

SUBJECT	ISSUED BY	EFFECTIVE DATE	REVISION DATE
<b>Utility Accommodation Policy</b>	Board of County Commissioners	09.30.2020	1.0

**GENERAL:** ..... 1

**DEFINITIONS:** ..... 3

**ACCOMMODATING PUBLIC UTILITIES ON THE SYSTEM OF ROADS:**..... 5

    I. INTRODUCTION:.....5

        A. APPLICATION.....5

        B. APPEAL.....5

    II. GENERAL CONSIDERATIONS.....5

        A. LOCATION .....5

        B. DESIGN .....6

        C. PERMITS .....6

        D. ABANDONMENT OR RETIRE IN PLACE .....7

        E. EMERGENCY MAINTENANCE .....7

        F. WORK AREAS .....7

    III. PUBLIC UTILITIES INSTALLED PARALLEL WITH RIGHTS-OF-WAY .....7

        A. OVERHEAD INSTALLATION.....8

        B. UNDERGROUND INSTALLATIONS .....9

    IV. PUBLIC UTILITIES CROSSING RIGHTS-OF-WAYS.....9

        A. OVERHEAD INSTALLATIONS.....9

        B. UNDERGROUND INSTALLATIONS .....10

    V. CASED AND UNCASD CONSTRUCTION .....11

        A. CASED CONSTRUCTION .....11

        B. UNCASD CONSTRUCTION.....11

    VI. CASING MATERIAL AND USAGE CRITERIA.....12

        A. APPROVED MATERIALS .....12

        B. USAGE CRITERIA .....13

    VII. APPURTENANCES TO PIPELINE INSTALLATIONS.....13

        A. VENTS.....13

        B. MARKERS.....14

    VIII. TRENCHED CONSTRUCTION AND BACKFILL.....14

A. TRENCHES ..... 14  
B. BACKFILL ..... 14  
C. SETTLEMENT ..... 15

IX. ATTACHMENTS TO HIGHWAY BRIDGES AND STRUCTURES ..... 15

A. PERMITS ..... 15  
B. DESIGN ..... 15

X. ADJUSTMENTS AND LOCATING OF EXISTING UTILITIES ..... 17

A. ADJUSTMENTS ..... 17  
B. LOCATING OF EXISTING UTILITIES ..... 17

XI. PENALTY FOR FAILURE TO FOLLOW POLICY ..... 18

A. NOT LOCATING/RELOCATING EXISTING UTILITY LINES FOR ROADWAY INFRASTRUCTURE PROJECTS ..... 18  
B. STOP WORK ORDER/ FAILURE TO OBTAIN HIGHWAY PERMIT ..... 19  
C. FOR FAILURE TO OBTAIN HIGHWAY PERMIT ..... 19

XII. SCENIC ENHANCEMENT ..... 19

A. OVERHEAD INSTALLATION ..... 19  
B. UNDERGROUND INSTALLATIONS ..... 19

XIII. SAFETY AND CONVENIENCE ..... 19

A. CONTROL OF TRAFFIC ..... 19  
B. SERVICING, MAINTENANCE, AND REPAIR ..... 19

XIV. MISCELLANEOUS ..... 20

A. LIABILITY ..... 20  
B. VARIED USE ..... 20  
C. DISTURBED AREAS ..... 21  
D. DRAINAGE ..... 21

**APPENDIX ..... 22**

A-I. BOND POLICY & PERMIT GUIDELINES ..... 23

HIGHWAY PERMIT/USE OF RIGHT OF WAY ..... 25

A-II. PUBLIC UTILITIES ON BRIDGES ..... 29

AGREEMENT FOR PUBLIC UTILITIES ON BRIDGES ..... 30

A-III. SIGNING & CONSTRUCTION REQUIREMENTS ..... 32

**GENERAL:**

This policy is adopted by the Board of County Commissioners, Leavenworth County, Kansas, pursuant to the power and authority granted to it by the laws of the State of Kansas.

The power and authority of the Board of County Commissioners with respect to the property belonging to the County is as set forth generally and principally, but not exclusively, K.A.S. 19-212. Also, K.S.A. 17-1901, 17-1902, 17-4604, and 19-2618 have application as to the occupancy of public highways by telephone and telegraph companies, electric cooperatives, and other utilities such as water, gas, etc. respectively and by person or persons, partnerships or corporations who desire to maintain and operate water mains and laterals and equipment.

All utilities occupying public right-of-ways on all roads under the jurisdiction of the Board of County Commissioners shall be permitted in accordance with this policy and shall include a statement as to which party will bear the cost of future adjustments or relocations required as a result of any road, bridge, or culvert improvement or maintenance.

Where overlap in laws or orders of public authority, industry/governmental codes, or highway authorities prescribe utility policy the higher degree of protection shall prevail.

This policy shall become effective on the date of issuance and shall supersede any and all previously published Leavenworth County Department of Public Works standards and policies concerning accommodation of utility facilities and appurtenances.

In general, all utility installations, adjustments, and/or relocations shall obtain a permit and are to be made with due considerations to highway and utility costs and in a manner where there will be negligible hazards to highway users, the least possible interference with highway facilities and their operations, and no increase in the level or cost of maintenance.

The County Department of Public Works recognizes that any policy, which is adopted, may create some unforeseen burdens, hardships, or problems, and for that reason when circumstances are encountered which makes the literal application of this policy impossible or impractical, alternate proposals may be submitted to the Director for consideration. Each application will be considered individually.

All work to be performed on public right-of-ways in connection with the installation or relocation of utilities or joint use occupancy shall be authorized by Highway Permit or Highway Utility Agreement issued by the County Department of Public Works.

Any utility installation or relocation accomplished by means of a CONSTRUCTION UTILITY AGREEMENT, required by KDOT for all F.S.A. projects, with the County Public Works Department and also covered by Highway Permit will not require the usual bond to be posted with the Permit.

Emergency operations may be performed without a Highway Permit or Highway Utility Agreement, but a County Department of Public Works representative must be notified. See section II.E of 'Accommodating Public Utilities On the System of Roads' within this policy.

Public Works staff, designated by the Director will furnish information or assistance required to expedite utility installations. He/She shall also be responsible for utility company compliance with provisions of the Utility Agreement or Highway Permit covering the installation of work. The County Department of Public Works reserves the right to vary the provisions of this policy, consistent with the general purposes and intent of the policy, as determined by the Director.

Applications for Permits may be obtained at the Public Works Office, Courthouse building, 300 Walnut St., Suite 007, Leavenworth, Kansas 66048. A copy of the permit application is attached for reference purposes.

**DEFINITIONS:**

The following definitions are all in reference to Leavenworth County transportation facilities that are owned and maintained by the County

ACCESS CONTROL

Full or partial restriction of access from abutting lands to or from the highway.

CONVENTIONAL HIGHWAY

Any highway other than a freeway including the highway intersecting a freeway at any interchange or grade separation except a freeway-to-freeway interchange.

COUNTY

Leavenworth County, Kansas

CROSS ACCESS EASEMENT

An interest in land held by another that entitles its holder, the Cluster Development Subdivision, to provide access to each lot within Cluster Development, but will in no way be considered a public right-of-way.

DEPARTMENT

The Leavenworth County Department of Public Works

DIRECTOR

The Infrastructure & Construction Services Director/Public Works Director of Leavenworth County, KS

EASEMENT

An interest in land held by another that entitles its holder to a specific limited use...such as for installation of a water or gas line.

FREEWAY

A highway with full control of access and all grade crossings eliminated.

FRONTAGE ROAD

A public street or road auxiliary to and located on one side of the highway. (Also called a local service road for service to abutting property and adjacent areas and for control of access.)

HIGHWAY

The entire width of right-of-way dedicated as a public way for the purpose of vehicular traffic.

KDOT

Kansas Department of Transportation, Topeka, Kansas.

MEDIAN

That portion of a divided highway separating traveled ways for traffic of opposite directions.

NATURAL GAS DISTRIBUTION SYSTEMS

Natural gas mains generally located within cities and towns to service patrons; generally, at pressures not exceeding 60 psi.

#### PRIVATE UTILITIES

Facilities privately owned, devoted exclusively to private use and not directly or indirectly serving the public or any portion thereof.

#### PUBLIC WATER SUPPLY SYSTEMS

As defined in KSA 65-162A, and cross referenced to Rural Water Districts. KSA 82 A-612 Definitions.

