

ORDINANCE NO. 2023-001

**AN ORDINANCE APPROVING THE JEFFERSON COUNTY
PERMIT MANUAL FOR JEFFERSON COUNTY ROADS**

WHEREAS, Jefferson County has prepared a Jefferson County Permit Manual for Jefferson County Roads ("the Permit Manual") which provides policies, procedures, fee schedules, and potential fines for the use of Jefferson County Roads and right of ways by other units of government, contractors, utilities, and the general public; and,

WHEREAS, the Jefferson County Board of Commissioners have reviewed the Permit Manual and find it is in the best interest of the citizens of Jefferson County to approve the Permit Manual in its entirety; and,

IT IS HEREBY ORDAINED by the Jefferson County Board of Commissioners as follows:

1. The Jefferson County Permit Manual for Jefferson County Roads dated the ____ day of _____, 2023 including all fees and penalties included therein are ratified and approved.
2. The terms and conditions of the Permit Manual shall be published in the applicable sections of the Jefferson County Code of Ordinances as identified in the Permit Manual.
3. Effective this ____ day of _____, 2023 all terms and conditions of any ordinance, policy, or procedure of Jefferson County in conflict with the Permit Manual approved by this Ordinance are hereby expressly repealed.

ALL OF WHICH IS ORDAINED by the Jefferson County Board of Commissioners this 2nd day of February, 2023.

Jefferson County
Board of Commissioners

Robert Little
Commissioner Robert Little - President

Ron Lee
Commissioner Ron Lee

David Bramer
Commissioner David Bramer

ATTEST:

Heather Huff
Auditor Heather Huff

Auditor n/c (5)

Date Filed: _____

Permit Fee: _____
(refer to permit fee schedule)

Payment: _____

Paid Not Paid

Office Use Only

APPLICATION – RIGHT-OF-WAY PERMIT

PERMIT NUMBER: _____

1. PROJECT LOCATION INFORMATION

Address or Location of Project: _____

Subdivision or Development Name: _____

2. CONTRACTOR/UTILITY APPLICANT INFORMATION

Contractor/Utility name: _____ Contact Name: _____

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Subcontractor name: _____ Phone: _____

3. OWNER INFORMATION

Property owner's name: _____ Phone: _____

Email: _____

4. ENCROACHMENT INFORMATION

a. Please describe proposed work: _____

b. Location of Work: Road Alley Shoulder Right-of-Way Easement

c. Type Cut Bore Trench Aerial Other (explain) _____

d. Type of Construction Water Gas Electric Telephone CATV Fiber Optic
 Sewer Trees Irrigation Stormwater Other (explain) _____

e. Surface Type Concrete Asphalt Brick/Pave Gravel/Dirt/Grass
 Other (explain): _____

f. Total width of traffic portion of road affected by permit (in feet): _____ Length (in feet): _____

g. Number of Traffic Lanes _____ Impact to Traffic? Yes No If yes, duration: _____

*Lane restriction requires Maintenance of Traffic (MOT) Plan; Road Closure requires Detour Plan

Estimated Project Start Date: _____ Estimated Project Completion: _____

WORK IN THE RIGHT-OF-WAY APPLICATION FEE SCHEDULE

JEFFERSON COUNTY FEE SCHEDULE

EXAMPLE:

Permit Type	Unit of Measurement	Permit Fee	Unit of Measurement	Permit Bond
Underground construction, Trenching or excavation parallel to roadway	# feet @ \$X / X feet	\$	@ \$X per mile or fraction of mile (max. \$X)	\$
Bores or pushes under roadway	# bores @ \$X / each	\$	@ \$X per bore	\$
Placement/removal of poles/overhead lines	# feet @ \$X / X feet	\$	@ \$X per mile or fraction of mile (max. \$X)	\$
Tap pit/Spot cut dirt	# tap pits @ \$X / each	\$	@ \$X per pit	\$
Open Road Cut (gravel road)	# feet @ \$X / foot	\$	@ \$X per location	\$
Open Road Cut (hard surfaced road)	# square feet @ \$X / square feet (\$X min)	\$	@ \$X per location	\$
	Total Permit Fee	\$	Total Permit Bond	\$

Check or money order #: _____ Bond Company: _____ Bond #: _____

I hereby certify that I have the authority to bind the named applicant and owner of the facilities being installed under this permit to the terms and conditions, and requirements of this permit. I have read a copy of the code and fully understand all requirements associated with this permit. I further certify that I, the applicant, and any persons performing work authorized by this permit will not make any changes from the approved plan and permit without receiving written permission from Jefferson County.

Signature of Applicant

Printed Name

Company Name (if applicable)

Telephone Number

Date

OFFICE USE ONLY	
Expiration Date: _____	Date Permit Closed: _____
Approved By: _____	Date Approved: _____
Inspected By: _____	Date Inspected: _____
Included (if required): <input type="checkbox"/> MOT Plan <input type="checkbox"/> Detour Plan	
Comments:	

WORK IN THE RIGHT-OF-WAY TERMS AND CONDITIONS

Applications can be submitted electronically to the Jefferson County Broadband Community Bid Portal. The application and one copy of each required attachment (if any) must be merged into one pdf attachment. Applications may also be delivered/dropped off at the Jefferson County Courthouse Attn:Erica Cline, 300 E. Main Street Room #103, Madison, IN 47250.

Permit Terms and Conditions

In accordance with the ORDINANCE APPROVING THE JEFFERSON COUNTY PERMIT MANUAL FOR JEFFERSON COUNTY ROADS, the Applicant acknowledges and agrees to the following, as evidenced by the signature below.

