lines
 - i. other as determined by the Union County Engineer (ENGINEER)
- 1.2 No WORK shall be undertaken within road rights-of-way prior to the date of the approved permit except for emergency WORK. Permits for emergency WORK shall be applied for within three (3) days after the emergency occurs.
- 1.3 Separate permits are requirement for all non-contiguous WORK unless a blanket permit has been issued in accordance with paragraph 1.4.
- 1.4 Blanket permits may be issued at the discretion of the ENGINEER.
- 1.5 The applicant may use the form provided by the ENGINEER or other form complying with these requirements.
- 1.6 Permits shall be submitted in duplicate and generally shall contain the following:
 - a. date
 - b. name of applicant
 - c. address of applicant
 - d. name of contact person
 - e. telephone and fax number of contact person
 - f. description of WORK
 - g. location of WORK by road name or number, township and other as required.
 - h. approximate date when the WORK will begin
 - i. number of days to complete the WORK
 - j. traffic control methods
- 1.7 Permits shall be submitted sufficiently in advance of the date when the WORK is scheduled to allow for the proper review of the contemplated WORK. Permits generally shall not be submitted less than three (3) days (excluding week-ends and holidays) prior to the date when the WORK is scheduled to begin.
- 1.8 Construction plans in duplicate in accordance with Section 2 shall accompany the submitted permits.

- 1.9 One copy of the approved permit along with the one set of approved construction plans will be returned to the applicant after compliance with these requirements has been determined. Permits generally will be approved within two (2) days (excluding week-ends and holidays).
- 1.10 All permits shall expire 120 days from the date of approval or other time period as indicated on the approved permit, unless an extension has been granted in writing by the ENGINEER.
- 1.11 All WORK shall be in accordance with the approved permit and these requirements.

2. CONSTRUCTION PLANS

- 2.1 Unless specified otherwise by the ENGINEER, construction plans are required for all underground WORK. Construction plans may be required for at ground or above ground WORK at the discretion of the ENGINEER.
- 2.2 Construction plans, when required, shall generally include the following:
 - a. vicinity or location map
 - b. dimensional information referencing work to road intersections or other acceptable physical features
 - c. date, revision date, north point, name of person preparing plans
 - d. scale, if applicable
 - e. legend defining symbols used
 - f. road centerlines, road rights-of-way, edges of pavement, edges of berm, bridges, culverts, utility lines, fences, swales, catch basins, manholes, structures and other as required (existing features)
 - g. proposed WORK and appurtenances showing locations, sizes, depths, special details, and other as required
 - h. profiles and elevations as required
- 2.3 Pre-Engineering meetings, if required by the ENGINEER, shall be held prior to the completion of construction plans. Preliminary construction plans, if available, shall be submitted to the ENGINEER prior to the scheduled Pre-Engineering meetings.
- 2.4 As-built construction plans may be required by the ENGINEER when actual construction involves major deviation(s) from the construction plans.

3. SPECIFICATIONS

3.1 Location

- a. Underground installations
Underground installations shall be located as approved by the ENGINEER. An underground utility generally shall occupy only one side of any road.

Longitudinal installations generally shall be placed consistently parallel with the pavement edge or right-of-way line.

Installations crossing the pavement or right-of-way generally shall be placed perpendicular to the pavement or right-of-way.

Telephone lines generally shall be placed three (3) feet from the edge of the pavement.

For drainage structures with spans 36" or less, utility lines generally shall maintain a minimum horizontal clearance of six (6) feet. For drainage structures with spans greater than 36", the minimum horizontal clearance shall be as approved by the ENGINEER.

- b. Above ground installations

Above ground installations generally shall be placed no closer to the pavement edge than two (2) feet from the nearest right-of-way lines. No above ground installation may be placed closer to the pavement edge than four (4) feet from the nearest right-of-way line without the specific written approval of the ENGINEER. An above ground utility generally shall occupy only one side of any road.

- c. Driveways

See Access Management Regulations.

- d. Signs
No signs other than approved traffic control signs shall be installed within road rights-of-way except for temporary (14 days or less) signs no larger than 3 square feet which are no closer than 5 feet from the edge of pavement and which do not obscure sight distances and except for real estate signs no larger than 6 square feet which are no closer than 5 feet from the edge of pavement and placed in front of property where the property owner mows the yard and which do not obscure sight distances.

- e. Mailboxes
The roadside face of any mailbox shall be installed 3 feet from the edge of pavement. The ENGINEER may require grouped mailbox installations.

- f. Trees and bushes
Trees and bushes whose height when fully grown exceeds 24 inches shall not be installed within road rights-of-way.

- g. Other
Boulders, pillars, posts, fences, etc. shall not be installed within road rights-of-way.

