

**SUMMIT COUNTY ENGINEER'S OFFICE
RULES AND REGULATIONS FOR PERMISSION TO WORK WITHIN THE
COUNTY RIGHT OF WAY**

Rules

1. Any work within the Right-of-Way of a county road work adjacent to any county owned bridge including those bridges within a municipality requires permit from the County Engineer.
2. Work requiring a permit includes but is not limited to any digging, driveway installations, driveway replacements, driveway culverts, retaining walls, landscape structures, grading, post installation, sign installation, connecting or outletting drains, maintaining, repairing, or installing new utilities.
3. Work requiring the closure of a lane(s) of a county road requires a permit.
4. Roadside stands, flags banners and temporary sign advertising candidates, home for sale signs, etc. shall be installed behind the utility pole line which for the purpose of such temporary installations may be considered to be the road Right-of-Way so long as they do not create sight obstruction. Such items placed within the Right-of-Way may be removed and disposed of without notice.

Note: Roadside ditches serve the important function of draining the roadway and roadway foundation, thereby maintaining a stable road base. The ditches shall not be filled or piped. Leaves and other debris shall not be deposited therein and shall be removed when directed or be subject to removal of the County at the property owners' expense. Vegetation within roadside ditches prevents erosion and improves water quality, therefore, spraying or otherwise destroying the ditch vegetation is strictly prohibited. Should such damage occur, it shall be the property owner's responsibility to promptly restore it.

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Note: This permit may be revoked by the County Engineer at any time for non-performance or non-compliance with any provisions or conditions herein. Primary responsibility for compliance with permit requirements rests with the permittee, however an inspector may be assigned full time to the job at the sole discretion of the County Engineer at the expense of the permittee to protect the interests of the County.

The applicant, his contractor or his representative must have a copy of the approved permit on site at all times and shall present it upon request or work may be stopped.

The County Engineer's Office shall be notified (330-643-2850), at least two (2) working days before any work is started within the R/W.

General Provisions

1. An applicant for a utility permit must be the owner or operator of a utility facility. The line, facility or system must "directly or indirectly serve the public or any part thereof. An application may not be submitted in the name of or by contractors of the owner or operator of a utility facility, nor in the name of person only being serviced by a facility. Applicants are required to be "in the business of providing utility service" and must own, operate or intend to operate the facility. Contractors and customers of the facility owner/operator are specifically prohibited from being the applicant.
2. Driveway, drive culvert and drainage lateral pipe applications must be submitted in the name of the property owner, and property owner shall be responsible for maintaining drive, culvert and drain laterals in good repair. Permits will not be issued to contractors of the property owner nor to any person other than the owner of the property. Driveways shall drain away from the pavement. Driveways shall be designed and constructed in accordance with the ODOT Location & Design Manual, Volume 1 and the standards of the County Engineer. Applications for new driveways may be required to submit a sight distance report prepared by a licensed Professional Engineer. Maintenance of a pipe culvert installed under an access is the property owner's responsibility. Although the County may initially install a pipe culvert under a driveway as part of a construction or maintenance project, it is primarily the property owner's responsibility to maintain the pipe culvert just as it is primarily the property owner's responsibility to maintain safe sight distance and to remove snow from the driveway. These responsibilities are not limited to "permitted" driveways; thus, whether a valid permit exists does not alter the owner's responsibility to maintain access.
3. Political subdivisions shall be responsible for the cost of installation and maintenance and shall obtain permits for installation of sidewalks, trails, trail crossings, bus shelters, lighting and any other use of the right of way. Where additional right of way is needed for such installations all costs of acquisition shall be borne by the applicant.

