



McKenzie County
1300 12th Street SE, Suite 240
Watford City, ND 58854
Ph. 701-444-2600
county.mckenziecounty.net

PERMIT #:

UTILITY PERMIT APPLICATION

All applications must be legible, printed in ink or typed, and suitable for reproduction. A completed Utility Permit Application is to be submitted to the Engineering Department for permanent and temporary utilities. The Utility Permit Application Review Checklist is to be filled out by the Applicant and is to accompany all Applications.

APPLICATION TYPE

TEMPORARY PERMANENT

UTILITY OWNER INFORMATION

UTILITY OWNER NAME:

EMAIL:

PHONE NUMBER:

MAILING ADDRESS:

PERMIT APPLICATION INFORMATION

APPLICANT NAME:

EMAIL:

PHONE NUMBER:

MAILING ADDRESS:

CONTRACTOR INFORMATION

CONTRACTOR NAME:

EMAIL:

PHONE NUMBER:

MAILING ADDRESS:

ORGANIZED TOWNSHIP INFORMATION

If proposed utility is in an organized township, approval may be required by the township. Check the County website to see which townships require approval.

TOWNSHIP: YES NO

If yes, which township?

UTILITY INFORMATION

Please give a brief description of the proposed facility. A sketch, drawing, or engineered plans along with maps associated with the location(s) and route of the proposed work must be submitted with this application. Detailed location maps showing lateral and longitudinal offsets from roadway centerlines are required for a permit.

Blank area for providing utility information, sketches, drawings, or maps.



TERMS AND CONDITIONS

Facility Owner, as noted on reverse hereinafter referred to as "Utility Company", having requested permission from McKenzie County, a political subdivision of the State of North Dakota, to cross an existing road, run within its right-of-way easement, or section line with a buried or overhead transmission facility designed to carry or conduct oil, gas, water, electricity, telephone or any other substance or service whatsoever, and McKenzie County having considered the request does grant consent to cross the existing road or section line, or run within its right-of-way or easement as noted on reverse, upon the terms and conditions herein stated.

Consent to cross such existing road or section line is granted on these terms and conditions:

1. Utility company must pay for all damage to the existing road caused by its activities, including but not limited to slumping in of trenches and collapse of pipe. Utility company is responsible for restoring and reclaiming any land used for temporary or permanent utilities to their original condition.
2. Utility company is responsible for any and all claims of damage, personal injury, or bodily injury that is the fault of the utility company. Furthermore, utility company agrees to indemnify and hold harmless McKenzie County for any and all claims of damage, either personal injury or property or any type of claim for damages of any nature whatsoever, whether valid or invalid, that is made against McKenzie County on account of the activities conducted by the utility company in crossing any existing road or section line.
3. When the utility company crosses an existing road or section line, or places a line parallel to the road in the right-of-way, the utility company shall be responsible to pay for all costs of moving, relocating, or reconstructing the temporary or permanent utility facility should McKenzie County deem it necessary or advisable in its sole discretion. Roads may be built on the section line or off the section line as allowed by North Dakota law. Should the utility company fail to take the necessary steps to relocate or reconstruct its permanent or temporary utility facility, the County may take steps to have the same accomplished, and the utility company agrees to reimburse the County for all expenses incurred by McKenzie County in moving, relocating, or reconstructing the utility facility so the existing roads may be repaired or reconstructed, or new roads may be built on the section line or off of the section line as allowed by North Dakota Law.
4. The buried or overhead transmission facility to be installed by the utility company in crossing any existing road shall, at a minimum, comply with the following engineering standards:
 - a. Pipe shall be cased or heavy wall pipe used.
 - b. All overhead powerlines crossing over public streets, roads, and non-residential driveways with truck traffic must maintain a minimum height of 18ft.
 - c. All bores under county roads must be approved by the Road and Bridge Department.
 - d. All crossings of existing roads not trenched as in Section 5 below shall be bored to a depth of five (5) feet below original ground or ditch elevations.
 - e. All parallel borings must be a minimum of thirty (30) feet from road centerline.
 - f. Vent pipes must be outside existing right-of-way lines.
 - g. All disturbed ground within right-of-way must be rehabilitated by covering with black dirt and seeding with an approved mix approved by the Road and Bridge Department
 - h. If vent pipes are not used within the (10) feet of both sides of right-of-way, the transmission facility must have markers on the right-of- way line or 33-foot line, whichever is greater, on both sides of the road.
 - i. The Company's plan to bury a transmission facility filed with the County Engineer must show, at a minimum, in plain view and cross sectional view, the location of the crossing from a section or quarter line; section, township and range the crossing is located in; the location of vent pipes, if any, in proximity to the crossing; and the angle of crossing.
 - j. The Company's plan must be submitted to the Office of the County Engineer for review at least two (2) weeks prior to the commencement of the project.
5. Any crossing installed by trenching or plowing in may be no more than eight (8) inches in width. The Company will apply surfacing materials and compact the site, returning it as close as possible to the original compaction. The Utility Company will be responsible for all such crossings for a period of three (3) years, repairing during those three (3) years any damages to the road resulting from their activity. Any crossing which cannot be accomplished with this method must be bored. All road trenching and reconstruction shall be inspected and approved by the Road and Bridge Department.
6. Temporary utility lines that are parallel to a county-maintained road must exist outside the clear zone. The clear zone on a gravel road is 30 feet from the outside edge of the shoulder of the road. The clear zone on a paved road is 30 feet from the outside edge of the shoulder of the road. Applicants are required to permit temporary lines that parallel a county-maintained road, pass through culverts or cattle guards, as well as cross section lines. Application fees are non-refundable. When a permit is requested the fee that is distributed by the Road and Bridge Department is considered the application fee. If the utility is not implemented, the fee MUST still be paid. Accounts will not be credited for unused or expired permits. Any refunds will be at the discretion of the Road and Bridge Department.
7. Utility company must comply with all terms and conditions stated herein, with particular attention to the required engineering standards. McKenzie County shall give written notice to utility company in the event it believes the utility company has failed to meet any of the terms or conditions of the permit. Utility company representative shall meet with McKenzie County engineer or his representative within three (3) days of such notice (unless a longer time is requested by McKenzie County) to discuss and review the alleged violation of terms and conditions: if utility company agrees with McKenzie County that terms and conditions have been violated, utility company shall begin work within 24 hours (or such longer time as McKenzie County might allow) to correct such violations of terms and conditions and shall work diligently until such violations are



