



AUSTIN COUNTY

Policy for Placing or Removing Utilities within the County Right of Way

This policy will, and does, pertain to the placement of utilities within the right-of-way for all roads, improved and unimproved, within Austin County, Texas, which includes, but is not limited to, the following types of roadways: (1) Paved Roads, (2) Gravel Roads, and (3) Dirt Roads.

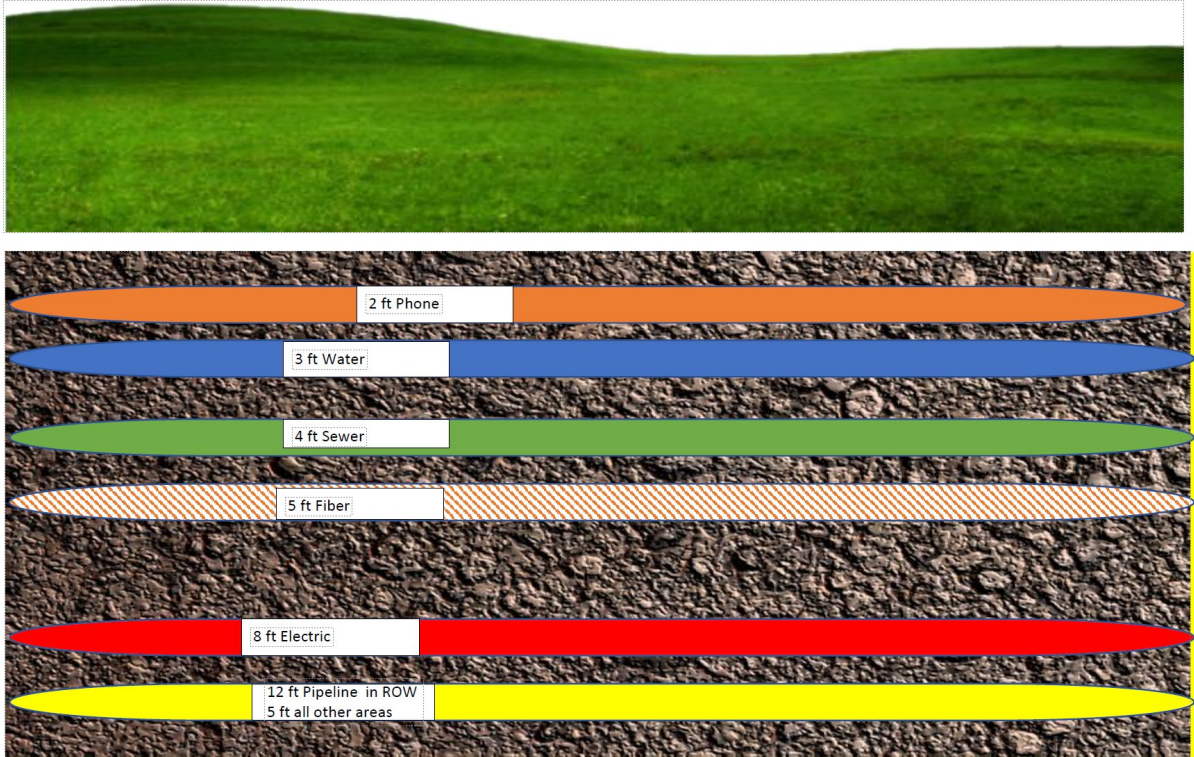
Specific Requirements and Conditions for Proposed Utility Installations and Adjustments