4. Applicants and permittees are encouraged to include inspection costs as a line item in their construction contracts to ensure the County will be reimbursed if County or County contracted consultant inspection staff is assigned to perform continuous inspection on the project. Typically, these costs are approximately 10% of the construction cost. A minimum number of hours of inspection work (normally 2-4) will be billed for each site visit.
5. If the proposed work will occupy 500 linear feet or more within the Right-of-Way, the applicant, his contractor or his representative shall provide written notice to the owner or occupant of adjacent properties stating the name, phone number and email address of the Permittee, and the nature and times of the work; said notice to be provided within 3 days prior to the start of work.
6. The applicant shall perform all restoration work in accordance with the County Engineer Standards and Specifications.
7. Applicant shall identify to the County both its contractor and its inspector-in-charge to monitor the execution of the work and the restoration of the right-of-way. The permittee is primarily responsible for complying with all permit conditions. The permittee's inspector-in-charge, as well as the permittee, is responsible for ensuring work is performed in compliance with the permit, applicable regulation(s), industry standards, laws, and safety standards.
8. Applicants shall provide proof of and maintain insurance in the amount of at least \$250,000 for personal injury per person and at least \$1,000,000 for property damage per occurrence (Driveway Permittees may be authorized to carry lesser amounts). Insurance policies shall include coverage for public liability and property damage which will remain in effect during the prosecution of the work.
9. Security in the minimum amount of \$50,000 for faithful performance of permit conditions shall be provided by the applicant. The following security options are acceptable for utility permits:
 - a. Irrevocable Letter of Credit – A letter of credit may be issued by either a Ohio or a non-Ohio bank. Letters of credit issued outside the United States are not acceptable.
 - b. Individual or "blanket" Bond –
 - c. Assignment of Cause of Action –
 - d. Escrow Agreement - Escrow agreements are drafted on a case-by-case basis. If a permittee proposes, and the County allows, an escrow agreement, advance arrangements must be made to allow sufficient time for the proposed escrow agreement to be drafted, executed, and approved as to legality and form. Approximately six weeks is necessary for approval as to form and legality.
10. The permit holder shall hold harmless, defend and indemnify the Summit County Council, the Summit County Engineer, their elected and appointed officials, employees and volunteers, other public boards, commissions, authorities and board members, including employees and volunteers thereof, against all claims, suits, actions, costs, counsel fees, expenses, damages, judgements, or decrees, of every name and description, by reason of any person or property being damaged or injured by the permit holder, or any assigns, employees, contractors or subcontractors thereof, operating in any capacity during the progress of or arising from the

work, whether by negligence or otherwise.

11. Those performing the permitted work shall comply with all State and Federal Safety Regulations for the construction site and agree to save the County free from all damages and liabilities arising from non-compliance with the safety regulations.
12. All work shall comply with the current standards and specifications of the County Engineer.
13. The local police, fire department, schools and any other affected agencies shall be notified at least 48 hours prior to any work affecting the flow of traffic.
14. At the discretion of the Engineer, a bond may be required for the contractor performing the work.

Permit Conditions – General

1. Traffic shall be maintained at all times, in minimum 10-foot-wide lanes, unless permission is granted by the County Engineer to close the road. Requests for road closing must be submitted 5 weeks prior to the desired closing date for review and approval by the County Engineer. Should a road closure be requested, the permit holder must also provide a detour plan. If the permit covers work performed on more than one road, under no circumstance shall more than one road be closed to traffic at the same time. Adequate provision for protection of the traveling public shall be provided by the permit holder at all times. Such protection shall include, but is not limited to, signs, barricades, lights, flaggers, concrete barriers, and steel plates. All traffic control shall be installed and maintained in accordance with the latest Ohio Department of Transportation Manual of Uniform Traffic Control Devices, latest edition.
2. In the case of emergency such as a water main break, the applicant shall contact the Summit County Engineer's Office immediately at (330) 643-2860 to report the need for the closure and to ensure proper placement of warning signs and other safety measures as soon as practicable. Call 9-1-1 immediately if there is an urgent hazard.
3. Storage of materials, equipment, or other items necessary for performance of the work within the road right-of-way is not permitted.
4. All areas disturbed or damaged by the permitted operations shall be restored to original condition or better and to the satisfaction of the County Engineer. Any drainage tiles, culverts, or other utilities or facilities damaged during performance of work under this permit shall be replaced or repaired to the satisfaction of the facility owner and the County Engineer. All existing drainage, water, sewer, electrical, telecommunication, and other utilities or facilities shall be maintained during the performance of the work. Curb ramps disturbed by permitted operations shall be restored to the specifications shown in latest revision of ODOT SCD BP-7.1-New Curb Ramp, and to the satisfaction of the County Engineer. Any liability, problem, or issue arising out of cutting, blocking, disturbance, or interference with existing facilities shall be the sole responsibility of the permit holder.
5. Upon completion of work associated with this permit, all materials, trash, and construction debris shall be removed and the roadway and right-of-way restored to a condition acceptable to the County Engineer. This shall include, but is not limited to, backfilling, grading, raking, seeding and mulching. The permit holder shall be responsible for restoration and establishment of growing grass in existing turf and lawn areas; the permit responsibility does not end with the initial seeding.
6. Excavations made within the limits of the road for conduits, drains, pipelines, or other underground utilities or structures shall be properly backfilled with approved material. All trenches and openings within 5 feet of the edge of the pavement shall be backfilled with

