

Permit Number: \_\_\_\_\_

Date Issued: \_\_\_\_\_

**ADAMS COUNTY USE OF RIGHT OF WAY PERMIT**

To the Board of Supervisors, Adams County, Iowa:

I, \_\_\_\_\_, on behalf of, \_\_\_\_\_  
Installer/Contractor Owner Address

do hereby make application requesting permission to use certain portions of public right-of-way located along \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Proposed work is as follows:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

We mutually, as installer/contractor and/or owner, (Both hereinafter referred to as the permittee), agree that the following stipulations shall govern under this permit.

1. Permittee must provide a Certificate of Insurance for the named permittee and/or work being done to Adams County Secondary Roads before the permit can be processed. The permit shall be granted for the term of the effective date of the insurance policy. Permittee must notify the County immediately upon cancellation or any change to the Insurance policy. Any cancellation or change to the insurance policy shall render the permit null and void. The minimum limits of liability under the insurance policy shall be \$1,000,000.
2. Permittee’s Certificate of Insurance shall remain effective for the duration of the insured’s effective policy dates or date of work completion, such that it remains on file and only required for the first permitted work unless there is a cancellation or change to the policy or was only effective for the work permitted. If the effective date expires or there is a cancellation or change voiding the permit, then a new Certificate of Insurance shall be required.
3. A permit for each site location must be granted independently unless a plan depicting disconnected sites for the same landowner is provided with the original permit request.
4. The Permittee shall file a plan setting out the location of proposed work on the Adams County Secondary Road and that the description of the proposed installation will be included showing type, height, and spacing of the same:
5. The installation shall meet the requirements of county, state, and federal laws, the Iowa State Department of Health, and any other laws or regulations applicable.

6. The Permittee shall be fully responsible for any future adjustments of its installations within the established highway right-of-way caused by highway construction or maintenance operations.
7. Adams County assumes no responsibility for damages to the Permittee's property occasioned by any construction or maintenance operations on said highways.
8. The Permittee shall take all reasonable precautions during the construction and maintenance of said installation to protect and safeguard the lives and property of the traveling public and adjacent property owners. Traffic protection shall be in accordance with Part VI of the current Iowa Department of Transportation Manual on Uniform Control Devices for Streets and Highways.
9. The Permittee shall be responsible for any damage resulting to said highways because of the construction operation, or maintenance of said installation, and shall reimburse Adams County for any expenditure the County may have to make on said highways because of said permittee's installation having been constructed, operated, and maintained thereon.
10. The Permittee shall indemnify and save harmless Adams County from any and all causes of action, suits at law or in equity, or losses, damages, claims, or demands, and from any and all liability and expense of whatsoever nature for, on account of or due to the acts or omissions of said permittee's officers, members, agents, representatives, contractors, employees or assigns arising out of or in connection with its (or their) use or occupancy of the public highway under this permit.
11. Noncompliance with any of the terms of permit, or agreement, may be considered cause for revocation of the permit.
12. The Permittee shall provide a written notice at least two (2) working days prior to the proposed installation.
13. A list of General Requirements has been received and is hereby acknowledged by the permittee. In addition, the following special requirements, if applicable, shall apply to this permit:

---

---

---

---

---

---

---

---

---

---

**SIGNATURE PAGE**

*Permit expires one year from date of issuance.*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of Owner (Applicant - Permittee)

\_\_\_\_\_  
Address

\_\_\_\_\_  
by

\_\_\_\_\_  
Phone no.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of Installer/Contractor (Applicant - Permittee)

\_\_\_\_\_  
Address

\_\_\_\_\_  
by

\_\_\_\_\_  
Phone no.

**Approved by:**

Date \_\_\_\_\_

\_\_\_\_\_  
County Engineer

## **GENERAL REQUIREMENTS FOR WORK IN THE ROAD RIGHT OF WAY**

Supplement to accompany all “Use of Right of Way” Permits, “Driveway/Entrance” Permits, & “Cost Share for Brush Removal”

In accordance with Chapter 318.8 of the Code of Iowa “A person shall not excavate, fill, or make a physical change within a highway right-of-way without obtaining a permit from the applicable highway authority. At the request of a permittee, a modification may be granted in the discretion of the highway authority. Work performed under the permit shall be performed in conformity with the specifications prescribed by the highway authority. If the work does not conform to permit specifications, the person shall be notified to make the conforming changes. If after twenty (20) days the changes have not been made, the highway authority may make the necessary changes and immediately send a statement of the cost to the responsible person. If within thirty (30) days after sending the statement the cost is not paid, the highway authority may institute legal proceedings to collect the cost of correction. A violation of the permit specifications shall be considered a violation of section 318.3. A public utility subject to section 306A.3 is exempt from this section.”

Any work proposals requesting approval of this permit must meet the following General criteria:

Permittee must provide a Certificate of Insurance for named permittee and/or the work being done to Adams County Secondary Roads before the permit can be processed. The permit shall be granted for the term of the effective date of the insurance policy. Permittee must notify the County immediately upon cancellation or any change to the Insurance policy. Any cancellation or change to the insurance policy shall render the permit null and void. The minimum limits of liability under the insurance policy shall be \$1,000,000.

Permittee’s Certificate of Insurance shall remain effective for the duration of the insured’s effective policy dates or date of work completion, such that it remains on file and only required for the first permitted work unless there is a cancellation or change to the policy or was only effective for the work permitted. If the effective date expires or there is a cancellation or change voiding the permit, then a new Certificate of Insurance shall be required.

Final installation shall not create a hazard for errant vehicles from the roadway within ANY portion of the road right of way.

Final installation shall not hinder drainage in the roadway’s ditch, culvert, and tile systems.

Final installation shall not reduce snow storage available or cause additional (or more severe) drifting.

Final installation shall not block visibility of signs, intersections, etc.

Final installation shall not serve as a major distraction to the motoring public.

Final installation shall not disturb existing native plantings unless special exception is made by the IRVM Director.

Re-seeding of disturbed areas shall be with a seed mix approved by the IRVM Director

Types of things allowed:

- Working soil and seeding of right of way back slopes with non woody plants,
- Work in back slope to prevent erosion (wash) from waterway,
- Work to reshape waterway TO A NATURAL DRAINAGE WAY through the back slope,
- Landscaping on the back slope that is flush with the ground.