#### RIGHT OF WAY

A general term denoting land, property, or interest therein usually in a strip acquired for or devoted to transportation purposes.

#### ROADWAY

That portion of the highway extending between curb lines or from shoulder line to shoulder line. Divided highways are considered to have two roadways.

#### SHOULDER

The portion of roadway contiguous with the traveled way for accommodation of stopped vehicles, emergency use and lateral support of base and surface courses.

#### TRAVELLED WAY

That portion of roadway, exclusive of shoulders, used for vehicular traffic.

#### TUNNELING

Excavating the earth ahead of a large diameter pipe by one or more of the following processes. The earth ahead of the pipe will be excavated by individuals using hand tools while the pipe is pushed through the holes by means of jacks, rams, or other mechanical devices. The excavation is carried on simultaneously with the installation of tunnel liner plates. The tunnel liner plates are installed immediately behind the excavation as it progresses and are assembled completely from the inside.

#### UTILITIES

All privately, publicly or cooperatively owned lines, facilities and systems for producing, transmitting or distributing communications, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, storm water, and other similar commodities, including fire and police signal systems and street lighting systems which directly or indirectly serve the public.

**ACCOMMODATING PUBLIC UTILITIES ON THE SYSTEM OF ROADS:**

**I. INTRODUCTION:**

**A. APPLICATION**

1. This section of the policy applies to all public and private utilities, including but not limited to electric power, telephone, telegraph, water, gas, oil, petroleum products, steam, cable television, chemicals, sewage, drainage, irrigation, and similar lines that are to be located, adjusted, or relocated within the right-of-way under the jurisdiction of the Leavenworth County Department of Public Works. Such utilities may involve underground, surface, or overhead facilities either singly or in combination.
2. Replacement of existing utility facilities with those facilities of a different type, capacity, or design is to be considered as a new utility installation and shall adhere to this policy.
  - a. Replacement not requiring additional poles or relocation of poles shall not require Highway Permits.
3. All utilities that are placed in public right-of-way are to follow the regulations set forth in this "Utility Accommodation Policy."

**B. APPEAL**

1. Any utility that wishes to appeal of the decision of the Department, with regards to this policy, must submit a written request for appeal to the appropriate Department staff. This appeal will be reviewed and submitted to the Board of County Commissioners for their consideration. The Board of County Commissioner may or may not act upon the request for appeal.

**II. GENERAL CONSIDERATIONS**

**A. LOCATION**

1. Utility installations are to be located to minimize need for adjustments to accommodate future highway improvements or bridge replacements and to permit servicing such lines with minimum interference to highway traffic.
  - a. Where available, utility installations are to be located within existing, designated utility easements and not within public right of way.

2. Parallel installations and their appurtenances are to be located on uniform alignment as near as practicable to the right-of-way lines so as to provide a safe environment for traffic operation and to preserve space for future highway improvements or other utility installations. The County realizes that installation along right-of way lines are impractical in some cases and if such a situation occurs, the installation shall be made within the right-of-way where so designated by the Director.
3. To the extent feasible and practicable, utility line crossings of highway rights-of-way are to be installed perpendicular to the highway alignment.

**B. DESIGN**

1. The utility is to be responsible for the design of the utility facility to be installed within the highway rights-of-way or attached to a highway structure.
2. Ground-mounted utility facilities should be of a design compatible with the visual quality of the specific highway section being transversed.
3. All utility installations on, over, or under highway rights-of-way and attachments to highway structures shall be of durable materials designed for long service life expectancy and relatively free from routine servicing and maintenance. Conformance with current applicable material specifications and codes is mandatory.
4. On new installations or adjustments of existing utility lines, provisions should be made for known or planned expansion of the utility facilities, particularly those located underground or attached to structures. They shall be planned so as to minimize hazards and interference with highway traffic when additional overhead or underground lines are installed at some future date.

**C. PERMITS**

1. Any proposed installation within the public right of way must obtain the approval of the Department as to location of the utility and must obtain a “Highway Permit” prior to installation.
2. Any planned adjustments to existing utilities within the right of way must obtain "Highway Permit" prior to beginning the work.
3. Failure to obtain a permit after will result in a penalty. See section XI.
4. It is the responsibility of the utility provider to obtain and maintain all permits from other jurisdictions. A Highway Permit, granted by the County, does not grant approval of permits from other jurisdiction and does not override requirements set forth by other jurisdictions.



**D. ABANDONMENT OR RETIRE IN PLACE**

1. The Utility shall notify Leavenworth when the utility has been abandoned or retired in place and is responsible for all costs associated with removal (or making safe in place) of abandoned or retired in place utility. The Utility company shall remove all above ground structures, pedestals, markers, manholes and other structures or installations deemed necessary by the Director or designee.

**E. EMERGENCY MAINTENANCE**

1. Emergency maintenance of utilities located on highway right-of-way is permissible without first obtaining a Highway Permit Agreement, if an emergency exists that is dangerous to the life, safety or welfare of the public and which requires immediate repair. The utility owner shall take all necessary and reasonable safety measures to protect the traveling public and cooperate fully with the State and Local Emergency Responders, State Highway Patrol, Sheriff's Department, the County and local jurisdictions to that end.
2. The Utility Owner, in such an event, will advise the Public Work's Department of the locations as soon as possible to insure proper traffic control and coordination with the Department. Any damage to the right-of-way will be restored in accordance with this manual. A permit request should be made by the Utility within the second working day.
  - a. Failure to obtain a permit after the second working day will result in a penalty. See section XI.C.1.

**F. WORK AREAS**

1. No work, other than emergency work, will be permitted on highway right-of-way when the soil condition is such that rutting or other damage is caused to the right-of-way.
2. The area disturbed by utility installations or relocations shall be kept to a minimum, with special care taken to avoid disturbing existing drainage facilities.
3. Right of way restoration shall include final grading that allows for positive drainage for above or below storm water conveyances.
4. All disturbed areas shall be vegetated with turf sod or turf seed per KDOT standards. Permittee shall provide necessary maintenance including reseeding or sodding, regrading due to erosion or settlement, and watering until area is vegetated. Appropriate erosion control measures shall be installed and maintained until disturbed area is established. Established vegetation includes a mowable turf stand with 70% turf coverage.

**III. PUBLIC UTILITIES INSTALLED PARALLEL WITH RIGHTS-OF-WAY**

A. OVERHEAD INSTALLATION

1. Ground-mounted overhead utility installations shall be located at the outer limits of the right-of-way, preferable within two (2) feet or less of the right- of-way line. If such installation is impractical, however, such installation shall be within the right-of-way where so designated by the Director.
  - a. Where there are curbed sections, the utilities shall be located as far as practical behind the face of the outer curbs and where feasible, behind the sidewalks.
  - b. All poles, guys, anchors, or other appurtenances shall be located to minimize interference with maintenance operations of the County Highway Department.
  - c. No poles, guys, anchors, or other appurtenances shall be located in ditches, at drainage structure openings, or on roadway shoulders.
2. It is encouraged to install a jointly utilized structure at locations where more than one utility or type of facility is involved.
3. The minimum vertical clearance to overhead installations shall be as required by the National Electrical Safety Code, U.S. Department of Commerce, National Bureau of Standards. However, additional clearance may be requested by the Department in certain instances.

General clearance guides, based on 175 foot (53 meters) spans, are provided in the following table:

<u>VERTICAL CLEARANCE*</u>	<u>LINE VOLTAGE</u>
18 ft (5.5 m)	0-750
20 ft (6.1 m)	750-22,000
**	22,000-470,000
***	Over 50,000

\*Increase general clearance 0.01 foot (3 mm) for each foot in excess of 175 foot (53 meters) span

\*\*Increase general clearance 0.4 in (10 mm) for each 1,000 volts of the excess over 22,000 volts (This factor is adjusted to reflect line to ground voltage.)

\*\*\*All clearances for lines over 50,000 volts shall be based on maximum operation voltage.