acceptable compacted granular material. Buried cables, conduits, or pipelines shall be installed to a minimum of 36 inches (3 feet) below the pavement subgrade in paved areas, and 30 inches below the surface of the ground in unpaved areas. When conduits, drains, pipelines, or other underground structures cross existing storm or sewer conduits or structures, the new lines and structures shall be installed with a minimum 36 inches (3 feet) of separation from the existing storm or sewer conduits or structures. Backfilling and restoration shall follow installation of the new lines and facilities as soon as possible. When not separated from traffic by concrete barrier, excavations shall be backfilled daily and the work area restored to a condition acceptable to the County Engineer. Roadside drainage shall be maintained, and pavement and berms shall be kept clean of dirt, mud, and debris at all times. Excavated material shall not be stockpiled on the road surface. Excavated material is to be loaded onto trucks as excavated for removal or reuse. Operation of construction equipment from the roadway shall be prohibited unless approved by the Engineer.

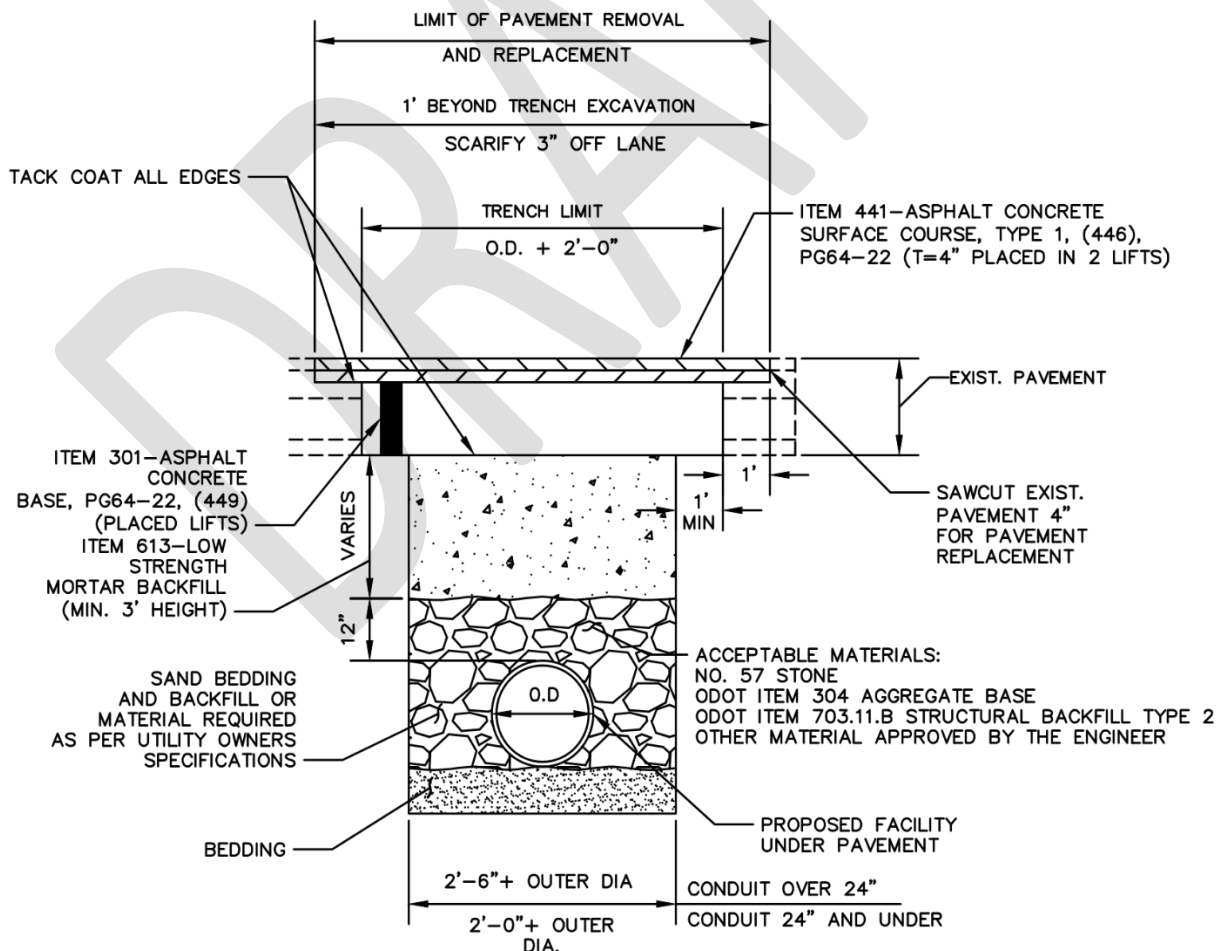
7. Any above-ground utility, object, structure, line, or facility erected by the permit holder shall be located outside the roadway Clear Zone, as defined by the Ohio Department of Transportation Location and Design Manual, Volume 1, and preferably located at the outer limits of the road right-of-way. **Placement of any above-ground utility, object, structure, line, or facility within 4 feet from the edge of the Traveled Way, as defined in the Ohio Department of Transportation Location and Design Manual, Volume 1, will generally be prohibited.**
8. Aerial facilities such as, but not limited to, cables and wires, shall remain a minimum of 15 feet above the surface of the roadway/ground (allowing for thermal sag) when within the public right-of-way. Such facilities shall not interfere with line of sight to overhead traffic signs and traffic signals.
9. Utility poles within the Right-of-Way shall be limited to a maximum base diameter of 16 inches.
10. Facilities with a vertical height above the ground, less than 3 feet, but not flush with the ground, shall have a 3-foot-tall object marker set adjacent to it. The object marker shall be a Type 2 Object Marker sign per ODOT Sign Design Manual: OM2-2V (12" Vertical x6" Horizontal, Color = Yellow), mounted on a U-Channel No. 1 Post as per ODOT SCD TC-41.20. The Object Marker sign shall face adjacent traffic.
11. All work requiring equipment, materials, vehicles, or workers in the right-of-way shall comply with the applicable requirements of the Ohio Department of Transportation Manual of Uniform Traffic Control Devices, ODOT Standard Construction Drawings (MT Series), and Item 614 (Maintaining Traffic) requirements of the Ohio Department of Transportation Construction and Material Specifications, latest edition.
12. Lights, barricades, steel plates, flaggers, watchmen, and other personnel and devices as necessary shall be available on site for the protection of traffic, day and night, during performance of the work. Excavations protected with temporary steel plates shall use steel pins or bituminous wedges on each side of the plate in contact with the pavement. Locations where steel plates are expected to remain in the roadway for more than 7 calendar days shall be identified in the permit application. Steel plates shall not be used between December 1st through April 1st without explicit written permission from the County Engineer. Aggregate

