



**CONSTRUCT, OPERATE, AND/OR USE
WITHIN THE COUNTY ROAD
RIGHT-OF-WAY**

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I. SCOPE

This policy is intended to provide to the general public, businesses, utilities, and governmental entities, the requirements and specifications of the RCKC to construct, operate, maintain, use and/or remove within the public ROW.

If any part of this policy is found invalid, such invalidity shall not affect the validity of the remaining portions.

The Board also has additional policies for regulating driveways and for itemizing its requirements and specifications for new public roads. These policies are available from the RCKC and on our website: www.kalamazocountyroads.com.

II. GENERAL REQUIREMENTS

A permit is required for utilizing any portion of the ROW by any person, partnership, association, corporation, or governmental entity to construct, operate, maintain or remove a facility or perform any other work. The RCKC reserves the right to inspect any activities within the ROW.

Reasonable permit requirements, supplemental specifications and a schedule of permit and inspection fees are adopted as necessary by the Board. Fees charged are sufficient to cover the necessary and actual costs applied in a reasonable manner for the issuance of the permit and for review of the proposed activity, inspection and related expenses. Expenses deemed necessary are to be billed to the permittee. Expenses shall be charged accordingly per the RCKC s After the work authorized in the permit has been completed, itemization of all costs shall be supplied upon request of the permittee. (PA 283 of 1909 [MCL 224. 19b](#))

The applicant shall submit a right-of-way application on the appropriate RCKC form. The application is reviewed by RCKC and if approved it will be given a permit number, signed by the Permit Agent, and returned to the applicant as an approved permit.

The application/permit does not relieve the permittee of meeting any applicable requirements of law or of other public bodies or agencies.

Any rules or regulations stated on the application/permit form and not stated in this policy are applicable.

The permittee or contractor shall comply with the MIOSHA, AASHTO and the Michigan Motor Vehicle Codes and soil erosion and sedimentation control regulations for all activities undertaken in the ROW.

Any generally accepted engineering practice, guideline, rule or standard, not specifically provided for is hereby incorporated by this reference.

All right-of-way applications shall meet the following basic requirements before they are accepted for processing:

A. Each permit application shall be completely filled out and signed by the permittee or

contractor. If the contractor is not known at the time a permit is issued, the RCKC shall be notified, in writing, of the contractor's name, address and telephone number before work may start. A separate permit shall be required for each contractor, clearly delineating the area of work responsibility.

- B. Design plans or drawings shall accompany each copy of the right-of-way application showing the existing public road pavement, ditches, ROW and property lines, public road appurtenances, utilities and dimensions preferably in electronic form. A right-of-way application from utility companies shall not require other utility locations to be shown.
- C. All application fees shall be submitted prior to a review of an application for permit. Additional expenses incurred by RCKC may be billed monthly. All fees are non-refundable unless otherwise noted on the RCKC [Schedule of Fees](#).
- D. The permittee shall have proof of insurance on file in the RCKC office that complies with the RCKC Board's [Insurance Requirement Policy](#).

The permit may restrict work to certain days of the week and/or hours of the day and/or weather conditions. Open-cut crossings shall be made during off-peak traffic hours (9:00 a.m.-3:00 p.m.). Lane closures may not commence before 9:00 a.m. and shall be completed and normal traffic flow restored before 3:00 p.m. unless otherwise approved and/or directed by the RCKC. Lane closures shall not be authorized on major holidays or the Friday before major holidays such as Memorial Day, Independence Day and Labor Day. All equipment and material necessary for restoration, including but not limited to compaction equipment and granular backfill material, shall be onsite prior to beginning excavation or pavement removal. Material which cannot be stored such as hot mix asphalt, shall be immediately available. Open-cuts shall not be allowed to begin if inclement weather is threatening which may impede the contractor's ability to restore the traveled way in a timely manner.

The permittee shall be responsible to have a copy of the permit available on site during ROW activities.

Work authorized by the permit shall be completed to the satisfaction of the RCKC on or before the completion date shown on the permit. Extensions may be granted with a written request for extension due to inclement weather or unforeseen circumstances.

A permit may be suspended or revoked at will. Upon the RCKC's request and at the permittee's own expense, the permittee shall surrender the permit and alter, relocate or remove the facilities for which the permit was granted.

A permit shall become immediately null and void if the terms of the permit are violated. The RCKC may require immediate removal of the permittee's facilities, or may remove them without notice at the permittee's expense.

III. TEMPORARY CLOSURE OF A HIGHWAY

In compliance with [PA 200 of 1969](#) (MCL 247.323), as amended, commonly known as Driveway, Banners and Parades, a permit to temporarily close a highway, or portion of a

highway, for a parade, celebration, festival or similar activity, and a permit for banners, decorations or similar objects to overhang the traveled way of a highway, may be issued by the RCKC only if requested by an authorized official designated by resolution of the governing body of a city, village or township.

The RCKC Application to [Construct, Operate, Use and/or Maintain Remove Within the Right-of-Way](#) or to Close A County Road shall be submitted for approval prior to issuance of the permit and activity.

