

### **SECTION 335 - Rights-of-way Disturbance Requirements**

Prior to placing any object within or disturbing Dearborn County Right-of-way, a permit shall be obtained from Dearborn County. Failure to obtain a permit shall be construed as an encroachment and shall be subject to removal by Dearborn County at the expense of the responsible party. The approved Improvement Plans shall serve as the required permit for right-of-way disturbance within Subdivisions but individual developments shall be required to obtain a permit from the Dearborn County Department of Transportation. The County Engineer shall determine a financial guaranty as described in Section 410, depending on the proposed right-of-way disturbance or the bond amounts listed below.

No headwalls or other obstructions shall be allowed within the right-of-way that is higher than four (4) inches unless designed and approved as breakaway or mountable. Utilities shall install breakaway or flexible markers for utility location signs.

- a. **Driveway Permit** - Anyone wishing to connect a private driveway or new roadway on to a public road within Dearborn County shall be required to obtain a Driveway Permit. It is the intent of this regulation to adopt the same driveway permit standards as established in the "Indiana Department of Transportation Driveway Permit Handbook." Plans shall be submitted that provide the details as outlined within INDOT Permit Handbook or as required by the Driveway Permit application. A financial guaranty shall be established as necessary by the County Engineer and remain in effect until released upon inspection by the County Engineer. Traffic control shall be provided and the County shall be held harmless from any and all claims, which are related to construction activities within the right-of-way. All ditches shall be set back from the edge of pavement as shown in Appendix C, unless otherwise directed by the County. Ditches shall be seeded, sodded, have gutter installed or have Rip-rap installed as required. Mailboxes shall be installed with a minimum three (3) feet wide apron and the front face of mailbox shall be a minimum of three feet six inches (3'-6") from edge of pavement along existing public streets.

The Driveway Apron shall be constructed of consistent material as the existing roadway.

- b. **Utility Installation** - All construction and utility installations within Dearborn County rights-of-way shall require a permit from the Dearborn County Department of Transportation. The permit is to be accompanied by a financial guaranty as identified in Section 410 of the Subdivision Control Ordinance. The financial guaranty amount shall be as established by the County Engineer. A minimum amount of \$500.00 is established per permit with a minimum of \$2,500.00 per major road right-of-way cut. A yearly renewable guaranty may be obtained for an aggregate amount of \$12,000.00. The renewal date shall be January 1 for a yearly bond. Bonds on major road right-of-way cuts shall remain in effect for not less than one year after final inspection by the County Engineer. A major road right-of-way cut shall be defined as any cut within the County right-of-way where:

1. The surface width of cut is twenty-four (24) inches or greater, or

ROAD CUT

2. A cut that is parallel to the road surface or close proximity of the surface where the bottom of the trench is lower than a line running at a 45 degree angle from the edge of pavement where the pavement surface may be damaged by future settlement of the cut area. Cuts outside of the edge of pavement with a width of six (6) inches or less shall not be considered a major cut.

Plans or drawings of the proposed work shall accompany all requests for permits. The intent of this permit is to regulate construction within the right-of-way to limit damages to the highway system and maintain a safe highway system. It is not intended to establish a permanent location for utilities within the right-of-way. Utilities shall continue to be responsible for relocation as necessitated by future use of right-of-way.

