



# LAKE COUNTY HIGHWAY DEPARTMENT UTILITY OCCUPANCY APPLICATION AND PERMIT

Complete this form & mail to:  
 Lake County Highway Dept.  
 1001 SW 4<sup>th</sup> Street  
 Madison, SD 57042

<b>APPLICANT INFORMATION</b>		<b>LCHD USE ONLY: PERMIT NO. _____ - _____</b>
Utility Company:	Date:	
Company Contact (Name/Title):		
Address:		
Phone (Business/Mobile):		
Email:		
Owner's Agent (Name/Title):		
Phone (Business/Mobile):		
Email:		
Site Supervisor / Contractor (Name/Title):		
Address:		
Phone (Business/Mobile):		
Email:		
Proposed installation start date:	Proposed completion date:	

<b>FACILITY INFORMATION</b> (Complete only as necessary)		
Describe work to be done, purpose, and need. _____ _____		
Size of Facility:	Number of Cables:	Length of Down Guys:
Pipe Line Pressure:	Size of Pipe/Casing:	Length of Pipe/Casing:
Avg. Operating Temp:		
Location of Pole(s):	Location of Appurtenances:	Location - Others
The primary nature of the proposed work is (check one):	<input type="checkbox"/> New Facility <input type="checkbox"/> Replacement <input type="checkbox"/> Relocation <input type="checkbox"/> Maintenance	

<b>OVERHEAD (AERIAL CONSTRUCTION)</b>		
<input type="checkbox"/> Single Pole <input type="checkbox"/> H-Frame <input type="checkbox"/> Single Pole & H-Frame <input type="checkbox"/> Steel Tower <input type="checkbox"/> Other _____	<input type="checkbox"/> Open Wire <input type="checkbox"/> Cable <input type="checkbox"/> Vertical <input type="checkbox"/> Cross-arm <input type="checkbox"/> Vertical and Cross-arm	
Voltage: _____	Number of Conductors: _____	Size of Conductors: _____
Minimum Height of conductor: _____ feet along highway _____ feet clearance above highway		
Describe location and extent of tree trimming and/or clearing:		

<b>UNDERGROUND CONSTRUCTION</b>		
<u>CONDUIT</u> <input type="checkbox"/> Direct Bury <input type="checkbox"/> Plastic (Type _____) <input type="checkbox"/> Steel Pipe    CLASS/SCH    SIZE    DEPTH <input type="checkbox"/> Concrete <input type="checkbox"/> Other _____	<u>CASING</u> <input type="checkbox"/> None <input type="checkbox"/> Plastic (Type _____) <input type="checkbox"/> Steel    CLASS/SCH    SIZE    DEPTH <input type="checkbox"/> Concrete <input type="checkbox"/> Other _____	
Voltage: _____	Number of Conductors: _____	Size of Conductors: _____
Method of Installation Under Roadways: <input type="checkbox"/> Boring <input type="checkbox"/> Jacking <input type="checkbox"/> Open Trench <input type="checkbox"/> Other		
If open trench, explain why this is necessary:		
Describe location and extent of tree trimming and/or clearing:		

LOCATION INFORMATION			
Highway Route:	Street Name:	Along/Parallel	Across
Begin Side of Road: <u>  </u> N <u>  </u> S <u>  </u> E <u>  </u> W	End Side of Road: <u>  </u> N <u>  </u> S <u>  </u> E <u>  </u> W	Total Length (feet or miles): <u>          </u>	
Begin <u>          </u> feet from reference marker		End <u>          </u> feet from reference marker	
<u>  </u> N <u>  </u> S <u>  </u> E <u>  </u> W from city of <u>                          </u>		or <u>          </u> miles from junction with highway/street <u>                          </u>	

LOCATION INFORMATION - 2			
Highway Route:	Street Name:	Along/Parallel	Across
Begin Side of Road: <u>  </u> N <u>  </u> S <u>  </u> E <u>  </u> W	End Side of Road: <u>  </u> N <u>  </u> S <u>  </u> E <u>  </u> W	Total Length (feet or miles): <u>          </u>	
Begin <u>          </u> feet from reference marker		End <u>          </u> feet from reference marker	
<u>  </u> N <u>  </u> S <u>  </u> E <u>  </u> W from city of <u>                          </u>		or <u>          </u> miles from junction with highway/street <u>                          </u>	