The permit for the temporary closing of a highway shall indicate the date and time the highway is to be closed to traffic, the date and time the highway is to be reopened to traffic, traffic control and such other information that the RCKC may require. The permittee shall be responsible for the installation of and all costs for traffic control devices. Notification to emergency services and other governmental agencies shall also be the responsibility of the permittee.

No permit shall be issued for the partial or complete closing of a highway unless the RCKC is satisfied that adequate arrangements have been made for the handling of highway traffic during such closure.

Any banner shall be securely fastened, shall have a minimum bottom height of 18 feet above the surface of the traveled way, shall be placed no closer than 100 feet in advance of traffic control devices, and shall be placed so as not to obstruct a clear view of traffic control devices. Banners shall not be attached to trees.

The permittee shall, at its sole expense, immediately following the conclusion of the permitted activity clean up and remove any litter, debris, refuse, etc., placed or left in the ROW as a result of the permitted activity. In the event that the permittee fails to clean up as required, the permittee shall reimburse the RCKC for the cost thereof.

IV. ENGINEERS AND SURVEYORS

A permit shall be required for all engineering or surveying field crews doing any work in the ROW.

The RCKC application to [Construct, Operate, Use and/or Maintain Remove Within the Right-of-Way or to Close A County Roadway](#) shall be submitted for approval prior to issuance of the permit. A permit shall expire on December 31 of the year issued.

Field crews digging for survey monuments shall be required to place a monument box and cover on all section, quarter, and eighth corners and restore the road surface to a condition similar to what existed previously. Monument boxes and covers for monuments within Kalamazoo County will be furnished by the RCKC. For additional information on the remonumentation program please contact the Kalamazoo County Surveyor.

V. TRANSPORTATION PERMITS

A. General Provisions

1. Any generally accepted permit application requirement, guideline, rule or standard, not specifically provided for is hereby incorporated by this reference.
2. A permit issued under these regulations shall be in writing on a form issued by the RCKC and properly executed by the owner of the vehicle for which the permit is being requested.
3. A permit shall be issued to the company or individual actually transporting a vehicle and/or load which exceeds the legal size and axle weight limitations provided the vehicle and/or load cannot, be readily dismantled, reduced, or otherwise rearranged to come within the legal limits, as provided for in Wheel and Axle Loads (PA 300 of 1949 [MCL 257.722](#)).
4. An additional cash deposit fee may be required, prior to issuance of a permit to move a house, building, or oversized load, to cover the expenses of the RCKC, including supervising the building move.
5. During times of restricted load-limit/seasonal weight restriction, as set forth in PA 300 of 1949, as amended, ([MCL 257.722](#) (7) commonly referred to as Seasonal Road Restrictions), and at any other time when conditions are unfavorable, a permit shall not be issued for overweight vehicles and/or overweight loads. A permit issued for overweight vehicles and/or overweight loads on a seasonal basis shall not be valid during periods of reduced loading restrictions.
6. A permit shall not supersede posted load limitations on any bridge, culvert, or road.
7. The RCKC reserves the right to refuse to issue a transportation permit when the condition of the road is such that above-legal load limitations would cause harm or injury to the bridge, culvert, or public road.
8. A permit is void on Sundays and holidays, or any time when weather, road or traffic conditions create a potentially hazardous condition, unless specifically approved by the RCKC.
9. A copy of the permit shall be in the transporting vehicle.
10. A vehicle shall be loaded in such a manner as to minimize the excess over-statutory size or axle weight limitations. A load shall be arranged to affect the least dimensions for height, length, or width.

B. Annual Cab Card Permit

The RCKC Annual Cab Card application form shall be submitted for approval prior to issuance of a Permit.

This permit applies to moves within the following parameters:

Width: 8-1/2 feet to 12-1/2 feet and/or
Length: Single Vehicle: Over 40 feet
Height: Maximum 13-1/2 feet, and/or
Overweight: Up to 40% over legal axle load and not to exceed on any wheel 700 pounds per inch width of tire

1. A permit shall expire on December 31 of the year issued. A permit may be issued to move oversized and/or overweight vehicles and/or loads, provided the vehicle and load does not exceed 13-1/2 feet in height, 12-1/2 feet in width and 60 feet in combined length, 40 feet for a single-vehicle unit.

A special waiver for 70 feet combined length requirement shall be granted to a utility company with an annual cab card when transporting poles that exceed 70 feet.

2. The permit applies to vehicles such as mobile cranes, lowboys, over length or over width trailers, self-propelled construction machinery and pole trailers. The permit does not apply to modular/manufactured homes or building moves.
3. A separate cab card shall be issued for each piece of equipment bearing a serial number and/or license plate (truck, tractor, or self-propelled equipment).
4. An "Equipment Information Sheet" shall be completed for all pieces of oversized equipment, with a cab card issued for each piece of equipment and hauling unit.
5. A permit is not required for vehicles for purposes provided for in [23 CFR 658](#), which requires access for one (1) mile to or from the National Truck Network or MDOT special designated highways.