1. Responsibilities of the utility owner/applicant shall include, but not limited to:
 - a. Submission of a written Application Form/Formal Notice of the proposed utility installation to the County Engineer for review and approval by Commissioners Court;
 - b. Designing the specific utility in accordance with all applicable federal/state policies and laws, current industry standards and the county's specific requirements contained herein;
 - c. Providing three (3) copies of the detailed drawings, plan specifications, of the proposed utility line with the written application;
 - d. Payment of the nominal sum shown in the FEE SCHEDULE per each crossing for any type of sanitary sewer and pipeline crossings with the submission of the application/notice;
 - e. Securing all other necessary or required permits, licenses, or approvals before beginning work;
 - f. Securing approval of the Commissioners Court prior to any work being performed;
 - g. Securing necessary site specific utility locates;
 - h. Notifying the County Engineer prior to the beginning of construction in order to insure all work has been approved in Commissioners Court. Notice must be made, no later than, 48 hours prior to commencing construction (*Penalty imposed for non-compliance*);
 - i. Notifying residences and businesses affected by installation within forty-eight (48) hours prior to any work;
 - j. Placing and maintaining the utility on the County right of way in accordance with any and all governing laws, rules, and regulations along with Austin County specific requirements;
2. Overhead utility pole installation(s) shall be placed at the edge of the right-of-way to ensure the safety of the traveling public. Any pole placed in violation of this requirement will be required to be moved to the appropriate location at the utility owner's expense.
3. Overhead utility installations shall conform to clearance standards of the Texas Department of Transportation and the pole(s) shall be placed in the designated area for power, as specified in the Texas Utility Code, Section 181.045.
4. Location of underground utility lines shall be as follows:
 - a. Lines must be placed in the back slope of ditches near the right of way lines, not to interfere with the drainage in the ditch;
 - b. Above ground pedestals or other utility appurtenances, installed as a part of an underground line, shall be located at or near the right of way line and outside of the road maintenance operation area;
 - c. Lines shall not be placed on the top, inside or within ten (10) feet of any existing culverts (road or access driveway pipe);
 - d. Lines shall not be placed under a bridge or within fifty (50) feet of either end of a bridge nor be attached to a bridge;
 - e. All lines shall be located to avoid or minimize the need for adjustment for future road improvements and to permit access to the utility lines for their maintenance with minimum interference to road traffic.

- f. Parallel water, sanitary sewer, high-pressure gas, and liquefied petroleum lines should be constructed on private property.
5. Minimum depth for an underground utility shall be as follows:
- a. As shown on the Depth map approved by the Austin County Commission;
 - b. a minimum depth of forty-eight (48) inches below the top of pavement;
 - c. Sanitary sewer lines shall be at least forty-eight (48) inches below the flow line of the adjacent ditch or drainage;
 - d. Underground power line crossings and longitudinal lines shall be at least ninety-six inches (96") under roadway ditches, and ninety-six inches (96") below the pavement surface;
 - e. Cable television and copper cable communication lines shall be buried at least twenty-four inches (24") under ditches or 24 inches beneath the bottom of the pavement structure, whichever is greater.
 - f. Petroleum and Gas Pipelines shall be buried at least twelve feet below the lowest point within the right-of-way and in open areas outside of the county right-of-way they shall be buried at least five (5) feet below the natural ground or flow line of the adjacent ditches or drainage ways
 - g. All depths of utility lines must be as required and approved.
6. Utility lines that cross County Right of Way shall be clearly marked with readily identifiable and suitable markers for:
- a. High pressure gas or liquid petroleum line
 - b. Fiber optic cable
 - c. Underground power line
 - d. Water line
 - e. Sanitary sewer lines
 - f. Communication cable
 - g. Cable television and copper cable
7. Utility line crossings under a county road shall be bored and encased as follows:
- a. Installed by boring, jacking or tunneling in accordance with TxDOT Standard Specification Item 476. (No open cuts of the County road allowed);
 - b. Encased within steel pipe or other separate structure around and outside the carrier line and shall be designed to support the loads of the roadway and loads imposed thereon, including that of construction machinery;
 - c. Lines operated under pressure and those composed of materials not conforming to material or depth of cover requirements herein shall be encased as prescribed for water lines;
 - d. High pressure welded steel pipeline crossings may be installed without encasement provided such pipelines conform as applicable with 49 Code of Federal Regulations, Part 192, Transportation of Natural and Other Gas By Pipeline, or Part 195, Transportation of Liquids By Pipeline. Such pipelines shall also be designed to withstand internal design pressures and the superimposed loads of the roadway and traffic, including that of construction machinery. In accordance thereof, such pipelines shall provide:
 - i. Increased wall thickness and/or higher strength steel;
 - ii. Greater depth of cover; and
 - iii. Adequate markings, as specified for each type of line discussed herein.
8. Disposal of brush, trees, debris, materials, etc., is the responsibility of the utility installer and shall not be left in the ditch, the right of way, or the road. Rocks that may be dug up by a plow, trencher, tractor or any other equipment, must be disposed of properly. (Penalty imposed for non-compliance)