**B. UNDERGROUND INSTALLATIONS**

1. Underground utility installations shall be located at the outer limits of the right-of-way, preferably within three (3) to five (5) feet of the right-of-way line.
  - a. The County realizes that installations located at the outer limits of the right-of-way are some-times impractical, if such a situation occurs, the Director may, upon application of the owner of the utility, allow the installation of the underground utility in another location within the right-of-way.
  - b. If, for various reasons, the Director has allowed an underground installation in the roadway and a drainage structure is encountered with less than 24" of cover, the underground installation shall go under the drainage structure.
  - c. Locations where it will be difficult to attain minimum bury due to wet or rocky terrain shall be avoided. Any plan location change must be approved by the Director in advance.
  - d. All underground water and gas line installations shall be in locations approved by the Director.
2. Underground facilities shall be installed at a minimum depth of three (3) feet, except parallel underground direct burial communications cable may have a minimum of 24 inches of cover. Such cable may require greater depth of bury at certain locations including, but not limited to crossings of streambeds, side roads, and major entrances. In no case shall the depth of cover for any underground facilities be less than that meeting applicable Industry Safety Requirements.
  - a. If less than minimum bury is made necessary because of existing utilities, water table, ordinances, or similar reasons, the line shall be rerouted or protected with a casing concrete slab or other means.

**IV. PUBLIC UTILITIES CROSSING RIGHTS-OF-WAYS**

**A. OVERHEAD INSTALLATIONS**

1. Where aerial crossings are required, all poles, guys, anchors, and appurtenances shall be located as near the outer limits of the right-of-way as possible.
  - a. No poles, anchors, guys, and appurtenances shall be located in the roadway, roadway shoulder, roadway ditch, or roadway median.
  - b. Where there are curbed sections all poles, guys, anchors, and appurtenances shall be located as far as practical behind the face of the outer curbs and where feasible, behind the sidewalks.

2. Joint-use construction is encouraged at locations where more than one utility or type of facility is involved.
3. The minimum vertical clearance to overhead installations shall be 18 ft. or what is required by the National Electrical Safety Code, U.S. Department of Commerce, National Bureau of Standards. However, additional clearance may be requested by the Department.

**B. UNDERGROUND INSTALLATIONS**

1. Underground installations shall be located parallel or perpendicular to the highway alignment where practical.
  - a. No manhole shall be located in the pavement or roadway shoulder.
  - b. Locations which are considered unsuitable or undesirable for pipeline crossings shall be avoided. These include, but are not limited to, locations such as in deep cuts; near bridge footings; at cross drains where flow of water, drift, or stream bed may be obstructed; and in wet or rocky terrain where it will be difficult to obtain minimum bury.
2. Underground installations may be made by open trenching from the right-of-way line to the toe of the fill slope in fill sections and to the toe of the shoulder slope in cut sections. No trenching or excavating shall be allowed in the fill or shoulder slope unless approved by the Director or designee. The remainder will be tunneled, bored, augured, or driven under the roadway grade. Open trenching shall not be allowed on rock or gravel roads in non-emergent situations without the prior written consent of the Public Works Director or designated staff member and shall only be allowed when subsurface conditions, such as rock ledges, prevent the gravel roadway from being tunneled, bored, augured, or driven. When open trenching is permitted it shall be between the hours of 7:00 a.m. and 5:00 p.m., seven days a week. From the hours of 5:00 p.m. until 7:00 p.m. and when a crew is not presently engaged in the installing of an underground installation the trench shall be backfilled. All backfilling shall be in compliance with section VIII.B of this policy. From the hours of 7:00 a.m. until 5:00 p.m. when an open trench exists, traffic control shall be present and shall comply with the Manual of Uniform Traffic Control Devices.
3. All utilities crossing through ditches and roadways shall have a minimum depth of cover of five (5) feet below crown grade or three (3) feet below ditch grade the lower of which shall govern. In fill sections, the natural ground line at the toe of the slope will be considered as ditch grade. However, in no case shall the depth of cover be less than that meeting applicable Industry Safety Requirements.
  - a. If less than minimum bury is made necessary because of existing utilities, water table, ordinances, or similar reasons, the line shall be rerouted or protected with a casing, concrete slab, or other approved means.

**V. CASED AND UNCASD CONSTRUCTION**

**A. CASED CONSTRUCTION**

1. All highway crossings shall be cased unless prior approval is granted by the Director to make such installation without casing, section VI.B for Exceptions.
2. Utility lines crossing highway rights-of-way shall be encased from toe of back slope to the toe of back slope in ditch sections and from toe of fill to toe of fill in fill sections. See section VI.B for Exceptions.
3. Utility lines installed longitudinally along highway rights-of-ways may require casing at certain locations. Such locations include but are not limited to crossings of side roads and major entrances.
4. Casing installations shall be made by boring, tunneling, jacking, trenching, or other approved methods.
  - a. Bored or tunneled installations shall have a hole diameter, which shall not exceed the outside diameter of the casing (including coating) by more than one (1) inch.
  - b. The use of water under pressure (Jetting) will not be permitted to facilitate jacking operations.
  - c. Where unstable soil conditions exist, boring or tunneling operations shall be conducted in such a manner as not to be detrimental to the roadside being crossed.
  - d. If excessive voids or too large of a bored hole is produced during casing installations, or if it is necessary to abandon a bored or tunneled hole, prompt remedial action shall be taken by the utility company, subject to the approval of an authorized representative of the Department.
  - e. All voids caused by boring or jacking shall be filled by pressure grouting when deemed necessary by the Director's Representative. The grout material shall be a sand cement slurry with a minimum of two (2) sacks of cement per cubic yard and a minimum of water to assure satisfactory placement.

**B. UNCASD CONSTRUCTION**

1. The following lines will not require casement:

- a. Natural gas distribution and service lines with maximum pressure of 30 pounds per square inch (PSI) of copper, steel, or plastic which have an inside diameter of two (2) inches or less. Such lines are to be protected and installed in accordance with industry requirements and standards. The permit is to include a statement of certification that such standards will be met.
  - b. Direct buried telephone and communications cable.
  - c. Welded steel lines which are coated and cathodically protected and meet other requirements noted in previous section IV.B.
  - d. Water lines of two (2) inches or less inside diameter, of copper, steel, or plastic.
2. Uncased utility installations, which by reason of shallow depth or location make them vulnerable to damage from highway construction or maintenance operations, shall be protected with a casing, suitable bridging, concrete slabs or other appropriate measures.
3. Where it is acceptable to both the utility company and the Leavenworth County Department of Public Works, underground utility installations not listed in this section may be installed without protective casing. These will be determined on an individual basis and limited to:
- a. Open trenched construction
  - b. Small Bores

**VI. CASING MATERIAL AND USAGE CRITERIA**

**A. APPROVED MATERIALS**

- 1. Smooth wall, welded steel pipe in sound condition with a minimum wall thickness as specified in American Petroleum Institute Code #1102 listed below:

<u>CASING NUMBER</u>	<u>MINIMUM WALL THICKNESS</u>
Casing Diameter under 6"	Standard Wall pipe or .188" wall, as preferred.
6, 8, 10, 12, 14 & 16"	.188"
18 20 & 22"	.280"
24 & 26"	.281"
28, 30, 32 & 34"	.312"
36, 38, 40 & 48"	.344"

- 2. Reinforced concrete round pipe meeting the requirements of the current KDOT, "Standard Specifications for State Road and Bridge Construction.
- 3. Cast iron pipe or ductile iron of the same class as used for carrier pipe, providing it meets the minimum ASTM Specifications.

4. Conduits for underground crossings of electric or communication lines may be of non-metallic materials such as polyvinyl chloride schedule 40, transite orlike material.

**B. USAGE CRITERIA**

1. Sanitary sewer lines of fiber or transite may be installed but plastic must be cased from right-of-way line to right-of-way line.
2. Sanitary sewer lines of cast iron, gravity flow, placed prior to construction and properly bedded, may be installed without casing provided that the cast iron pipe is installed from right-of-way line to right-of-way line with heavy duty cast iron pipe being used within construction limits and provided that suitable mechanical joints and seals are used.
3. Underground electric service lines must be placed in conduit or ducts from right-of-way line to right-of-way line and must be clearly marked by the owner at the outer limits of the right-of-way.
4. All lines carrying liquid petroleum gas, ammonia, chlorine, or other hazardous or corrosive products shall be cased from right-of-way line to right-of-way line and shall be vented and marked at the outer right-of-way limits.
5. Low pressure natural gas distribution and service lines of steel; protected and installed in accordance with industry requirements and standards may be installed without casing. Low pressure is defined as 60 P.S.I. and under.
6. Plastic pipe for water or gas lines may be used within the limits of the right-of-way providing that it meets minimum ASTM specifications and all applicable laws and codes and must stipulate that it is for natural gas pipe.code ASTM D2513. Must also comply with requirements of Federal and State regulations under Title 49 CFT parts 191 & 192.
7. Utility lines will not be permitted to use drainage structures or cattle passes as a conduit or casing.
8. Underground fiber optic lines must be placed in schedule 40 PVC or equivalent from right-of-way to right-of-way line and must be clearly marked by the owner at the limits of the right-of-way.