C. Annual Mobile Home Transportation Permit

The RCKC Annual Mobile Home Transportation application shall be submitted for approval prior to issuance of the permit.

This permit applies to moves within the following parameters:

Width: Up to 12 feet maximum and/or
Length: Up to 95 feet maximum and/or
Height: Up to 13-1/2 feet maximum and/or
Overweight: Up to 40% over legal axle load and not to exceed on any wheel 700 pounds per inch width of tire

1. A permit shall expire on December 31 of the year issued.
2. Permittee is responsible for checking route for overhead clearance and any obstructions along the route of movement.

3. Permittee is responsible for any damage to property or utilities along the route of movement.
4. Permittee shall be responsible for any expenses associated with the permit approval.
5. Restriction of movement is as described on the reverse side of the permit.
6. A separate permit is required for each power unit.
7. The driver of the power unit shall have a valid copy of the permit in their possession while operating on any RCKC road and shall present it upon request to any law enforcement or agent of the RCKC.
6. The permittee shall comply with all requirements of Mobile Home Transport Requirements (PA 300 of 1949 [MCL 257.719a](#)) and Special Permits for Non-Conforming Vehicles (PA 300 of 1949 [MCL 257.725](#)) of the Michigan Vehicle Code.

D. Special Transportation Permit

The RCKC Special Transportation application form shall be submitted for approval prior to issuance of the permit.

A special transportation permit may be issued to move a vehicle and/or load exceeding the legal allowable size and axle weight limitations on a per-move basis. Prior to issuance of such a permit, the proposed route shall be checked for interference with overhead facilities and other obstacles. In addition, before the permit is issued, approval shall be obtained by the permittee from all public agencies and private entities whose facilities may be affected by the proposed move.

1. Single Move for loads within the following parameters:

Width:	8-1/2 feet to 14-1/2 feet, and/or
Length:	Less than 70 feet, and/or
Height:	Over 13-1/2 feet, and/or
Overweight:	Over 40% legal axle load but not exceeding or on any wheel 700 pounds per inch width of tire

- a. A special permit may be issued to allow an excess-width vehicle, between 8-1/2 feet and less than 14-1/2 feet, to travel on public roads with the route approved by an authorized representative of the RCKC.
- b. A permit may be issued to move a vehicle of excessive length, up to 70 feet, as long as the movement of such a vehicle shall not impede the safety of the public and shall not cause unreasonable interference with normal traffic on public roads.
- c. Axle loading may not exceed 50% over legal axle loads, or 700 lb./in. of tire width, whichever is least.

- d. The permittee shall be responsible for any costs associated with the permit approval.
 - e. The permit shall designate the route to be taken and shall remain in effect only for as long as is designated on the permit, as long as is necessary to complete the designated movement, or until the permit is revoked.
2. Single Move for Loads Within the Following Parameters:
- | | |
|-------------|--|
| Width: | Over 14-1/2 feet, and/or |
| Length: | Over 70 feet, and/or |
| Height: | Over 13-1/2 feet, and/or |
| Overweight: | Over 40% legal axle load but not exceeding 50% legal axle load or on any wheel 700 pounds per inch width of tire |
- a. A permit may be issued to move machinery, equipment, and/or loads in excess of 14-1/2 feet in width at the RCKC's discretion. Modular/manufactured homes 16 feet and over are considered house moves, [Section V, D, 4. House and Building: Moves.](#)
 - b. A permit may be issued to move a vehicle of excessive length, over 70 feet, as long as the movement of such a vehicle shall not impede the safety of the traveling public and shall not cause unreasonable interference with normal traffic over public roads.
 - c. Prior to issuance of such a permit, the proposed route shall be checked for interference with overhead facilities and other obstacles, and approval shall be obtained from all public agencies and private entities whose facilities may be affected by the proposed move.
 - d. The permittee shall be responsible for any expenses associated with the Permit approval.
 - e. A vehicle transporting a load exceeding 14-1/2 feet in width or 70 feet in overall length, except utility poles, shall be protected by one or more pilot cars equipped with a roof-mounted amber revolving light and may be accompanied by an authorized employee of the RCKC. The permittee is responsible for RCKC expenses including supervision of the building move. Law enforcement escort may also be required.
 - f. The permittee may be required to submit a letter of credit sufficient in amount to reimburse the RCKC for any costs incurred or occasioned by the move and to guarantee the repair of any damage to the road or road appurtenances and the complete and satisfactory restoration thereof.
 - g. No such movement shall be allowed between sunset and sunrise, or on Sundays or holidays, or any time when weather, road or traffic conditions create a potentially hazardous condition, unless specifically approved by the RCKC.