mixtures are not an acceptable temporary surface for vehicular, bicycle, or pedestrian facilities. Areas of excavations within these facilities must be plated, filled with compacted cold patch, or fully restored prior to reopening to the public. If a temporary surface is installed within a pedestrian facility, the surface shall comply with ADA requirements.

13. If grading or other construction performed under this permit interferes with drainage of the highway right-of-way or adjacent property, the permit holder shall correct the drainage condition to the satisfaction of the County Engineer.
14. The County Council of Summit County, Ohio, and the County Engineer assume no responsibility or liability for any work performed under this permit. Maintenance, protection, repair, and security of all permitted facilities and installations shall remain the sole responsibility of the permit holder.
15. The permit holder is responsible for ensuring all work is located within the road right-of-way and/or an easement controlled by the owner of the proposed work. The permit holder shall be solely responsible for all damages to persons or property due to, or resulting from, any work performed under this permit. The permit holder acknowledges that the right-of-way boundary information depicted on the Summit County Engineer's and Summit County Auditor's websites are for reference purposes only, and do not constitute a boundary survey.
16. Storage of materials, equipment, or other items necessary for performance of the work within the road right-of-way is not permitted.
17. The permit holder assumes responsibility for and will hold harmless and save the County Council of Summit County, Ohio, the County Engineer, and their officers, employees, representatives and assigns from all claims for personal injuries and property damages arising from this work.
18. No "off-the-road" equipment with steel tires, treads or cleats will be permitted on the pavement without proper planking.