**VII. APPURTENANCES TO PIPELINE INSTALLATIONS**

**A. VENTS**

1. Vents are appurtenances by which fluids between carrier and casing may be inspected, sample exhausted, or evacuated.
  - a. Vents shall meet all industry and KDHE requirements

- b. Vents shall be located at the high end of short casing and at both ends of casing longer than 150 feet.
- c. Vent standpipes shall be located and constructed so as not to interfere with maintenance of the highway nor to be concealed by the vegetation. Where possible they shall be located at the right-of-way line.

**B. MARKERS**

- 1. The utility company is to place readily identifiable and industry suitable markers at the right-of-way lines where it is crossed by the lines carrying transmittants which are flammable, corrosive, expansive, energized or unstable, particularly if carried at high pressure, except in those cases where a vent serves as a marker. Markers shall also be placed at the right-of-way line for water lines, and all other utilities when so directed by the Director.

**VIII. TRENCHED CONSTRUCTION AND BACKFILL**

**A. TRENCHES**

- 1. Trenches shall be cut to have vertical faces, where soil and depth condition permit, with a maximum width of outside diameter of pipe, plus two (2) feet. They should be shored where necessary for safety and protect the traveled way.
  - a. Bedding shall be provided to the industry standard but will not be less than a depth of six (6) inches or half the diameter of the pipe, whichever is the least.
  - b. Bedding material shall be free of lumps, clods, stones, and frozen material and shall be graded to a firm but yielding surface without abrupt changes in bearing value.

**B. BACKFILL**

- 1. Backfilling of open trenches shall meet the following requirements:
  - a. Only approved materials that will produce a dense, well compacted backfill shall be used. The County approves of AB-3 Granular Material or flowable concrete fill, any alternative backfill must be requested for acceptance by the Director. Materials containing frozen soil, debris, or organic material shall not be used.
  - b. The material shall be placed in uniform layers not to exceed six (6) inches in depth and compacted by means of suitable equipment or by tamping with mechanical or hand tampers. Each layer shall be compacted to a density equal to or greater than that of the surrounding soil within the limits of the road right-of-way.



- c. The moisture content of the soil used for backfilling shall be uniform and shall be such that required densities can be obtained.
  - d. Consolidation by saturation or ponding will not be permitted.
2. All open excavations shall be provided with adequate physical barriers to provide for the public safety. Types of protection shall be fence, barricades, and/ or solid coverage or any combination of the above.

**C. SETTLEMENT**

- 1. The Utility Owner shall be responsible for all settlement of disturbed backfills, fills, and embankments, which may occur within one year after notice of acceptance of work.
- 2. All repairs and/or replacement necessary due to such settlement shall be made by the Utility Owner within thirty days after receipt of notice from the Public Works Director.

**IX. ATTACHMENTS TO HIGHWAY BRIDGES AND STRUCTURES**

**A. PERMITS**

- 1. Any public utility proposing to use a new or existing structure for the support of the utility must obtain the approval of the Department as to location of the line on the structure and the method of attachment. The utility company makes application to attach facilities to a structure by submitting a "Highway Permit" form, together with an "Agreement for Public Utilities on Bridges" form to the Director.

**B. DESIGN**

- 1. When the new structure is in the design stage, the Public Works Department, through cooperation with the utility company, may arrange for conduit or pipe hangers to be shown on bridge construction plans for installation by the contractor. Additional costs resulting from such attachments are borne by the utility company unless otherwise provided by agreement.
- 2. Since highway structure design and site conditions vary, the adoption of standardized methods to accommodate utility facilities on structures is not feasible.
- 3. The utility company is responsible for the design of the facility to be attached to a highway structure.
- 4. For an existing structure, design and calculations shall be provided by the utility to include a design by a licensed structural engineer from the state of Kansas. Design shall be signed and sealed by a licensed structural engineer.

5. The County authorities shall have the right to review and approve the utilities' proposal, particularly the measures to be taken to preserve the highway, its safe operation, maintenance, and appearance. In these respects, the following considerations govern:
- a. Attachment of pipelines carrying liquid petroleum products, toxic gases or fluids will normally not be permitted on bridges or structures except in extreme cases where the owner can make a clear showing that any other location is extremely difficult and unreasonably costly to the consumer.
  - b. Structure insurance coverage, for damages that may occur by reason of pipeline attachments carrying PETROLEUM, HAZARDOUS, AND/OR CORROSIVE PRODUCTS will be provided by the Utility Company in an amount determined for each bridge or structure by the Public Works Director.
  - c. In general, utility pipelines and conduits are located within the bays between girders and beneath the bridge deck. Location is subject to approval of the Public Works Department.
  - d. Welding and drilling on the steel structure of bridges is not permitted. All attachments to steel structure must be supported by some type of clamping device.
  - e. On concrete structures, utilities are attached by use of the plug type anchor installed by drilling the concrete. The explosive type of driving force method of anchoring is prohibited.
  - f. Attachment of a line carrying fluids such as petroleum products, water, sewage, etc., to a structure or bridge overcrossing a street, other highway, freeway, or railroad shall be encased throughout the bridge with casing carried beyond the back of the bridge abutments and opened or vented at each end to detect leakage of fluids.
  - g. Pipelines carrying natural gas, liquid petroleum products, or other volatile fluid or gas under pressure, will require installation of emergency shutoff valves. Such valves shall be placed within an effective distance on each side of the bridge, unless the pipeline is equipped with nearby shutoff valves or operates under control of automatic shut-off devices.
  - h. Communication and electric power line attachments shall be suitably insulated, grounded, and carried in protective conduit or pipe from point of exit from the ground to re-entry. The cable shall be carried to a manhole located beyond the backwall of the structure. Carrier and casing pipe shall be suitably insulated from electric power line attachments.

- i. Satisfactory provisions for longitudinal pipeline movement due to temperature differentials or lineal expansion and contraction of the bridge shall be made in pipeline designs. Such provisions may be line bends. Flexible coupling, or other methods acceptable under appropriate industry codes and practices.
- j. Utility lines installed through existing bridge abutments, wingwalls, or backwalls shall be installed in such a manner that no leakage of water or backfill material shall occur. The hole created in the structure shall be of minimum size and the annular space between the pipe and structure shall be completely filled with suitable mastic substance. Where pipeline sleeves are employed, the space between the sleeve and pipeline shall be filled with suitable mastic material.

## X. ADJUSTMENTS AND LOCATING OF EXISTING UTILITIES

### A. ADJUSTMENTS

1. That in the event the Department deems it necessary or proper to make any alterations or improvements within road right-of-way, the utility agrees to hold the County and the Department harmless of any damage to said utilities along or upon the said highway or right-of-way. The utility also agrees that upon notice being served upon them, they will, within a reasonable time, relocate the utility within the right-of-way as requested by the Director or the duly authorized representative without expense to the Department. In the event the utility company is unable to comply, within a reasonable time, to said request to relocate the utility in the right-of-way and as a result of the damages resulting from the delay of critical infrastructure projects to the county and public, the Department shall proceed with financial penalties set forth by policy herein. After the financial penalty period is exhausted as set forth, the Department shall cause the necessary relocation work to be completed per this policy and the utility will pay the costs beared by Leavenworth County upon receipt of contractor's statement.

### B. LOCATING OF EXISTING UTILITIES

1. The location of existing utilities shall be requested by the county through the Kansas One Call System also known as Kansas 811. Per Kansas Statute 18-1606 **Identification of location of facilities; duties of operator; liability for damages.** (a) Within two working days, beginning on the later of the first working day after the excavator has filed notice of intent to excavate or the first day after the excavator has whitelined the excavation site, an operator served with notice, unless otherwise agreed between the parties, shall inform the excavator of the tolerance zone of the underground facilities of the operator in the area of the planned excavation by marking, flagging or other acceptable method.