- h. The permit shall designate the route to be taken and shall remain in effect only for as long as is designated on the permit, as long as is necessary to complete the designated movement, or until the permit is revoked.
 - i. A permit shall be issued as follows:
 - a. An application for each permit shall be submitted for approval at least five days in advance of the anticipated moving day, (excluding Sundays and holidays).
 - b. A letter of approval, to the point of destination from public and private utilities whose facilities are involved with the move, shall be filed with the application or submitted to the RCKC prior to issuance of the permit.
 - j. Axle loading may not exceed 50% over legal axle loads, or 700 lb./in. of tire width, whichever is least.
 - k. All applicable state standards for signing and flags on oversized loads shall be complied with.
3. Single Mobile Equipment Move

A permit may be issued to move special mobile equipment (such as self-propelled cranes and/or loads) if the following stipulations and provisions are met:

- a. Exceeds 50% legal axle load based on axle spacing. to guarantee the repair of any damage to the road or road appurtenances and the complete and satisfactory restoration thereof.
- b. Complies with 700 lb./in. of tire width maximum.
- c. Uses approved route as specified by the authorized representative of the RCKC.
- d. The permittee shall be responsible for any expenses associated with the permit approval.
- e. Permittee may be required to provide law enforcement and may be responsible for the reimbursement of RCKC employees who may have to provide this service.
- f. Permittee may be required to disassemble unit.
- g. The permittee may be required to submit a letter of credit sufficient in amount to reimburse the RCKC for any costs incurred or occasioned by the move and to guarantee the repair of any damage to the road or road appurtenances and the complete and satisfactory restoration thereof.
- h. The permit shall designate the route to be taken and shall remain in effect only for as long as is designated on the permit, as long as necessary to complete the

designated movement, or until the permit is revoked.

4. House and Building Moves

House and buildings, including garages and farm sheds, and modular/manufactured homes 16 feet or greater in width shall have a Special Transportation Permit to make a single move.

- a. Permittee shall be a house mover licensed under the laws of the State of Michigan and shall procure any necessary permits that may be required by any municipality in which, or through which, the movement is to take place.
- b. Prior to the issuance of such a permit, the proposed route shall be checked for interference with overhead facilities and other obstacles and approval shall be obtained from all public agencies and private entities whose facilities may be affected by the proposed move.
- c. Movement of the house and/or other building on public roads shall take place when accompanied by an authorized employee of the RCKC, with employee's time charged to the permittee. No such movement shall be allowed between sunset and sunrise or on Sundays or holidays, unless specifically approved by the RCKC. The transporting vehicle shall be protected by one or more pilot cars equipped with roof mounted amber revolving light, law enforcement escort may be required.
- d. The permit shall designate the route to be taken and shall remain in effect only for as long as is designated on the permit, as long as is necessary to complete the designated movement or until the permit is revoked.
- e. Permittee shall be responsible for any costs associated with the permit approval.
- f. The permittee may be required to submit a letter of credit sufficient in amount to reimburse the RCKC for any costs incurred or occasioned by the move and to guarantee the repair of any damage to the road or road appurtenances and the complete and satisfactory restoration thereof.
- g. A permit shall be issued as follows:
 - a. An application for each permit shall be submitted for approval at least five days in advance of the anticipated moving day, (excluding Sundays, and holidays).
 - b. Letters of approval from public agencies and private entities, whose facilities are involved with the move, shall be filed with the application or submitted to the RCKC prior to issuance of the permit.

E. Special Mobile and Modular Permit

The RCKC Special Mobile and Modular Transportation application form shall be

submitted for approval prior to issuance of the permit.

A permit may be issued to move mobile and/or modular homes exceeding the allowable width, length or height limitations on a per-move basis.

Single move for mobile and modular homes within the following parameters:

Width:	Over 12-1/2 feet but less than 16 feet and/or
Length:	Over 95 feet and/or
Height:	Over 13-1/2 feet and/or
Overweight:	Over 40% legal axle load but not exceeding 50% legal axle load or on any wheel 700 pounds per inch width of tire

1. Permittee is responsible for checking proposed route for overhead obstructions and any other obstacles and is responsible for damage caused to any property or utility by movement on the proposed route.
2. A permit shall be issued to move a mobile and/or modular home as long as the movement shall not jeopardize the safety of the traveling public and shall not cause unreasonable interference with normal traffic over public roads.
3. Axle loading may not exceed 50% over legal axle loads, or 700 lb. /in. of tire width, whichever is least.
4. The permittee shall be responsible for any expenses associated with permit approval.
5. The permit shall designate the route to be taken and shall remain in effect only for as long as is designated on the permit, unless otherwise approved in writing by RCKC, or until the permit is revoked.
6. Permit holder shall comply with all requirements for movement of mobile and modular homes as prescribed in Mobile Home Transport Requirements (PA 300 of 1949 [MCL 257.719a](#)) and Special Permits for Non-Conforming Vehicles (PA 300 of 1949 [MCL 257.725](#)), in the Michigan Vehicle Code.
7. The driver shall have a valid copy of the permit in their possession during proposed move and shall present it upon request to any police officer or agent of the RCKC.
8. Modular/Manufactured homes 16 feet and over are considered house moves [Section V, D, 4. House and Building: Moves](#).

F. Seasonal Milk Haul Route Permit

The RCKC Seasonal Milk Haul Route application form shall be submitted for approval prior to issuance of the permit.