Permit Provisions - Road Opening

1. Trenches through pavement shall be saw cut in straight lines parallel to, and 12 inches outside, the edge of the trench. Any remaining pavement less than 4 feet wide shall also be removed and replaced. As detailed in the Pavement Repair detail shown below. The thickness of the asphalt concrete base course shall equal the thickness of the existing asphalt concrete pavement section, less two inches for the surface course. The permit holder shall maintain suitable temporary driving surfaces of gravel or bituminous material until final pavement restoration is completed. The permit holder shall restore all damaged roadway and pavement areas outside the trench limits. The permit holder shall remain responsible for correcting deficiencies occurring in the restored areas including trench/pavement settlement for a period of 12 months following completion of the work performed under this permit. The permit holder shall correct all initial and subsequent damage by suitable means, up to and including resurfacing the roadway, as determined
2. If more than 500 linear feet of longitudinal or transverse openings are made in the pavement, an overlay may be required regardless of the age of the wearing course.



TYPICAL BACKFILL AND PAVEMENT RESTORATION AND REPLACEMENT

Permit Provisions – Bridge Structures

1. Attachment of new or replacement utilities to bridges is not permitted. Applicants shall make provisions for underground crossing or otherwise provide support structures for their facility.
2. The County owns bridges in Municipalities. Any work on these structures will also need a permit.
3. Any work involving the pavement on the bridge deck or bridge approach and any work that modifies a stream or waterway within the vicinity of a bridge requires the approval of the Bridge Engineer.

Permit Provisions – Underground

1. No field changes are permitted without prior Summit County Engineer approval.
2. Direct burial of conduit, cable, fiber or pipe utilizing the method known as “plowing” is strictly prohibited.
3. The proposed utility shall be at a 36 inches (3 feet) minimum depth and placed at the backside of any ditches. Service lines shall be at a 36 inches (3 feet) minimum depth below the flow line of the ditch. The utility shall be 36” (3 feet) at a minimum depth under any culverts or structures.
4. TV Inspection of storm sewer, sanitary sewer and their laterals located within 5 feet of direct burial of conduit, cable, fiber or pipe utilizing the installation method known as “trenchless horizontal directional boring” is required. TV inspection shall be performed within 60 days of installation by an independent contractor. Inspection reports shall provide details and photos of the location of any storm sewer and sanitary Sewer defects found.
5. Trenches are not to remain open overnight, other than what is needed to start the next day’s work.
6. No water jetting will be permitted.
7. Directional Boring Certification/ Horizontal Directional Boring Certification for operators is required.
8. Any non-metallic pipe/conduit installed underground in the R/W must be equipped with tracer wire.
9. If the proposed alignment crosses any underground utility, sewer, or storm sewer, potholing or GPR (Ground Penetrating Radar) shall be used to verify plan clearances are met.
10. No field changes to alignment or depth will be permitted without prior approval.
11. No surface discharge of any liquids within the R/W is permitted.
12. All OSHA regulations shall be followed.
13. All standard industry practices shall be implemented.
14. A OUPS ticket with confirmation number shall be included with the permit application.
15. If the proposed bore alignment is located within 3’ of another existing utility including storm sewers, the contractor shall follow the ODOT subsurface utility location service specifications Utility Quality Level A to confirm locations.
16. All utility service lines shall be shown on the plans submitted for application.

17. Lines for temporary service on the ground surface within the R/W are not permitted.
18. Above ground service panels shall not exceed 36" in height, 30" in width, and 18" in depth. Such panels shall not obstruct line of sight for vehicles traveling along or entering the roadway.
19. Underground vaults and manholes shall not exceed an interior dimension of 30".
20. Plans based upon field surveys shall be prepared by an Ohio Professional Engineer in accordance with the design standards of the SCE Design Manual for all projects involving work equal to or exceeding 500 linear feet. Where such plans are required, within 90 days of completion of the installation, as-built coordinates (Ohio State Plane North Zone or Summit County Low-Distortion Projection for horizontal, NAVD88 for vertical) shall be submitted in a geodatabase file format approved by the Summit County Department of GIS identifying the horizontal and vertical locations of the newly installed facility including junction boxes, manholes, valves, and all horizontal and vertical changes in direction; such coordinates shall be provided at an accuracy of precision of 0.1' in horizontal and 0.2' in vertical. Similarly, coordinates shall be provided for any adjacent or crossed utility or storm sewer observed during construction.