2. In the event that a utility operator does not locate their utility per Kansas Statute 18-1606, regardless of whether the utility is located in private easement outside of the road right-of-way, per Kansas Statute 18-1606 (f) If the excavator has provided notice to an operator pursuant to K.S.A. 66-1804, and amendments thereto, and the operator fails to comply with subsections (a), (b) or (c) or notifies the excavator that it has no underground facilities in the area of the planned excavation, the excavator may proceed and shall not be liable to the operator for any direct or indirect damages resulting from contact with the operator's facilities, except that nothing in this act shall be construed to hold any excavator harmless from liability to the operator in those cases of gross negligence or willful and wanton conduct.

## **XI. PENALTY FOR FAILURE TO FOLLOW POLICY**

### **A. NOT LOCATING/RELOCATING EXISTING UTILITY LINES FOR ROADWAY INFRASTRUCTURE PROJECTS**

1. In the event that the Department or a contracted engineering design firm working on behalf of the County on an infrastructure maintenance or improvement project properly requests a utility locate, any utility company that operates in any location within Leavenworth County road right-of-way that fails to locate their utility in the field, within the timeframe required by statute, will be notified by mail that they have 10 additional calendar days to locate their utility. After which time, it will be deemed that the utility company has delayed the progress of the critical infrastructure project. After said 10-day period, the County will impose a \$250 per day fee for non-compliance with utility locating regulations that have resulted in infrastructure project delays.
2. The relocation of utilities, both those located within county right-of-way and privately held utility easements, is a required aspect of infrastructure maintenance and improvement projects. The County acknowledges that the relocation of a utility located within a private easement is their financial responsibility. The relocation of a utility located within the County right-of-way is the financial responsibility of the utility company. The Department, or a contracted engineering design firm working on behalf of the County, will notify utility companies via certified mail of any conflicts that arise from the design of infrastructure maintenance or improvement projects. The relocation of conflicting utilities is, in most cases, a critical completion path item for the project. Unless prior written consent is provided by the Director that the relocation of the utility in conflict will not delay the project, the utility company will be provided 120 calendar days to relocate said utility. After said timeframe is exhausted, the County will impose a \$500 per day fine for non-compliance and suspension of all current and future utility accommodation permits.
3. In the event that relocation is required for county infrastructure maintenance or improvement, utility is responsible for all costs associated with removal/conflict of abandoned utilities.

**B. STOP WORK ORDER/ FAILURE TO OBTAIN HIGHWAY PERMIT**

1. If, at any time, it is determined that a Utility is out of compliance with the requirements set forth by this policy, the County shall issue a Stop Work Order, requiring work to cease until the Utility can be in compliance.

**C. FOR FAILURE TO OBTAIN HIGHWAY PERMIT**

1. Failure to obtain a Permit, as required, prior to utility construction within the county right-of-way will result in double permit fees being assessed at the full fee of installation, or \$500.00, whichever is greater.
  - a. A stop work order will be issued until the Utility obtains a Highway Permit for the needed work.

**XII. SCENIC ENHANCEMENT**

**A. OVERHEAD INSTALLATION**

1. New aerial installation shall be avoided in areas which have acquired or set aside for their scenic quality such as scenic strips, overlooks, safety rest areas, recreational areas, public parks, and historic sites unless other locations or manner of installations are difficult and unreasonably costly or where suitable designs and materials are employed which give adequate attention to the visual qualities of the area being transversed.

**B. UNDERGROUND INSTALLATIONS**

1. Underground utility installations may be permitted within such locations where they do not require extensive removal or alteration of trees or other natural features visible to the highway user or do not impair the visual quality of the land being traversed.

**XIII. SAFETY AND CONVENIENCE**

**A. CONTROL OF TRAFFIC**

1. Traffic controls for utility construction and maintenance shall conform with the current Manual of Uniform Traffic Control Devices for Streets and Highways, U.S. Department of Transportation, Federal Highway Administration, and all addendums thereto.

**B. SERVICING, MAINTENANCE, AND REPAIR**

1. All utility facilities shall be kept in a good state of repair both structurally and from a standpoint of appearance.

**XIV. MISCELLANEOUS**

**A. LIABILITY**

1. Liability insurance shall be provided as more specifically outlined in the Highway Permit which is included in the Appendix.
  - a. The Utility shall secure and maintain, throughout the duration of this permit, insurance (on an occurrence basis unless otherwise agreed to) of such types and in at least such amounts as required herein. Utility shall provide certificates of insurance and renewals thereof on forms acceptable to the County. All insurance requirements shall be obtained prior to construction.
  - b. Policy MUST include the following conditions:
    - Commercial General Form
    - Explosion, Collapse & Underground
    - Broad Form Contractual / Contractually Assumed Liability
    - Independent Contractors
    - Broad Form Property Damage
    - Pollution Liability (Applicable only to contracts involving pollutants such as asbestos & lead abatement, sludge or other waste abatement, etc.)

NAME LEAVENWORTH COUNTY, KANSAS AS “ADDITIONAL INSURED”

2. The Utility Company or ROW Occupant assumes all risk and liability for accidents and damages that may occur to persons or property from work performed under a Highway Permit or Agreement for Public Utilities on Bridges.
3. The County shall not be liable for damage to any utility not installed in the location authorized by any permit or agreement issued pursuant to this policy.

**B. VARIED USE**

1. Pipeline installation permits are to specify the class of transmittant, maximum working pressure, and test and design pressures.
2. Pipelines, which are not constructed, operated, and maintained under regulations established under Department of Transportation hazardous Materials Regulations Board, shall upon revision in class of transmittant or an increase in the maximum operating pressure, advise the County Highway Department in writing of such revisions.

C. DISTURBED AREAS

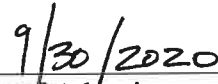
1. The area disturbed by utility installations or relocations shall be kept to a minimum.
2. Restoration of work areas shall utilize methods of seeding or sodding, fertilizing and mulching in conformance with KDOT "Standard Specifications for State Road and Bridge Construction" and any special provisions in the Utility Permits and Agreements.

D. DRAINAGE

1. Care shall be taken in utility installations to avoid disturbing existing drainage facilities.
2. Underdrains shall be provided where necessary.
3. No jetting or ponding shall be permitted under the roadway.



BOCC Chairmen



Date of Adoption

Attest:



County Clerk

**APPENDIX**

**A.I BOND POLICY & PERMIT GUIDELINES**

Highway Permit / Use of Right of Way

**A.II PUBLIC UTILITIES ON BRIDGES**

Agreement for Public Utilities on Bridges

**A.III SIGNING & CONSTRUCTION REQUIREMENTS**

Typical Lane Closure

Typical Shoulder Closure

Typical Section for Trench Cuts in Paved Roads

Typical Hangers & Clamps For Bridges



**A-I. BOND POLICY & PERMIT GUIDELINES**

State Law requires that all checks shall be deposited immediately.

The following policy will apply in the future concerning bonds:

- 1. All checks held, as a bond will be deposited immediately.
- 2. The County will accept an irrevocable letter of credit from a Kansas financial institution as a bond.
- 3. The County will accept a bond as issued by an insurance company.

Highway Permit Guidelines:

- 1. In no case will the total fee for any one permit exceed \$300.00 unless failure to obtain permit as stated in #2 below.
- 2. Failure to obtain a Permit, as required, prior to utility construction within the county right-of-way will result in double permit fees being assessed at the full fee of installation, or \$500.00, whichever is greater.
- 3. The permitting application will determine the amount of obligation against the bond or the irrevocable credit line. This will also be relieved through acceptance by the Public Works Dept.
- 4. Applicable Bond costs for Highway Permits for various type of Installation are found below:

Bond for lines on Public R/W	\$10.00/lineal foot (Min. of \$500.00)
Bond to auger under rock Road	\$750.00
Bond to auger under paved roadway	\$1500.00
Bond to cut rock road	\$1500.00
Bond to cut paved road	\$3500.00

- 5. Minimum Requirements for Public Utility General Liability:

<u>Limits</u>	
General Aggregate:	\$1,000,000
Products/Completed Operations Aggregate:	\$1,000,000
Personal & Advertising Injury:	\$1,000,000
Each Occurrence:	\$1,000,000

- 6. Minimum Requirements for Private Utility General Liability will be set by the Director on an individual basis.
- 7. All gravel roads shall be restored to existing condition, paved roads shall be restored as per drawing "Typical Sections For Trench Cuts In Paved Roads."