Applicants shall comply with all Jefferson County Standard Drawings, INDOT standards and specifications (as applicable), and the Jefferson County Utility Policy. Applicants shall provide plans for construction and complete project per the approved plans and within the dates provided. Minimum requirements for site plan include right(s)-of-way with work, location of work within the right-of-way, size of roadway/sidewalk cuts, bore pit/open trench size and locations, linear feet of boring, new pole locations, linear feet of new aerial lines, and maintenance of traffic plan. Furthermore, pictures of the work locations within rights-of-way and easements before work commences and restoration work is complete.

Plan approval does not warrant the accuracy of information as it is the sole responsibility of the applicant to provide accurate plans—including the location of rights-of-way. Any deviation from the plans, traffic control, and construction dates shall be conveyed immediately to Jefferson County for approval. Permittee acknowledges and agrees to indemnify, defend, and hold harmless Jefferson County for the work approved and performed by them.

Restoration work shall be accomplished within five (5) working days of completing the principal work activity for which the permit was issued. It shall be the Applicant's responsibility to temporarily restore and maintain vehicle and/or pedestrian access and ensure the safety of any street cut, trench, or access pit pending final restoration. Acceptance of temporary and final restorations, and ultimately, the release of surety, shall be subject to approval by Jefferson County.

1. Restoration methods and materials are set out in the Jefferson County Standard Details and Specifications.
2. The Permittee shall call 811 for locations prior to any excavation in accordance with Indiana State Law, including the dates outlined in their 811-dig ticket.
3. Any sod, plantings, or other landscaping materials or features disturbed due to work under this permit shall be restored in kind to a condition as good or better than prior to commencement of work. Acceptance shall be subject to approval by Jefferson County.
4. The Applicant shall be responsible for providing, erecting, and maintaining any necessary signs, barricades, lights, and other warning devices required to direct vehicular and pedestrian traffic over, around, or through the worksite safely and protect vehicles and pedestrians from any worksite hazards. If a two-way, two-lane roadway is restricted to one lane, traffic control personnel will be required unless waived in writing by the Jefferson County Commissioners and/or the Jefferson County Highway Department. If access is severely limited, then the Applicant shall contact the Jefferson County Sheriff, Fire, and Communications/Dispatch Departments and provide notification of any traffic restrictions.
5. The Applicant is responsible for maintaining ADA accessible routes during and after construction as set forth in the PROWAG.
6. The Applicant shall notify the Jefferson County Highway Department 48 hours prior to commencement and again upon completion of the work under this permit, so appropriate inspections are completed to ensure specification compliance.
7. A Right of Way permit will be required, and permit fees should be made payable to the Jefferson County Treasurer's Office. Fill in the permit fee sheet on the next page prior to submission to Jefferson County.
8. The permit requires a minimum bond of \$2,000 at the discretion of the administrator up to a bond of 10% of the total project cost. Furthermore, a \$10,000 maintenance bond posted herewith in compliance with Jefferson County's Utility Policy shall not be released for five (5) years from the work's completion date and shall not be released without written acceptance of improvements and restoration by Jefferson County.
9. In the event work within the right-of-way occurs without a permit, a stop work order will be issued with a \$1,000 fee for the first offense, \$2,000 fee for the second offense, and a \$5,000 fee for each subsequent offense. Any work done after the stop work order is issued will result in a fee of \$500 per day.

Signature of Applicant

Printed Name

Company Name (if applicable)

Telephone Number

Date

RIGHT-OF-WAY PERMIT INSTRUCTIONS

- Step 1:** Complete a Right-of-Way Permit Application through the Jefferson County Commissioners' Office. Blank applications can be located here: [Jefferson County Broadband Bid Portal](#), Jefferson County Courthouse Attn:Erica Cline, 300 E. Main Street Room #103, Madison, IN 47250, or the Jefferson County Highway Department.
- Step 1a:** Determine permit fee amount. Fees are based on the type and extent of work being performed. For fee amounts, refer to Jefferson County's fee schedule.
- Step 1b:** Determine the bonding amount required. Bonding amounts are based on the type and extent of work being performed. For bonding amounts, refer to the Jefferson County bonding fee schedule.
- Step 2:** Submit Permit Application along with project plans to the Jefferson County highway department. Plans must include maintenance of traffic schematics and details.
- Step 2a:** If a road closure is necessary, it must be declared in the permit application and a separate Road Closure Permit must be submitted to Jefferson County for separate approval.
- Step 3:** The Jefferson County highway department reviews, approves, and makes recommendations to the executive board of Jefferson County.
- Step 4:** Submit original copies of the Permit Bonds to Jefferson County. Jefferson County shall be shown as the Obligee in any and all Bonds.
- Step 5:** The Jefferson County Board of Commissioners reviews recommendations from the Jefferson County highway department and approves Right-of-Way Permit.
- Step 6:** Applicants will be notified of the Jefferson County Board of Commissioners approval within two (2) business days of the formal approval. Once the applicant submits permit fees, Jefferson County will provide a signed permit to the Applicant. Fees should be made payable to Jefferson County.
- Step 7:** Applicants shall contact Jefferson County in accordance with the permit terms and conditions regarding the start of construction. Permit expires one (1) year after formal approval by the Jefferson County Board of Commissioners.
- Step 8:** Upon completion of the work, Applicant shall notify Jefferson County so a final inspection may be completed.
- Step 9:** Jefferson County will perform a final inspection of the work. The Applicant will be notified of any deficiencies and will be expected to remedy as directed within the timeframe specified. Upon final acceptance, Jefferson County will notify the Applicant that work has been completed satisfactorily.
- Step 10:** Applicants shall submit a three (3) year maintenance bond for the work completed within the right-of-way. Original permit bond will be cashed if Applicant fails to submit a maintenance bond within a reasonable time of Jefferson County's acceptance.