1. Permittee shall show good cause as per section 722 or PA 300 of 1949, as amended ([MCL 257.722](#)(9)).

2. Permittee shall allow sufficient time for application processing so a proper inspection can be made of the requested highway or highways.
3. A permit may be issued to carry legal axle loads on a specific section of road, or roads on a seasonal or short-term basis, dependent upon the route to be followed and the condition of the road thereon. Speed limits for such vehicles shall be 35 mph maximum.
4. Failure of the permittee to fulfill terms of the permit is just cause for revoking the permit.
5. Any expense the RCKC attributes to the permit and to maintaining and restoring the haul route shall be charged to the permittee.
6. The permit shall designate the route to be taken and shall remain in effect only for as long as is designated on the permit, as long as is necessary to complete the designated move, or until the permit is revoked.

G. Seasonal Agricultural Commodity Permit

The RCKC Seasonal Agricultural Commodity application form shall be submitted for approval prior to issuance of the permit.

This permit may be issued during seasonal weight restrictions on a per-move basis.

Single moves for agricultural commodities within the following parameters:

Weight: Up to legal per-axle loads, or a maximum of 700 lb. /in. of tire width, whichever is lesser of the two

1. Permittee shall comply with all requirements prescribed in the Agricultural Commodities Exclusion as provided for in PA 300 of 1949 [MCL 257.722](#) (5) and [MCL 257.722](#) (13a) in the Michigan Vehicle Code.
2. A permit shall be obtained not less than 48 hours before pickup or delivery.
3. Designated route of travel shall be approved by the RCKC.
4. The date and time of the movement shall be submitted and approved by the RCKC.
5. A permit may designate a maximum speed of travel, if necessary.
6. Any other conditions agreed to between the parties.

H. Seasonal Public Utility Non-Emergency Exemption Permit

The RCKC Seasonal Public Utility Non-Emergency Exemption form for each vehicle

shall be submitted for approval prior to issuance of the permit.

1. Permittee shall qualify as per Section 722 of PA 300 of 1949, as amended and be performing work specifically as per [MCL 257.722](#) (6b).
2. A permit shall be obtained before the initiation of seasonal weight restrictions on equipment or combinations of equipment so designated by the utility.
3. A permit shall be carried in each vehicle covered under the permit.
4. Per PA 300 of 1949 [MCL 257.722](#) (6c), use of restricted roads during weight restriction periods shall be minimized and utilized only when necessary to perform work using the public utility vehicle or vehicle configuration, and non-restricted roads shall be used for routine travel when available.

Notification requirements under the permit:

1. The RCKC requires notification, by fax form, or preferably electronically through the Oxcart system, of the use of restricted roads by vehicles covered by this permit not later than 24 hours before the time of the intended travel.
2. Upon review, the RCKC may deny access to all or any part of that road to the utility within 24 hours after receiving notification of intended use. Any notification that is not disapproved within 24 hours after the notice is received by the RCKC is considered approved. Approval for selected routes shall not be unreasonably denied.
3. The notification application requires:
 - a. Permittee utility name and address
 - b. Address or location of the non-emergency work
 - c. Date or dates of the non-emergency work
 - d. Route to and from the work site and the permitted vehicle(s) to be involved with the non-emergency work
 - e. Restricted road or roads intended to be traveled upon to the non-emergency work site or sites
 - f. Vehicle number and Permit number

I. Dust Control Application Permit

The RCKC Construct, Operate, Maintain, Use and/or Remove within the County Road Right-of-way application form shall be submitted for approval prior to issuance of the permit.

1. A permit shall be required for each application by private or commercial operators of dust control agents.
2. A copy of the Safety Data Sheet (SDS) for each product shall be included with each permit request.

3. RCKC requires 5 days advance notice to enable the road to be graded to provide a suitable application surface.
4. Prior to dust control application, the surface of the road shall be properly maintained and receptive to the application, as determined by RCKC.
5. The extent and frequency of this operation shall be such that at no time shall there be any run-off of the application material.
6. Regulations of the EGLE and any other agency shall be adhered to at all times.
7. At their sole discretion, the RCKC may grade or perform other maintenance activity and may cancel or alter the permit at any time. Advance notice shall be provided when possible.

J. Seismic Testing Permit

The RCKC Construct, Operate, Maintain, Use and/or Remove within the County Road Right-of-way application form shall be submitted for approval prior to issuance of the permit.

1. A permit shall be required for each application by private or commercial operators of Seismic Testing Equipment.
2. Permittee shall be licensed under the laws of the State of Michigan and shall procure any necessary permits that may be required by any municipality in which, or through which, the movement is to take place.
3. Prior to the issuance of such a permit, the proposed route shall be checked for interference with overhead facilities and other obstacles and approval shall be obtained from all public agencies and private entities whose facilities may be affected by the proposed route.
4. No testing within the ROW shall be allowed between sunset and sunrise, on weekends or holidays, unless specifically approved by the RCKC.
5. The permit shall designate the testing route to be taken and shall remain in effect only for as long as designated on the permit, as long as necessary to complete the permitted testing or until the permit is revoked.
6. Permittee shall be responsible for any costs associated with the permit approval.
7. The permittee may be required to submit a letter of credit equaling 175% of the estimated cost to reimburse the RCKC for any costs incurred or occasioned by the testing and to guarantee the repair of any damage to the road or road appurtenances and the complete and satisfactory restoration thereof.
8. A permit shall be issued as follows:

- a. An application for each permit shall be submitted for approval at least ten to fourteen business days in advance of the anticipated testing schedule.
- b. Letters of approval from public agencies and private entities, whose facilities are involved with the testing, shall be filed with the application or submitted to the RCKC prior to issuance of the permit.

