



ROW/UTILITY PERMIT No. _____

I (we) _____, _____
Name of Applicant Mailing Address

_____, _____, hereinafter termed the Permittee,
City State & Zip Code

request permission and authority to occupy, and to do certain work herein described on the right-of-way of the County highway

known as _____, Section _____,

from _____ to _____ in Marshall County, IL.

The work is described in detail below and/or on the attached sketch or plans.

This permit covers the operation and presence of specified equipment, material or facility on the right-of-way that may be related to the authorized work. A copy of this permit must be present when crews or equipment occupy highway right-of-way. Failure to comply may result in the cessation of all construction.

This permit is subject to conditions and restrictions of Part 530 of Title 92 of the Illinois Administrative Code, Accommodation of Utilities on Right-of-Way of the Illinois State Highway System (except the State of Illinois shall also include Marshall County). The removal, relocation or modification of facilities permitted to occupy the right-of-way is governed by Section 9-113 of the Illinois Highway code, as amended by Public Act 92-0470. The Permittee agrees to comply with the requirements of these laws and with all terms and conditions established by this permit. This permit is subject to revocation by Marshall County Highway on violation of the terms and conditions governing its use.

The following conditions apply:

Signature of Agent for Permittee Date

Name of Permittee (Print or Type)

Mailing Address

City, State, Zip Code

The work authorized by this permit shall be completed by _____ or within _____ days after the date of approval by Marshall County Highway Department, otherwise the permit will be considered null and void.

This permit allowing occupancy and work on County right-of-way is approved.

Catherine Terando, PE
County Engineer 552 State Route 26, Lacon, IL 61540

Date

This permit is subject to the conditions and restrictions established in accordance with the Illinois Highway Code and Part 530 of Title 92 of the Illinois Administrative Code including but not limited to the following:

- (1) The applicant represents all parties in interest and shall furnish material, do all work, pay all costs and shall in a reasonable length of time restore the damaged portions of the highway to the condition similar or equal to that existing before the commencement of the described work, including any landscape restoration necessary. (See Section 530.250 of Title 92).
- (2) The proposed work shall be located and construction to the satisfaction of the County Engineer or his duly authorized representative. No revisions or additions shall be made to the proposed work on the right-of-way without the written permission of the County Engineer or his duly authorized representative (See Section 530.200 of Title 92). **In certain circumstances the County Highway may require that the construction plans and/or the as-built documents be sealed by an Illinois Registered Professional Engineer.** Typical of such projects would be petroleum or gas pipelines.
- (3) The applicant shall at all times conduct the work in such a manner as to minimize hazards to vehicular and pedestrian traffic. All signs, barricades, flaggers, etc. required for traffic control shall be furnished by the applicant. (See Section 530.240 of Title 92).
- (4) The applicant must ascertain the presence of Highway Authority Agreements established in accordance with 35 Ill. Admin. Code Section 742.1020 in the path of its proposed installation and take precautions to protect its workers, human health and the environment in those areas. (See Section 530.240 of Title 92). Where contamination is encountered through excavation in the ROW, it should be managed offsite.
- (5) The applicant shall not trim, cut or in any way disturb any trees or shrubbery along the highway without the approval of the County Engineer or his duly authorized representative (See Section 530.600 of Title 92).
- (6) The facilities authorized to occupy the right-of-way by this permit are subject to removal, relocation or modification by the permittee at no expense to the County Highway on notice given by the Department in accordance with Section 9-113 of the Illinois Highway Code, as amended. Permittee shall cooperate with the County Highway Department of any removal, relocation or modification deemed necessary for highway or highway safety purposes (See Section 9-113 of the Illinois Highway Code). Use of and compliance with current IDOT Traffic Control Standards will be required.
- (7) If the applicant and County Highway cannot agree on whether the permit should be issued or on what conditions would be appropriate, the applicant may, within 30 days of the issuance of written notice of the County Highway's position, appeal the County Highway's determination to the Marshall-Putnam County Road and Bridge Committee (See Section 530.900 of Title 92).
- (8) The permittee agrees to fully comply with the following legal obligations in advance of entering and while upon any right-of-way within the Illinois State Highway System.
 - (a) Only a permit issued by the County Highway under this Part will satisfy the "written consent" requirement of Section 9-113 of the Illinois Highway Code (the Code).
 - (b) A permit from the County Highway grants a license only to undertake certain activities in accordance with this Part on a County highway right-of-way and does not create a property right or grant authority to the permittee to impinge on the rights of others who may have an interest in the right-of-way. Such others might include an owner of an underlying fee simple interest if the right-of-way is owned as an easement or dedication of right-of-way, an owner of an easement, or another permittee.
 - (c) It shall be the responsibility of the permittee to ascertain the presence and location of existing above-ground or underground facilities on the purpose of identifying possible facilities. When notified of an excavation or when requested by the Department, a permittee shall locate, physically mark and indicate the depth of its underground facilities within 48 hours excluding weekends and holidays.
 - (d) The permittee shall avoid conflicts with any existing underground or above-ground facilities on or near the highway right-of-way. Both the County Highway and J.U.L.I.E. are to be contacted for assistance during the application process.
 - (e) The permittee shall comply with all other applicable laws relating to the placement of utility lines.
 - (f) The issuance of a utility permit by the County Highway does not excuse the permittee from complying with any existing statutes, local regulations or requirements of other County Highway (e.g. oversize and overweight vehicles) or the requirements of other Agencies including, but not limited to, the following:

Illinois Commerce Commission, Illinois Department of Agriculture
Illinois Department of Natural Resources, Illinois Department of Mines and Minerals
Illinois Environmental Protection Agency, Illinois Historic Preservation Agency
 - (g) Rights of abutting and underlying property owners are protected by common law and Section 9-113 and 9-127 of the Code. The permittee will address These rights prior to initiating activities on County Highway right-of-way. The County Highway will not be a party of any negotiations between the utility and abutting property owners.
 - (h) In no case shall the permit give or be construed to give an entity any easement, leasehold or other property interest of any kind, upon, under above or along the County highway right-of-way.
 - (i) Each person responsible for a utility, in place on the effective date of this Part, on a County highway right-of-way shall notify the County Highway in writing, if that facility does not comply with this Part. The County Highway shall treat such a notice as a request for a variance under Section 530.130. Until formed that a variance will not be granted, a person responsible for a pre-existing utility will not be in violation of this Part. The failure to provide such notice constitutes a violation of this Part and of the utility accommodation permit (if any) and would justify the imposition of the sanctions set forth in Section 530.810.

Work to be coordinated with County Highway Representatives:

_____ Phone: _____
_____ Phone: _____

Applicant Information: _____ Phone: _____

Work to be done by: _____
Daytime Phone: _____ Emergency Phone: _____

Traffic control operation: No. of Lane Closures _____ Time of Closures _____