8. Upon completion of the work, the Company shall notify the Dept. of Public Works at the Leavenworth County Courthouse, (913) 684-0470. A representative of the Dept. of Public Works will respond within 48 hours for inspection of the completed work.
9. When the Company fails to complete the work on Public right-of-way within the time specified in the Highway Permit, they shall be notified by registered mail and given 10 days to request a hearing before the Director of Public Works or the Board of County Commissioners or both to present their case as to why the job has not been completed. If the company does not respond within 10 days, a second 10-day notice will be sent by registered mail and, if no response is received, the Company's bond shall be forfeited and the job shall be completed by Leavenworth County.



# COUNTY OF LEAVENWORTH

## Department of Public Works



### Highway Permit/Use of Right of Way

WHEREAS, Department of Public Works, Leavenworth County, 300 Walnut, Leavenworth, Kansas 66048

HEREINAFTER, referred to as County/Owner and \_\_\_\_\_  
Company Name

\_\_\_\_\_  
Address City/State Zip Phone Number

As agent, Lessee, Contractor, hereinafter termed the Petitioner, requests permission and authority to do certain work involving County right-of-way, upon or along a County road described as follows:

Job Order # \_\_\_\_\_ Location: \_\_\_\_\_

Please attach a sketch or map of where work is being performed.

Type of work being done (describe in detail):

Subject to the following conditions and restrictions:

1.0 Plans: Petitioner shall furnish one (1) set of comprehensive plans or sketches, 8 1/2 x 11" or larger, of the proposed work.

1.1 An "As-Built" Survey signed by a registered Land Surveyor showing the location of the utility in relation to the nearest GLO corners be provided at the completion of construction

1.2 Entrance locations and utility installations must be approved by the Director or the duly authorized representative.

1.3 Drainage structure to be determined by the County Department of Public Works.

2.0 Materials and Methods: All materials and construction methods used on work within the limits of the right-of-way shall be in conformance with the standard requirements of the industry and the Director.

2.1 Commercial Entrances shall be surfaced with materials of the same general type as roadway surfacing.

3.0 Completion: The Petitioner shall furnish all materials, do all work, pay all costs and restore said right-of-way to the condition existing prior to approval of work described on this permit. Work to be completed within [REDACTED] Da/Mo. of APPROVAL DATE, otherwise permit is null and void. An extension of time may be requested in writing. After the petitioner has satisfactorily completed the work in accordance with this permit, any additional work at said site location involving the laying of future new lines will necessitate that the Petitioner shall apply for and obtain another permit from the County.

3.1 Petitioner agrees that an approved signed copy of permit will be on premises before any work is performed.

4.0 Bond: A check, or other suitable bond, in amount of \_\_\_\_\_ dollars (\$ \_\_\_\_\_) made payable to the Leavenworth County Road and Bridge Fund is hereby deposited with this permit to guarantee performance of the conditions of the permit.

4.1 The Petitioner agrees that bond will be forfeited in case of failure or refusal to perform the work to the satisfaction of the Director.

4.2 The petitioner agrees to notify the Director when work covered by the permit is initiated and again when completed.

4.3 The County agrees that upon satisfactory compliance with all conditions of the permit, said bond will be released.

5.0 Obstruction of Traffic: Petitioner agrees that there will be no interference with traffic, unless specifically provided for as a part of the permit. Traffic protection to be in accordance with Uniform Manual for Traffic Control Devices. See Appendix A, page 38 & 39 attached and made a part of this permit.

6.0 Right-of-Way: Petitioner agrees that no portion of the right-of-way will be used for parking, advertising signs or any other commercial activity.

6.1 Any sod, shrubs or trees destroyed by this work shall be replaced as directed by the Director or the authorized representative.

7.0 The Petitioner, their successors, or assignees shall assume all risk and liability for accidents and damages that may accrue to persons or property on account of this work. In maintaining said work from time to time in the future the Petitioner agrees that they or their successors and assignees shall give forty-eight (48) hours advance notice of such work to be done to the Leavenworth County Engineer's office. This notice shall be in writing, unless an emergency exists at said site location in which event a telephone call to the engineer's office will suffice.

7.1 The Petitioner shall maintain the Minimum Liability Insurance required by the Leavenworth County Utility Accommodation Policy. 8.0 That in the event the County deems it necessary or

proper to make any alterations or improvements along or upon the highway or right-of-way, the Petitioner agrees to hold the County harmless for any damage to said Petitioner's construction along or upon the said highway or right-of-way and the petitioner also agrees that upon notice being served upon them, they will, with a reasonable time, alter, change the location or move the construction work off the highway right-of-way as requested by the Director or the duly authorized representative without expense to the County aforesaid.

8.1 In the event the applicant is unable to comply within a reasonable time to request to alter, change the location, or move the construction or work off the highway or right-of-way, the Leavenworth County Department of Public Works may cause the work to be done, and the applicant will pay the costs therefore upon receipt of statement.

9.0 Other conditions and restrictions:

It is agreed between the parties hereto that the County shall have the right from time to time in the County sole and absolute discretion to have a representative of the County Engineer's office at the site of the installation where work is to be performed under this permit, so that the representative of the County Engineer's office can observe and determine the work being done at said site is being done in accordance with the conditions of this permit. The petitioner agrees to pay to the County a fee for each such engineering inspection that may be made, said fee to be commensurate with the usual and regular fees or charges then prevailing in this area for such engineering inspection services.

Proposed construction approved on this permit is to be conducted in such a manner as to interfere in no way with construction or contractor's work on a project.

The following fees will be charged for obtaining a highway permit/use of right of way permit and these are non-refundable:

For lines in public right-of-way	\$25.00
Auger under the road	\$30.00
Cutting of rock road	\$60.00
Cutting of asphalt road	\$300.00

**\*Failure to obtain a permit, as required, prior to construction will result in penalty fees as defined within the Leavenworth County Utility Accommodation Policy.**

This permit is hereby accepted and its provisions agreed to this as dated below.

Utility Owner: \_\_\_\_\_

Agent/Lessee/Contractor for utility: \_\_\_\_\_

Company Name

Street address

City/State/Zip

Phone Number

Email address

Applicant's signature

Permit granted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

LEAVENWORTH COUNTY PUBLIC WORKS

\_\_\_\_\_  
Director of Public Works Signature

By: \_\_\_\_\_  
For the Director of Public Works

PERMIT FEE AMOUNT

\$ \_\_\_\_\_

PAID WITH

\_\_\_ CASH \_\_\_ CREDIT CARD \_\_\_  
CHECK

**A-II. PUBLIC UTILITIES ON BRIDGES**

Any Utility that requires permanent location on a Leavenworth County Bridge must receive approval from Public Works and the Leavenworth County Board of County Commissioners. Coordination for the Agreement for Public Utilities on Bridges is to be conducted by the Department of Public Works.



# COUNTY OF LEAVENWORTH

## Department of Public Works



### Agreement for Public Utilities on Bridges

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_,

By and between the Leavenworth County Department of Public Works with headquarters at Leavenworth, Kansas, hereinafter called "The Commission", and the with office in \_\_\_\_\_, State of \_\_\_\_\_ hereinafter called "The Company".

**WHEREAS**, the Commission has jurisdiction and control of all bridges within the County of Leavenworth on all right-of-ways owned by the County; and

**WHEREAS**, the Commission feels that it is for the benefit of the public of the County of Leavenworth to allow Public utilities to utilize their bridges in certain circumstance; and

**WHEREAS**, the Company desires to construct and maintain a \_\_\_\_\_ pipeline across and on Bridge No. \_\_\_\_\_ in Leavenworth County, Kansas.

**NOW, THEREFORE**, in consideration of the permission of the Leavenworth County Highway Department to utilize its bridge for said pipeline crossing, the Company agrees to the following terms and conditions, to-wit:

- 1) That they will construct and maintain said pipeline without any cost whatsoever to the Commission in accordance with a plan approved by the Director.
  - a) That all materials used and any construction methods employed shall be first approved by the Director.
  - b) That during any period of construction or maintenance of said pipeline they will not interfere with or obstruct traffic on said bridge.
  - c) That any maintenance of said pipeline shall be performed to the satisfaction of the Director.
- 2) That they will assume all risk and liability for injuries and damages that may occur to persons or property by reason of the negligence of the Company or its representatives in constructing or maintaining the pipeline on said bridge and that they will further hold the commission harmless from any and all claims or demands for any such injuries and damages which result there from.
  - a) That they will furnish to the Commission evidence that their assets are, free and clear from any and all demands, in excess of \$500,000 or in the event that they are unable to do so:
  - b) Furnish the Commission a certified copy of an endorsement of the general insurance liability coverage of the Company indemnifying the commission against loss or damage by



**Leavenworth County**

**POLICY MANUAL**

reason the operations of the Company or its representatives. That said endorsement shall be attached to and made a part of this agreement.