VI. CROSSROAD CUTS, TRENCHES, REMOVAL OF PAVEMENT AND RESTORATION

Construction of all utilities and other facilities for existing highways, roads, and streets shall conform to the requirements and specifications provided below.

The RCKC Application to [Construct, Operate, Use and/or Maintain Remove Within the Right-of-Way or to Close A County Roadway](#) shall be submitted for approval prior to issuance of the permit. Permittee agrees to conform with all of the requirements of the [Public Act 174 of 2013](#) known as the MISS DIG Underground Facility Damage Prevention and Safety Act.

A. Location

1. Public Roads

The following location requirements for longitudinal occupancy of utilities shall be adhered to unless another location is specifically approved by the RCKC.

Utilities constructed prior to the acceptance of the plans shall be shown and comply with existing RCKC requirements. If they are to be placed within the ROW, utility locations shall be staked prior to their installation and shall be placed as indicated in [Appendix D](#).

2. Limited Access Segments of North and South Sprinkle Road

Along North and South Sprinkle Road from BL I-94 to G Avenue, longitudinal occupancy of utilities shall be within 10 feet of either ROW or no closer than 10 feet to the edge of pavement. RCKC shall allow only continuous type facilities that do not intermittently extend service outside the limited access ROW. The location requirements indicated in [Appendix D](#) shall be adhered to unless another location is specifically approved by the RCKC.

B. Depth

All crossroad underground facilities shall have a minimum of 5 feet of cover from top of pipe to ground level and shall have at least 2 feet of cover from top of pipe to the bottom of the ditch.

All underground facilities parallel to the road shall be maintained at a minimum of 36 inches below existing ground level, except fiber optics that shall be at least 42 inches below the surface.

C. Method of Construction and Restoration

1. Construction

The method used for installation of crossroad facilities shall be described on the permit or submitted plans.

All crossroad underground facilities under HMA or concrete roads shall be constructed perpendicular to the centerline of the road by directional boring. Use of any other method shall require specific permission on a case-by-case basis. Consideration shall be given to open cut HMA roads in special cases.

Any construction carried out shall be approved, based on a permit obtained from the RCKC in advance of actual construction, and/or as soon as possible in the case of an emergency repair. Such permits shall be issued with restrictions adequate to protect the interests of the motoring public and the road's physical facilities.

Except for asbestos pipe, utility owners may vacate existing underground facilities or structures that do not pose a hazard or impediment to the use and maintenance of the ROW. In any such case the utility owner shall maintain ownership and responsibility for the facility or structure. Vacating a facility may require that the utility owner remove its facility or structure, at the discretion of the RCKC, and restore all areas to conditions satisfactory to the RCKC. All vacated pipe shall be pressure grout filled.

Any proposal to cease operation of an asbestos pipe system shall require the removal of the system from the ROW and shall properly dispose of the materials pursuant to applicable laws and regulations.

2. Excavation and Disposal of Excavated Material

The permittee, contractor and/or shall provide and place the necessary sheeting, shoring and bracing required to prevent caving, loss, or settling of foundation material supporting the pavement, or any other highway installation, such as sewers, culverts, etc. The permittee, contractor, and/or utility company assume full responsibility for this protection and shall not proceed in these areas before approval of methods by the RCKC's.

Excavated material shall be stocked in locations so as to not obstruct vision on the traveled portion of the highway and placed in a manner so that it interferes as little as possible with traffic flow. Sod and topsoil shall be stocked separately from other excavated material. The permittee shall dispose of all surpluses and unsuitable material outside the limits of the highway ROW unless the permit provides for disposal at approved locations within the ROW. In the latter case, the material shall be leveled and trimmed in an approved manner.

3. Backfill and Compaction Backfill

Restoration shall be such that it shall provide a condition equal to or better than the original condition and comply with [MDOT Standard Specifications for Construction](#). All trenches, holes, and pits shall be filled with granular material meeting minimum requirements for MDOT Class III granular material. Material shall be placed in successive layers of not more than 12-inch depth, in loose measure, and each layer shall be thoroughly compacted as stipulated by MDOT. All backfill compaction shall be subject to check by the Controlled Density Method or other approved engineering method.

4. Crossing Roadbed by Directional Bore

When pipe is installed by directional bore, the ends of casings shall be sealed by an approved method. The RCKC inspector shall specifically approve location of boring pits.