SUPPLEMENTAL INFORMATION		
<p>The intended use of this section is to help the applicant provide information as appropriate in order to streamline and standardize the permitting and review process. Complete as appropriate. Not all components listed below apply to every project. The amount of information supplied by the applicant should match the scope and scale of the proposed utility improvements. Lake County reserves the right to request any information listed below as well as additional information as required. At a minimum, a sketch, map, or site plan showing the area of work, relation to property boundaries, distances, relation to other utilities present, size of features, etc. should accompany the application.</p>		
<p><b>The following information is attached the permit application (check all that apply)</b></p>	<input type="checkbox"/> Written narrative	<input type="checkbox"/> Attachment/Assembly Plan (structures)
	<input type="checkbox"/> General Site Plan	<input type="checkbox"/> Cost Schedule for all work inside ROW
	<input type="checkbox"/> Traffic Control Plan (req'd for Road/Lane Closure)	<input type="checkbox"/> SPCC Plan (for ROW impacts only)
	<input type="checkbox"/> Access/Egress Plan	<input type="checkbox"/> Material Safety Data Sheet
	<input type="checkbox"/> Erosion Control/Seeding Plan	<input type="checkbox"/> Break Away Devices (clear zone protection)
	<input type="checkbox"/> Bury Depth / Typical Section	<input type="checkbox"/> Standard Plates/Details
	<input type="checkbox"/> Staging Plan	<input type="checkbox"/> Material Specifications
	<input type="checkbox"/> Utility Route Plan	<input type="checkbox"/> Other <u>                          </u>
	<input type="checkbox"/> Easement Information	<input type="checkbox"/> Other <u>                          </u>
	<input type="checkbox"/> Guy Wire/Support Plan	
	<input type="checkbox"/> Performance Bond	

APPLICANT AFFIDAVIT	
<p>I, the undersigned applicant, in carrying out any and all of the work associated with this permit application and described herein and/or referred to in this application, agree to the terms and conditions as provided herein, and shall strictly conform to the regulations and /or requirements as set forth by Lake County's Board of Commissioners. Furthermore, I agree to comply with all regulations of all other governmental agencies for the protection of the public. I certify that all work associated with this proposed action complies with all regulations, permits, and approvals by all other governmental entities. By signing below, I certify that the work associated with this permit shall be accomplished in a manner that will not be detrimental to Lake County Highways, local drainage ways and water and other natural resources, affected landowners, and the traveling public. I understand that I, and/or my agents and assigns, am completely liable for any non-compliance and/or non-performance of duties as specified herein and will restore any disturbed areas within Lake County Right-Of-Way to a neat and professional workman-like manner, or better, at no cost to and to the satisfaction of the County.</p>	
Dated this <u>          </u> day of <u>                          </u> , 20 <u>    </u> .	Name of Company <u>                          </u>
Signature <u>                          </u>	By <u>                          </u> (print name) <u>                          </u> (title)

GENERAL CONSIDERATIONS	
<p>The following will be taken into consideration when reviewing an application for installation and maintenance of utility facilities within Lake County highway rights-of-way:</p>	
<p>A. Utility accommodation must not adversely affect highway constructability, operations, maintenance, and safety. Such occupancy should not interfere with the free and safe flow of traffic.</p>	
<p>B. Utility facilities should be located to minimize the need for later adjustment to accommodate future highway improvements and to permit servicing such facilities with minimum interference to highway traffic. Such occupancy should not interfere with existing, planned, or future use of the right-of-way for highway purposes.</p>	
<p>C. Utility facilities must not detract from the scenic qualities of the area and must employ suitable designs and materials which give the greatest weight to visual quality. Such occupancy should not impair the existing highway or its scenic appearance.</p>	

TERMS AND CONDITIONS	
<p>Installation and maintenance of said facilities on highway right-of-way shall be subject to the following minimum terms and conditions:</p>	
<p>1. The Applicant agrees to indemnify and hold harmless Lake County, its officers, agents and employees, from and against any and all cost, claims, actions, suits, damages, liability or other proceedings of any kind or nature which may come, be brought, or be assessed because of the issuance or exercise of this permit, or because of any adverse effect upon any person or property which is attributed to the exercise of this permit, or because of any adverse effect upon any person or property which is attributed to the partially or entirely completed works of the Applicant.</p>	