- 3) The Company shall furnish dates of termination and renewal of its general insurance liability coverage to the Commission; that the amount of insurance coverage applicable to the bridge and the property of the Commission shall be \$250 per foot for the length of the bridge. That the amount of personal liability coverage shall not be less than \$35,000 for each person nor less than \$500,000 for each accident.
- 4) That in the event the Commission deems it necessary and proper to make any alteration in or improvement on said bridge or the approaches thereto, the Company will within a reasonable time after written notice from the Commission and without cost or expense to the Commission, alter, change the location of, or remove said pipeline as requested by the Commission.
- 5) That no work will commence either on construction or maintenance until the completed copy of Leavenworth County Highway Department "Highway Permit" is issued.

It is mutually agreed and understood by the parties that this agreement may be terminated or cancelled by either party upon thirty days written notice and all rights and privileges accrued to the Company by the terms of this agreement shall cease forever and upon termination or cancellation of this agreement the Company shall remove said pipeline without damage or injury to the bridge and the Company further agrees to reimburse the Commission of any and all damages which result written.

**LEAVENWORTH COUNTY PUBLIC WORKS DEPARTMENT**

By: \_\_\_\_\_ Attest: \_\_\_\_\_  
 Directory of Public Works County Clerk

**UTILITY COMPANY**

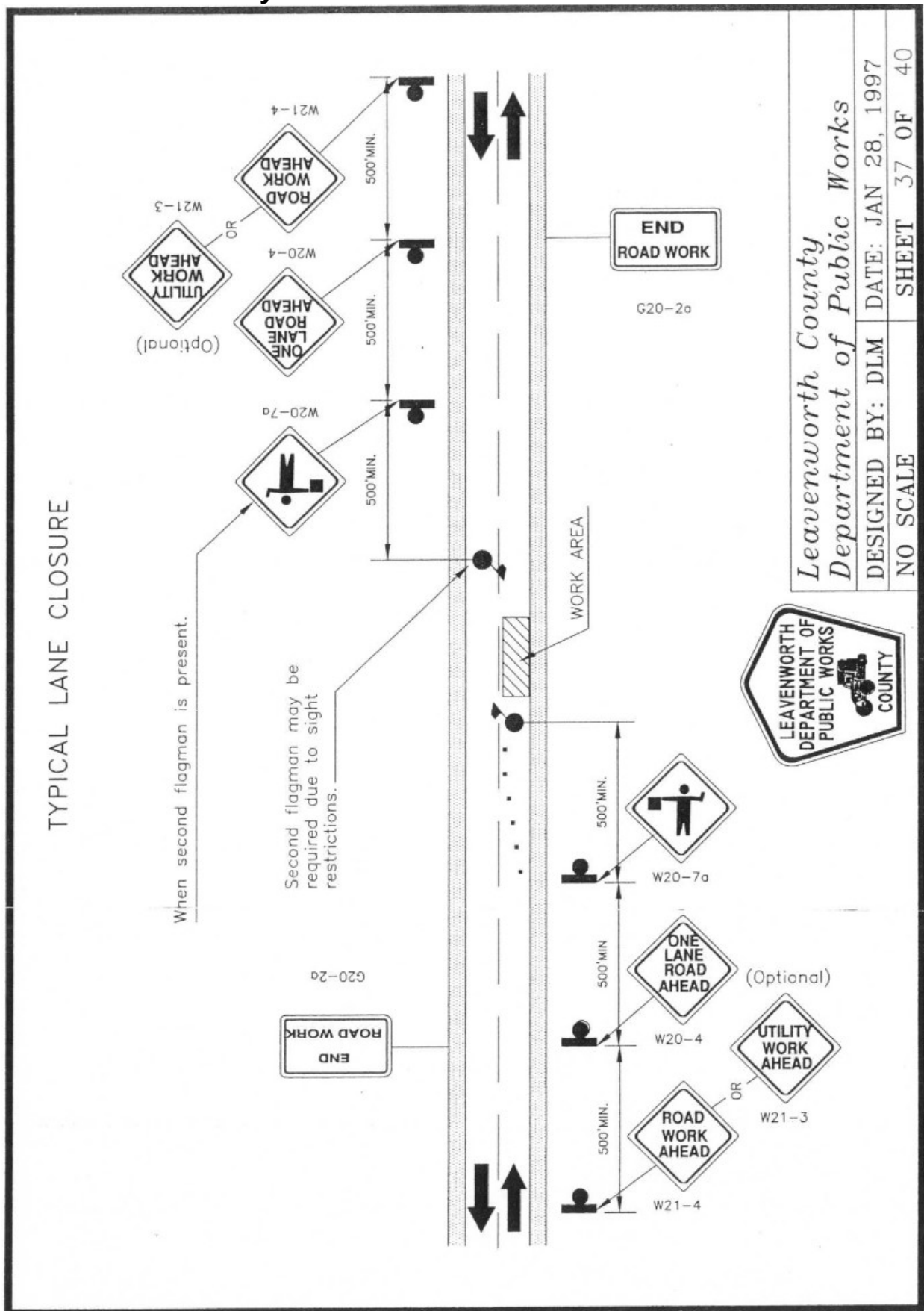
By: \_\_\_\_\_ Attest: \_\_\_\_\_  
 Utility President/Agent Clerk