5. Crossing by Cutting Pavement and Trenching

When this method is approved by the RCKC, the pavement shall be cut back so that the opening is at least 24 inches wider on each side than the width of the trench. For surface restorations see [Section VI. C .6. Restoration of an HMA Road Surface](#). In all concrete surfaces or bases, edges of trench shall be formed by the use of a concrete saw. The pavement shall be removed in such a manner as to allow the reinforcing steel to protrude a sufficient distance for lapping and tying with reinforcing steel in the pavement patch. If lapping and tying cannot be accomplished, connection to patch shall be by drill and dowel method. All HMA surface or base materials shall be saw cut. Backfilling shall comply with provisions of [Section VI. C .3. Backfill and Compaction Backfill](#). After the backfill has been placed, the pavement shall be replaced with new pavement approved by the RCKC. Should work occur at a season of the year when it is not feasible to construct the new pavement, a temporary surface of HMA shall be installed and final pavement shall be placed the next May at permittee's expense.

6. Restoration of an HMA Road Surface

Repairs shall be equal to or better than the existing road. HMA surfaces shall be milled to at least 10 feet on sides of utility cut and repaved. Pavement abutting final patch shall be saw cut. Crossroad cuts are to be backfilled and compacted as described in [Section VI. C .3. Backfill and Compaction Backfill](#). Installation of material shall be to the appropriate distance from the surface to accommodate the base and pavement designated in [Section VI. C., 12., Restoring Materials](#). Unless listed otherwise, HMA shall be in lifts of no greater than 2.25 inches compacted in place. On roads with a HMA base, the existing base shall be replaced with an equivalent depth of new HMA. Patch surface shall be rolled to conform to the existing pavement. Restoration shall require milling and machine paving of road adjacent to cut to the nearest lane line. Use of infrared equipment may be allowed. Lane width shall be consistent with the current road with a minimum width of 10 feet.

7. Restoration of a Concrete Road Surface

On a concrete road, MDOT Grade 3500 concrete shall be used to replace the original concrete.

8. Restoration of a Gravel Road Surface

Trenches shall be backfilled and compacted in accordance with [Section VI. C .3. Backfill and Compaction Backfill](#). to within 8 inches of the surface. In the remaining depth, 22A aggregate shall be placed and compacted to MDOT specifications.

9. Restoration of Shoulders

Shoulder restoration shall comply with [Section VI. C .3 .Backfill and Compaction Backfill](#). Specifications for shoulder restoration shall be the same as those for HMA, concrete and gravel road surfaces, [Section VI. C., 12., Restoring Materials](#). The 23A aggregate shoulder gravel shall be a minimum depth of 6 inches and shoulder width shall be consistent with the current road with minimum width of 3 feet or as determined by the RCKC. Reuse of original shoulder gravel shall not be permitted.

10. Ditches and Back slopes

The permittee shall be responsible for SESC measures until vegetation is well established for any cleanup deemed necessary by the RCKC . When work is necessary in the ditch line or back slope, all brush and trees in the construction area shall be completely removed. Slopes shall be regraded to existing conditions or to standard 1:3 fore slope. Rocks larger than 3 inches shall be removed. In lawn area all stone shall be removed. In accordance with [MDOT Standard Specifications for Construction](#), the construction area shall have 3 inches of topsoil in depth, dragged, rolled, seeded and mulched. All lawn area shall be replaced with sodding or 3 inches of processed topsoil and seeded to match the existing lawn. Permittees are responsible for attaining and complying with SESC regulations.

11. Gravity Sanitary Sewer Projects

For the construction of gravity sanitary sewer projects, the following requirements apply.

a. Construction:

Remove and replace entire lane to nearest edge of full-width lane remaining. Any undermined pavement shall be removed and replaced to next adjacent full width -lane or pavement edge.

The entire width and cross section of a two-lane road shall be replaced in accordance with the current version of the RCKC Procedures, Guideline, and Specifications for Developing Public Roads. On a multilane facility, unless two full-width lanes in the same direction are saved, all lanes shall be completely

resurfaced. Existing pavement along curb and gutter shall be milled to accommodate any resurfacing. All paving shall conform to [MDOT Standard Specifications for Construction](#) and this policy.

b. Restoration of Shoulders:

Shoulders shall be restored in accordance with [Section VI. C .9. Restoration of Shoulders](#).

c. Other:

Storm sewer shall be protected to prevent filling or blocking with excavated materials and debris. Materials entering leaching basins, storm sewers or retention areas shall be removed and disposed of in an approved manner. Disturbed or displaced drainage structures shall be returned to their proper place. Chipped, cracked, or broken facilities shall be replaced with RCKC approved materials.

Undermined or displaced curb and gutter shall be removed and replaced. Reinforcement steel in replacement curb and gutter shall connect to existing reinforcement steel in an approved manner.

12. Restoring Materials

The minimum road cross section standards for restoration, as determined by the Engineer or their representative, are indicated in [Appendix E](#) and are the minimum requirements. Roads exceeding these material and design specifications shall be restored to their higher standards. Milled HMA material may be reused as aggregate base, provided the milled material approximates the gradation for MDOT 22A aggregate. See RCKC current specifications for mix designs.

13. Intent

It is the intent of these specifications that all ROW and surfaces shall be restored as soon as possible on the schedule approved by the RCKC.