2. Accomplishment of the permitted work, or any part thereof, by or on behalf of the Applicant shall bind such Applicant to abide by this permit and all its conditions and provisions.
3. This permit does not replace any other permit, license, or other approval that may be required by any other entity holding a property interest in the right of way. The issuance of this permit does not relieve the Applicant of the obligation to obtain any other approvals that might be required for the use of the highway right-of-way for utility purposes. The Applicant is solely responsible for investigating whether additional approval is required and complying with any other applicable requirements. If the Applicant fails to secure all necessary approvals or comply with all applicable requirements, this permit is of no effect whatsoever, and Lake County may, at the Applicant's sole expense, cause the immediate removal of the utility facilities.
4. The entire cost of constructing and maintaining the permitted facilities, including all materials, labor, and incidentals, shall be the obligation of the Applicant.
5. Installation and maintenance of utility facilities on the right-of-way must be performed in accordance with South Dakota Codified Laws, SDDOT Administrative Rules, and any other applicable laws, regulations, rules or guidelines. Wherever applicable laws, regulations, rules, or guidelines differ from these terms and conditions, the more restrictive shall apply.
6. No open cutting for utility crossings will be allowed without specific authorization by the Permitting Authority. Any approved open-cut trench operations must be done in accordance with current SDDOT Open Cut Method of Utility Installation or Repair, ARSD 70:04:05, Appendix A.
7. Any trenching, tunneling, or excavating shall be performed in accordance with the requirements of OSHA and other South Dakota governmental departments having jurisdictional authority over such actions.
8. Applicant may not install a utility over the top of any highway drainage structure. All utility installations must be designed and located to avoid disturbing existing highway drainage or drainage facilities. Outlets or under-drains must be provided by the utility company, where necessary, for underground utility facilities.
9. Applicants must permanently mark above-ground pedestals/facilities with metal flags or markers located at least 48" above ground.
10. At least one-way traffic must be maintained at all times throughout the utility installation, unless specific approval that states otherwise has been received from the Permitting Authority. When one-way traffic or a detour is used, the Applicant shall provide all necessary signs, barricades, flag persons and lights required according to the current edition of the "Manual on Uniform Traffic Control Devices."
11. The Applicant's agents and assigns must wear high-visibility safety apparel intended to provide conspicuity during both daytime and nighttime usage and meeting the Performance Class 2 or 3 requirements of the ANSI/SEA 107-2004 publication "American National Standard for High Visibility Safety Apparel and Headwear."
12. Applicant must restore any damaged portions of the roadway and right-of-way to equal or better conditions prior to beginning the work covered by the permit, subject to the satisfaction of the Permitting Authority. Access to all private drives and public street intersections shall be maintained, and all disturbed areas completely restored.
13. The Applicant shall notify the Lake County Highway Department 3 working days prior to the commencement of work.
14. If deemed necessary by Lake County, to move or alter the utility installation in any way due to maintenance or highway construction within its present right-of-way width, Applicant shall promptly remove said facilities from highway right-of-way, or shall relocate or adjust said facilities, at Applicant's sole cost and expense when requested to do so by Lake County.
15. Lake County specifically reserves the right to revoke, or change the terms and conditions of this Permit with or without cause and upon notice to the Applicant.
16. Prior to demobilizing from the project location(s), the Applicant shall notify the Lake County Highway Department after construction is complete so that a final inspection may be performed by County Highway personnel. If any deficiencies are noted during the final inspection, the Applicant will be responsible to correct the deficiencies within 30 days of notification.
17. Additional requirements and special provisions which are made part of and attached to this Permit include:

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Name of Company \_\_\_\_\_

Signature \_\_\_\_\_

By \_\_\_\_\_ (print name) \_\_\_\_\_ (title)

**FOR LAKE COUNTY USE ONLY**

Recommendation of Staff:

Highway Superintendent: \_\_\_\_\_ Approve      \_\_\_\_\_ Deny      Signature \_\_\_\_\_

Drainage Official (If Applicable): \_\_\_\_\_ Approve      \_\_\_\_\_ Deny      Signature \_\_\_\_\_

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

BOARD OF LAKE COUNTY COMMISSIONERS

\_\_\_\_\_  
Kelli Wollmann, Lake County Commission Chair

ATTEST:

\_\_\_\_\_  
Paula Barrick, Lake County Auditor

DENIED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

BOARD OF LAKE COUNTY COMMISSIONERS

\_\_\_\_\_  
Kelli Wollmann, Lake County Commission Chair

ATTEST:

\_\_\_\_\_  
Paula Barrick, Lake County Auditor