McKenzie County
 1300 12th Street SE, Suite 240
 Watford City, ND 58854
 Ph. 701-444-2600
county.mckenziecounty.net

corrected. If utility company fails to begin work timely or diligently to correct such violations, utility company shall be deemed to have failed to comply with the **CONDITIONAL CONSENT**. Failure to comply with this **CONDITIONAL CONSENT** shall cause the consent to be rescinded and utility company must remove facility from right-of-way immediately or be responsible for the costs incurred by the County in removing the same. The County specifically reserves the right to remove the buried, overhead, or temporary transmission facility from right-of-way for non-compliance and reimbursement will be made to the County by utility company for doing the same. If utility company disagrees with McKenzie that it is in violation of the terms and conditions as outlined in the permit, utility company shall nevertheless comply with the demands of McKenzie County; but, if it is later determined that McKenzie County was in error in its position, McKenzie County will reimburse utility company for its costs in complying with McKenzie County's demands.

8. For purposes of this permit "highway right-of-way" shall mean the highway right-of-way as it exists on the date of execution of this permit and shall also include that area within seventy-five feet of the center of the highway right-of-way over which the Board of McKenzie County Commission has control pursuant to North Dakota Century Code 24-01-42.
9. Permanent utility applications are valid for one year upon approval. After one year the applicant must reapply for the permit.
10. Temporary utility applications are valid for 180 days upon approval. After 180 days the applicant must reapply for the permit.
11. It is the Applicant's responsibility to verify the legal ownership of property authorized herein. Any information provided to the County regarding legal property ownership is in this regard shall not be considered as official legal information. Such official legal information is maintained in the records of the County Recorder's Office.
12. No inherent or retained right or privilege of any abutting property owner is affected by this permit nor is the County responsible for any claims which may develop between the permittee and any property owner concerning use of the right-of-way. Permittee is responsible for maintaining ingress/egress of private driveways during the installation of its facilities and for restoration of driveways during installation of its facilities and for restoration of driveways to the owners' satisfaction.
13. This permit has been approved based on information provided by the applicant. It is the applicant's responsibility to ensure that the information on the approved permit is correct. Any deviation from the approved permit will constitute it as an unauthorized permit and fees will apply

SIGNATURE

AUTHORIZED AGENT OF THE UTILITY COMPANY

I, the undersigned, being an authorized agent of the Utility Company described above, do hereby agree on behalf of the utility company that all terms and conditions listed on the reverse will be complied with, and any assignment of this utility facility described above shall include an assignment of this liability to comply with the Terms and Conditions as stated herein.

 APPLICANT SIGNATURE

 DATE

OFFICE USE ONLY

APPROVAL STAMP

CONDITIONS:



McKenzie County
 1300 12th Street SE, Suite 240
 Watford City, ND 58854
 Ph. 701-444-2600
county.mckenziecounty.net

UTILITY PERMIT APPLICATION REVIEW CHECKLIST

PROJECT INFORMATION

PERMIT NUMBER:

UTILITY OWNER:

REVIEW CHECKLIST

SUBMITTAL REQUIREMENTS	APPLICANT CHECKLIST	COUNTY STAFF REVIEW
Map of entire project. Map is to include the facility locations and distances off of the centerline of the road and/or section line, including pipe, appurtenances, types of crossing, etc.		
Bore profile of all crossings to include depth of bore, beginning and ending location of bore, and centerline of road and/or section line.		
Landowner Agreements and/or Easements.		
Approved Federal, State, and Local permits, as applicable.		
Completed and signed approach permit for any temporary and/or permanent approaches needed.		
Completed and signed Township Approval Form, if applicable.		
For temporary utilities, the County's Planning and Zoning Department has been notified.		