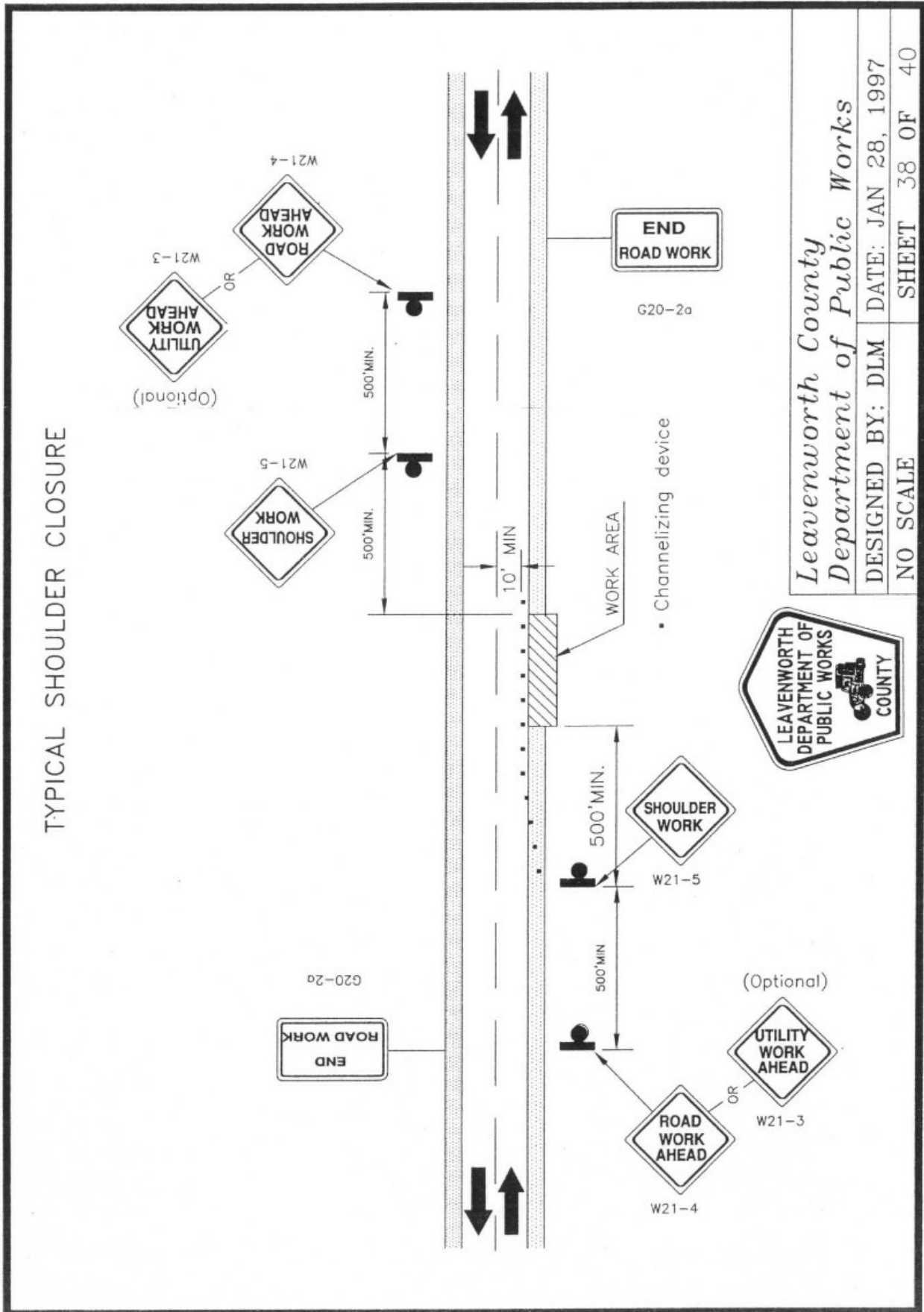
**LEAVENWORTH COUNTY BOARD OF COUNTY COMMISSIONERS**

By: \_\_\_\_\_  
 BOCC Chairman Date of Adoption

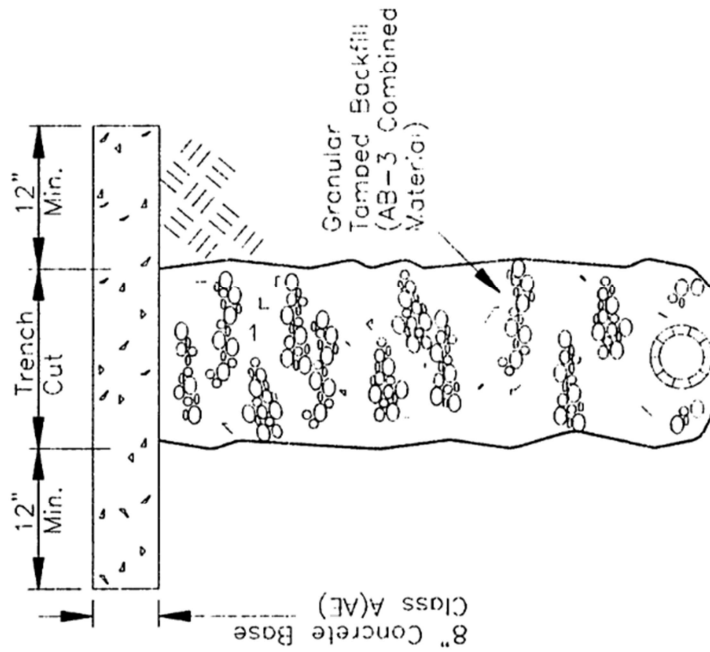
**A-III. SIGNING & CONSTRUCTION REQUIREMENTS**

The following pages include signing and construction requirements for Typical Lane Closure, Typical Shoulder Closure, Typical Section for Trench Cuts in Paved Roads and Typical Hangers & Clamps For Bridges.

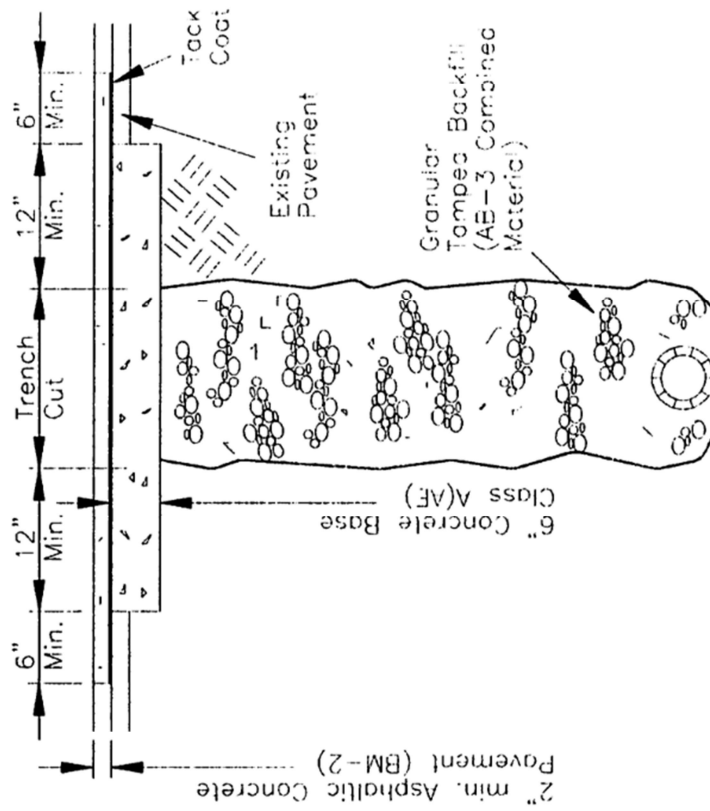




TYPICAL SECTIONS FOR TRENCH CUTS IN PAVED ROADS



BACKFILLING WITHIN  
CONCRETE PAVED AREAS



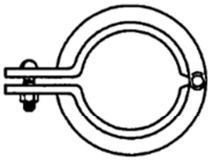
BACKFILLING WITHIN  
ASPHALT PAVED AREAS



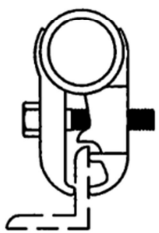
NOTE: All material shall meet or exceed Kansas Department of Transportation Standard Specifications for State Road & Bridge Construction. HES Concrete may be substituted for Class A(AE) Concrete.

Leavenworth County  
Department of Public Works  
DESIGNED BY: DLM DATE: 10-30-98  
NO SCALE SHEET 30 OF 40

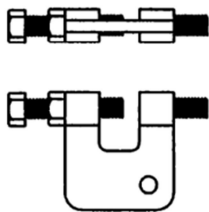
**HANGER & CLAMP TYPES**



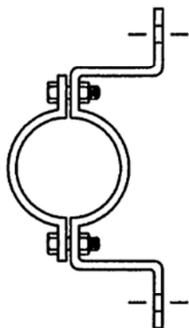
SPLIT RING HANGER




PARALLEL PIPE AND CONDUIT CLAMP



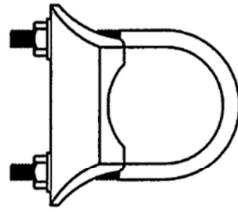
"C" CLAMP WITH LOCKNUT



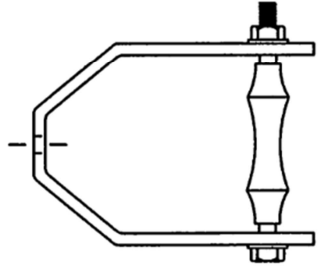
OFFSET PIPE CLAMP



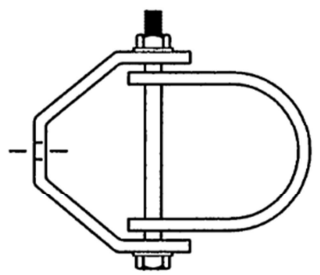
HOLD DOWN PIPE CLAMP



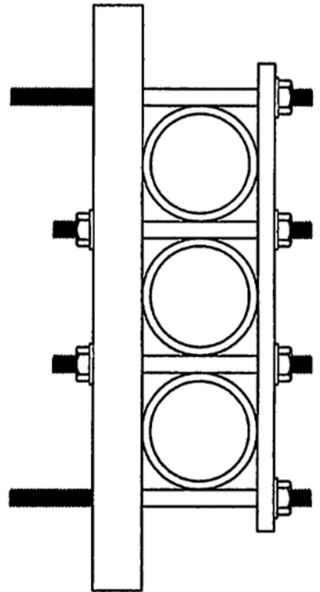
RIGHT ANGLE PIPE CLAMP



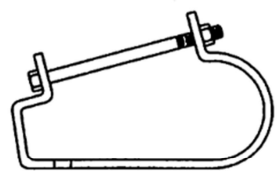
PIPE ROLLER HANGER




CLEVIS HANGER



DUCT SUPPORT SYSTEM



T-SLOT HANGER



<i>Leavenworth County</i>	
<i>Department of Public Works</i>	
DESIGNED BY: DLM	DATE: 10-30-98
NO SCALE	SHEET 40 OF 40
DWG FILE: C:\JIMS\LCHANG	

Note: All utility type hangers and clamps fixed to LVCO Structures and/bridges shall be designed by a licensed Kansas structural engineer.