9. Traffic control devices (flagmen, signs, markings, barricades, etc.) must be used to warn motorists of the construction activity during installation and shall conform to the current edition of the Texas Manual of Uniform Transportation Devices (MUTCD). All installation services to be performed shall not interfere with, nor hinder, the normal flow of traffic. At least one half of the traveled portion of the road must be open to traffic at all times.
10. No open excavation in the county right of way will be left un-attended or un-barricaded during, and after construction period.
11. Road surfaces shall be cleaned at the end of each work day and the right of way will be restored to the original or better condition within 10 days of the completion of work (*Penalty imposed for non-compliance*).
12. Damages to the roadway and/or county right of way will be repaired to their original condition and to the satisfaction of the County Engineer (*Penalty imposed for non-compliance*).
13. Austin County reserves the right to require Applicant to relocate, or lower, any such line at no cost to Austin County, should any alterations or road changes become necessary.
If future relocation of underground lines shall become necessary:
 - a. The Commissioners Court shall give a written 45-day notice before the date the relocation is to be made.
 - b. This notice will identify the equipment to be relocated and shall indicate the location of the right of way where the person may re-install the equipment.
 - c. The utility company shall pay the cost of repairing any damages made to the county road and or county right of way. Austin County will not be held responsible for any liabilities and expenses incurred from the relocation of any said utility line.
14. Austin County is not responsible for any damages, which may occur to utility lines within the county road or county right of way.
15. Emergency Repairs: When emergency repairs are imminent and it is after hours, or on the weekend, the utility owner shall contact the County Engineer's office and leave a voice message as soon as reasonably possible and within 24 hours of completion construction/repairs. This will allow the County Engineer's Office an opportunity to inspect the site to ensure the integrity of the County Right of Way.
16. Penalty: All work within the county right-of-way shall be performed in accordance with the County Engineer's instructions. The installation shall not damage any part of the road or county right of way. Any and all unrepaired damages incurred due to utility line repairs, and or installations, shall be billed to the Utility Line applicant and/or company. Violations for Non-Compliance will be charged a \$100.00 penalty fee for each violation, per each occurrence.
17. Indemnification: By agreement and acceptance of this policy, the applicant shall assume all risks and hazards incidental to its use of the county right of way under this permit and hold harmless the County of Austin, its officials, employees and agents from any claim arising out of the applicant's performance under this permit.
18. Attachment A: Application Form / Formal Notice for Utility Installation

Austin County Commission approved minimum depth map:





Attachment A: Application Form / Formal Notice for Utility Installation

Austin County Engineer's Office

One East Main
Bellville, Texas 77418
Phone: (979)865-5911

Date of Application/Notice: _____

Proposed Utility Installation Type: _____

Within Right of Way of County Road: _____

APPLICANT:

Company Name

Company Representative/Title

Signature

Mailing Address

Daytime Phone No.

Fax No.

Email

Emergency 24/7 Contact Name and Number

PROPOSED INSTALLATION / LOCATION/ GPS COORDINATES:

Applicant agrees to comply with conditions and requirements set forth in the current "Austin County Policy for Placing or Removing Utilities within the County Right of Way" attached hereto, in the construction of said installation.

Applicant Signature

Approved in Commissioners' Court on:

Date

County Judge