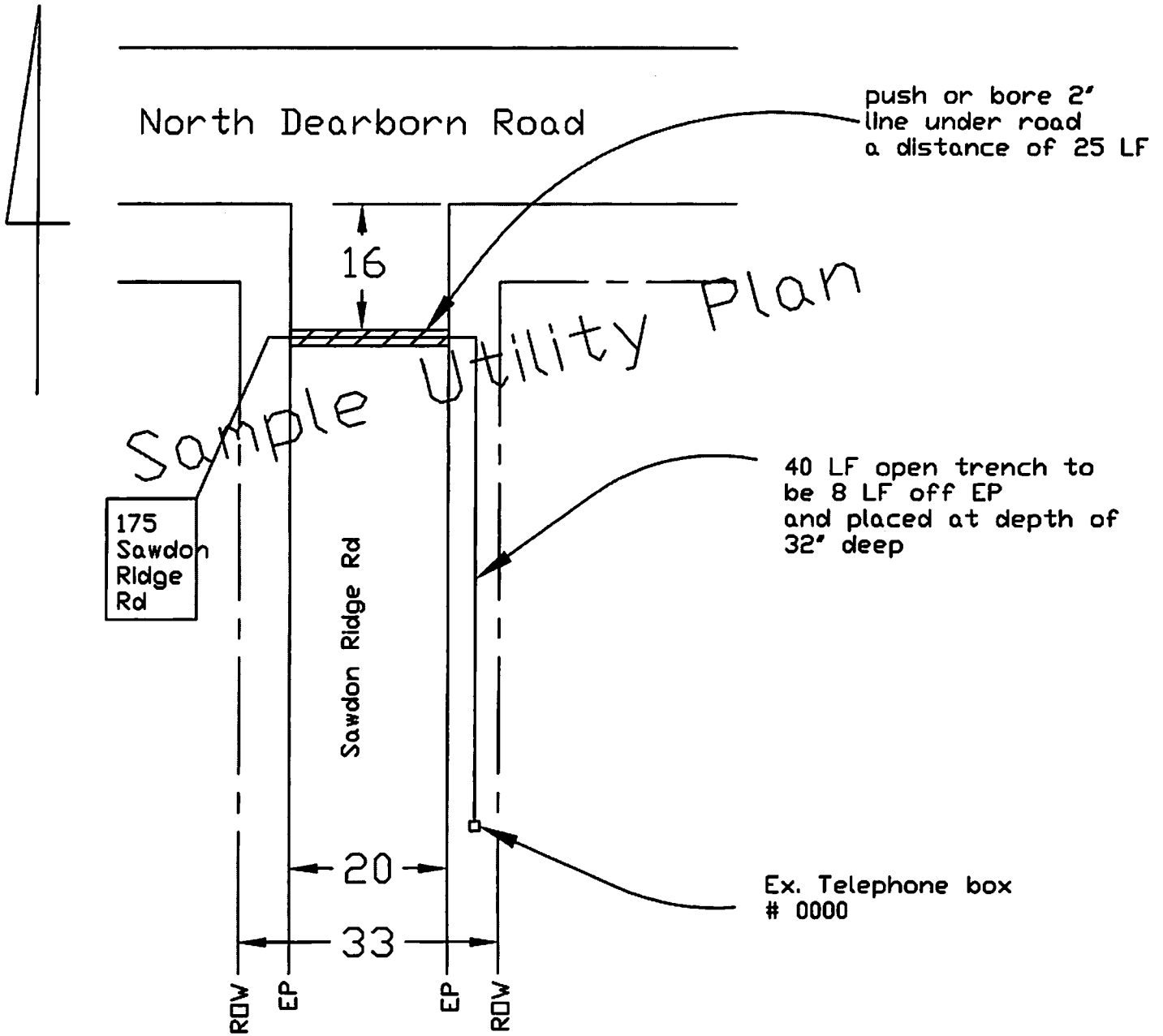
- c. Road Cuts - It is the intent of the Dearborn County Board of Commissioners to limit the number of open cuts allowed across public roads. Care should be taken to limit the required road cuts necessary within a given project. Open or trench cuts will not be allowed across any paved roadway unless special permission is granted by the County Engineer on a per cut basis. All road cuts shall be made expeditiously as possible to cause a minimal amount of delay or inconvenience to the traveling public.

No more than two hundred (200) LF of trench is to be open at one time. Maintenance on road cuts shall be required for one (1) year from date of patching. Any settlement during this period shall be repaired to the satisfaction of the County Engineer. Ditches shall be re-established to the satisfaction of the Engineer. Ditches shall be repaired by seeding, sodding, or rip-rap as required by the Engineer.

- d. Trench Excavation and Backfill - Utility excavations in the right-of-way shall be backfilled to subgrade level according to Section 211 of the INDOT Standard Specifications with grade "B" Borrow. On steep grades (6% or greater), cuts that run parallel with the roadway surface either under, or within two (2) feet of the paved surface, shall be backfilled with clay material at its optimum moisture content and compacted to one hundred percent (100%) modified proctor. A lean concrete filler such as low strength mortar or flowable fill, must be used as trench backfill under any pavement.

The road surface shall be repaired to the minimum requirements for new construction or of the same thickness and type of materials as was existing whichever would provide the greatest structural capacity. Road cuts made through concrete pavements shall be repaired as directed by the County Engineer.

# LOGAN TOWNSHIP DEARBORN COUNTY, INDIANA



**INCLUDE THE FOLLOWING**  
 North Arrow  
 Show roadway & width  
 Show ROW & width  
 House address (if a service line)  
 Method of construction or installation  
 Distance utility is from EP  
 Depth of utility  
 Any other necessary info  
 Approx. distance from nearest intersection

10/03/03  
 1"=20 ft  
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