3.2 Depth

Minimum cover over the top of any underground pipe or line shall be in accordance with the Ohio Department of Transportation Utilities Manual (Section 8.10, Part F, Subparagrph 4e):

Under pavement surfaces	3 feet
Under sod ditches	2.5 feet
Under paved ditches	2 feet
Under other surfaces	2 feet

In no case shall the cover be less than specified above.

3.3 Height

Minimum vertical clearance from any pavement surface to an above ground installation crossing the pavement shall be 16 feet.

3.4 Other

- a. Open cutting of pavements is permitted on all surface treated roads and for the installation of underground lines larger than 16 inches in diameter on all hot mix asphalt roads. Underground lines 16 inches or less in diameter crossing hot mix asphalt pavements shall be installed by other methods approved by the ENGINEER.

- b. Materials for underground lines 4 inches in diameter and larger shall be approved by the ENGINEER.

- c. Trench backfill and pavement replacement materials and methods shall be approved by the ENGINEER.

- d. Driveways, driveway pipes, roadside pipes, mailboxes, trees, bushes, etc. shall be installed in accordance with the ENGINEER's specifications and requirements.

4. CONSTRUCTION

- 4.1 Installation of all work shall be in accordance with these requirements unless otherwise approved by the ENGINEER.
- 4.2 Pre-Construction meetings, if required by the ENGINEER, shall be held prior to beginning construction.
- 4.3 Traffic shall be maintained at all times unless specific permission is granted by the Board of Commissioners to close the road. Traffic maintenance and control shall be in accordance with the latest edition of the Ohio Department of Transportation's Construction and Material Specifications and Uniform Manual of Traffic Control Devices. The Union County Sheriff and any affected fire departments shall be notified two (2) days prior to all road closings and when roads are re-opened.
- 4.4 All damaged surfaces or above ground, at ground or underground facilities shall be restored to their original condition, or better, as determined by the ENGINEER.
- 4.5 Underground gas lines and petroleum lines shall be marked by visible above ground means at all road right-of-way lines.

5. NOTIFICATIONS

- 5.1 Property owners, residents, or tenants abutting the WORK area shall be notified of proposed underground WORK prior to the beginning of construction. The purpose of such notice is not only for notification, but also to learn of existing underground facilities.
- 5.2 In addition to any required meetings specified in previous sections, the ENGINEER shall be notified two (2) days prior to beginning construction and two (2) days prior to completing surface repair and restoration and whenever work is discontinued or resumed.

6. LIABILITY

- 6.1 The applicant appearing on the approved permit shall assume all responsibility and shall save Union County harmless from any and all claims for personal injuries and/or property damages and shall defend any action that might be brought against Union County in response to the WORK undertaken as specified under the approved permit.
- 6.2 The applicant appearing on the approved permit shall be responsible for maintaining all trench settlements, damaged facilities, etc. as determined by the ENGINEER for a period of one (1) year following completion of the WORK.
- 6.3 While performing routine maintenance within road rights-of-way, Union County shall not be responsible for damage to underground utilities which have not been installed in conformance to the approved permit and/or accompanying construction plans or as-built construction plans or to these requirements.

7. INSPECTIONS

- 7.1 The ENGINEER shall be guaranteed access to the WORK at any time for the purpose of inspecting the WORK and determining compliance with the approved permit and these requirements.
- 7.2 Failure of the ENGINEER to inspect the WORK, or to identify defects in the WORK does not alleviate the responsibility for the WORK being completed in accordance with the approved permit and these requirements.

8. ENGINEER'S AUTHORITY

- 8.1 The Union County Engineer is authorized to administer these requirements by Resolution (see CJ 36, page 395) originally adopted on December 16, 1985 by the Board of Commissioners and as revised by Resolution (see CJ _____, page _____) adopted on _____.
- 8.2 Wherever the term "ENGINEER" is used, it shall be construed to mean the Union County Engineer or his designee. Wherever the term "Board of Commissioners" is used, it shall be construed to mean the Board of Commissioners of Union County, Ohio.
- 8.3 If at any time the ENGINEER determines that the WORK is being or has been undertaken contrary to the approved permit and/or these requirements, the approved permit shall be considered null and void and the ENGINEER shall notify the Board of Commissioners who may proceed with the removal or relocation of the WORK in accordance with Section 5547.03 of the Ohio Revised Code.
- 8.4 The ENGINEER has full authority to grant administrative variances to these requirements when strict application of these requirements would cause exceptional and undue hardship on an applicant. No variance shall be granted however, if the hardship has been self created or if the effect of the variance would be to create or aggravate a traffic safety hazard.

9. ORIGINAL EFFECTIVE DATE January 1, 1986 REVISED EFFECTIVE DATE April 26, 1999

BOARD OF COMMISSIONERS
UNION COUNTY ENGINEER

Date

UNION COUNTY ENGINEER

UNION COUNTY PROSECUTING ATTORNEY

Steve A. Stolte

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