14. Maintenance Certificate or Escrow

A letter of credit or cash deposit equaling 175% of the expected cost may be required.

D. Roadside Soil/Ground Cover Disturbances

Temporary, roadside impacts are anticipated. Work within and adjacent to the ROW shall comply with applicable storm water provisions and [Best Management Practice](#) measures to control soil erosion and sedimentation.

Earth changes on property that abuts the ROW shall not increase the volume or velocity of storm water disposed of in the ROW. Storm water shall be either detained on site or

restricted to the original volume and rate of flow.

Grading and excavation shall be done in such a manner so as to prevent damage to roadside fixtures and features, including ditches, culverts, shoulders, curbs, basins, leaching areas, paved surfaces and utility access chambers. All debris resulting from the earth change shall be removed from the ROW.

All work shall comply with the provisions of Part 91 of the Erosion and Sedimentation Control Act of the [Natural Resources and Environmental Protection PA 451 of 1994](#), as amended and as administered by the duly authorized agent, shall appear on the plans. A copy of the SESC plan, as required by the controlling agency, shall be included with the permit request. Copy of inspection reports shall be submitted to RCKC at the same time as original report.

Work shall not damage adjacent property or result in the deposit of debris or sediment into any drainage course or the ROW. Sediment shall be removed from runoff water before it leaves the site of the earth change. Temporary or permanent facilities constructed for the conveyance of water around, through, or from the earth change area shall limit the water flow to a non-erosive velocity. All earth changes shall be designed, constructed, and completed in such a manner so that: 1) the exposed area of any disturbed land shall be limited to the shortest possible period of time, and 2) the natural flow of storm water either through or across the area is not impacted or changed unless written permission is obtained from affected property owners, including the RCKC.

Temporary SESC facilities shall be removed and earth change areas graded and stabilized with permanent soil erosion control measures pursuant to approved standards and specifications as prescribed by the EGLE. Permanent SESC measures for all slopes, channels, ditches, or any disturbed land area shall be completed within the shortest possible period of time, but not to exceed five (5) calendar days after final grading or the final earth change has been completed. If it is not possible to permanently stabilize a disturbed area after an earth change has been completed, or if significant earth change activity ceases, then temporary SESC measures shall be maintained until permanent SESC measures are in place and the area is stabilized.

The permittee undertaking soil erosion and sediment control measures, and all subsequent owners of property on which such measures have been implemented, shall be responsible for the continued maintenance of the permanent SESC.

VII. ACTIONS AFFECTING TREES

These rules and regulations apply to landowners, utilities, private contractors, governmental authorities, etc., regarding trees within the ROW.

The RCKC application [Construct, Operate, Use and/or Maintain Remove Within the Right-of-Way or to Close A County Roadway](#) shall be submitted for approval prior to issuance of the permit.

A. Requirements

1. Permittee is responsible for determining if any endangered species exist in the area of work and shall be required to comply with any regulations protecting such species.
2. Applies to any tree removal, pruning, trenching or tunneling through the root system, included as part of a project or on a specific permit.
3. Permittee may be required to provide location, size, number and species of trees affected. When required, this information is to be shown on construction plans or on sheets similar to the plans; in such a way that identification can be readily made in the field. When required, the permittee shall indicate individual trees that are subject to removal, trenching, tunneling or pruning and the extent of pruning.
4. Before removing any tree measuring more than 6 inches in diameter at a point 4 feet 6 inches above the ground within the ROW, written notification shall be given to the owner of record of the land where the tree is located.
 - a. The RCKC may require a copy of the approval signed by the owner of record of the property abutting the ROW.
 - b. The RCKC may require the contractor or permittee to replace trees, not to exceed a one-to-one ratio.

B. Disposal of Materials

1. All limbs litter, and logs are to be immediately disposed of outside the ROW. Logs and major limbs shall be cut into manageable lengths.
2. The abutting property owner has the right to the wood and shall be afforded the opportunity to keep it.
3. Stumps shall be eliminated by flush cutting or chipping to 6 inches below ground level within 30 days.

C. Trenching and Tunneling or Boring

1. Trenching should be as far away from the trunk as possible, preferably outside the tree's drip line. In no case shall trenching be closer to the trunk than 1 foot on either side for each 2 inches of trunk diameter as measured at a point 4 feet 6 inches above the ground. All voids around the trenched facility shall be backfilled with excavated material and thoroughly compacted to avoid settling.
2. Tunneling or boring shall be below the major root system. The required depth shall be determined by measuring the trunk diameter at a point 4 feet 6 inches above the ground. At trees less than 20 inches in diameter, a minimum of 36 inches of ground cover shall be maintained. All trees of greater diameter, at least 48 inches of ground cover is required.
3. If the tree is severely damaged or dies within one year as a result of the trenching,

tunneling or boring, the permittee may be required to replace the tree at their own expense.

D. Annual Tree Pruning Permits

1. Permits expire on December 31 of the year issued.

VII. GENERAL PROVISION

Construction Guideline provisions provided may be modified by Board policy and/or applicable state and federal law.