



Klamath County Public Works Right of Way Permit Regulations

I. GENERAL CONDITIONS

1. To occupy or perform operations within a public road or a County maintained road right of way a permit shall be applied for. The permit is only valid for road right of way that is under the jurisdiction of Klamath County. Failure to obtain a permit, or noncompliance with the permit conditions, is a misdemeanor pursuant to ORS 374.305 to 374.310. Any questions concerning permits should be directed to the Klamath County Public Works Road Construction Inspector at 541-883-4696.
2. For small projects, Klamath County Public Works shall be notified a minimum of 48 hours prior to work commencing in order to allow the County time to schedule inspection, locates, drawing review, traffic control plan review, etc. For large projects, submit plans a minimum of three weeks in advance. Failure to comply with notification may delay your work, inspection, and/or not receiving final County approval. When the project has been approved, a permit number will be issued along with project comments. A copy of the permit and attachments shall be kept on site. Re-inspection due to poor quality work or failed test results may be invoiced to the utility company and or contractor.
3. All the work herein contemplated shall be completed under the supervision and to the satisfaction of the County Engineer. The County Engineer may require a set of plans engineered and stamped by a licensed engineer in the state of Oregon. The items on this permit are considered a minimum standard for construction. If the notes on this permit conflict with notes on the engineered plan, the more stringent shall apply as determined by the County Engineer.
4. As provided in ORS 758.010, Klamath County Public Works, acting on behalf of the Board of Commissioners, may designate where utilities may be located within a county road right of way and may order the location of such facility changed if deemed expedient. Minimum depths are 36” for power and 30” for all others, and a minimum height over roadways is 18 feet as per OAR 734-055-0090. All Depth measurements are taken from the lowest point being crossed such as the bottom of the original ditch design grade to the top of the proposed utility.
5. During the progress of the work temporary barriers shall be erected and maintained as may be necessary for the protection of the traveling public; the same shall be properly lighted at night; the party or parties to whom this permit is issued shall be responsible for all damages to persons or property due to or resulting from any work performed under this permit.
6. Except as herein authorized, no excavation shall be made or obstacle placed within the limits of the roadway in such a manner as to interfere unnecessarily with the travel over the road. Road closures are generally not allowed. In the case where all other construction methods have been exhausted and road closures are determined to be in the best interest of the travelling public then all road closure and detour plan requests shall be submitted a minimum of three weeks in advance of the beginning of work. Provide detailed scaled drawings based on aerial photos and or maps showing traffic control plan and signing proposed. Detour or road closure plan will not be permitted until approved by the County Engineer. If approved, the County Engineer will provide the permittee with a list of requirements for the closure/detour.
7. As provided in OAR 744-055-0100, if any settlement in a restored area of a paved or unpaved roadway occurs within a period of two (2) years from the date of completion of the installation, the permittee shall, at their expense, remove and replace the areas of settlement to the satisfaction of the County Engineer.
8. If the party or parties to whom this permit is issued does anything contrary to the orders of the County Engineer and after due notice fails to correct such work or to remove structures or material as they may be ordered to remove, Klamath County may, with or without notice, correct such work or remove such structures or materials and invoice the permittee for the work.



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I. GENERAL PROVISIONS (cont.)

9. On the completion of the work herein contemplated all rubbish and debris shall be removed and the roadway, drainage features, and roadsides shall be restored to an “as good as or better than” condition which existed prior to the permitted installation, and said responsibility shall survive the suspension or termination of the permit. This includes but is not limited to damage to adjacent pavement or public property, or private property including, but not excluding, sidewalks, fences, vegetation, etc.
10. The granting of this permit does not in any way abridge the right of Klamath County in their jurisdiction over public or county roads. If, in the process of any future work or for the benefit of the traveling public, it becomes necessary in the opinion of Klamath County to order the removal, reconstruction, relocation or repair of any of the fixtures or work performed under this permit, said removal, reconstruction, relocation or repair shall be wholly at the expense of the owners/permittee thereof, and be made as directed by the County Engineer.
11. The acceptance of this permit or the performing of any work thereunder shall constitute an agreement by the party or parties to whom the permit is granted to comply with all of the conditions and restrictions printed or written herein.
12. This permit may at any time, be revoked and annulled by the County Engineer for non-performance or non-compliance with, any of the said conditions, restrictions and regulations hereof.

II. SPECIAL CONDITIONS

1. All excavation of subgrade and base rock in Klamath County roadways must be removed and replaced with controlled density flowable backfill (CDF) 1 sack concrete slurry. The CDF shall achieve a maximum 100-200 psi at 28 days and shall extend from the pipe zone to finish grade and a minimum of one beyond the outside edge of the pavement. The trench shall be plated with steel jump plates of sufficient width and thickness to support H20 loading requirements. Plates shall be secured in place with plate locks and shall remain in place until CDF is set. Steel plates shall be removed and replaced with cold patch if snow accumulations are predicted. Cold mix shall be removed and replaced with hot mix as soon as possible.
2. The surface of backfilled trenches using an alternate backfill material on larger longitudinal trenches shall be watered and graded as often as necessary to keep the travel way smooth and dust free. If required by the Engineer, an approved dust palliative shall be applied.
3. Permittee must replace asphalt to the same thickness as the existing asphalt that will be removed for this installation. A 3 inch minimum for local streets, 4 inch minimum for collectors, 5 inch minimum for arterials.
4. Unless otherwise approved by the County Engineer, backfilling of longitudinal trenches shall be accomplished so that no more than 80 feet of trench is left open at any one time. If a traffic control plan has been approved by the County Engineer, half the road may be closed for either longitudinal or transverse trenches. Trenching on shoulder within 3 feet of the edge of roadway shall be either backfilled daily or protected by sufficient means to eliminate vertical drop-off hazards.
5. Pipe, cable or other infrastructure shall have a minimum of 30 inches of cover to top of asphalt/gravel or below the ditch flowline, whichever is lower. Electrical infrastructure shall have 36 inches of cover.



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II. SPECIAL CONDITIONS (cont.)

6. Privately maintained utility crossings are subject to standard permit requirements with the following additional conditions:
 - a. Per ORS 757.542 thru 757.557 the applicant/operator is legally required to subscribe to Oregon Utility Notification Center and shall be responsible for marking the buried crossing when locates are requested. Per ORS 757.557 (3), non-subscribing operators of underground facilities shall be responsible to all injured parties for all costs associated with damages to such facilities, loss of product or service or damages that occur as a result of excavation where the facilities damaged are under the control of the non-subscribing operator and proper notice was given to the Oregon Utility Notification Center.
 - b. Private irrigation water that crosses the public right of way shall be in a closed conduit sufficient for the anticipated water pressure and cased as required by the County Engineer. The irrigation pipe may only be within the right of way during the irrigation season and shall be removed from the casing during the off-season. Post mounted signs notifying the public of the buried utility shall be placed and maintained by the applicant; Klamath County will provide the signs for a fee. No new casing will be approved where an existing suitable crossing (e.g. drainage culvert of sufficient size) is available. One end of the crossing shall be open to allow verification that the irrigation pipe has been removed when required; location shall be in the back of the right of way as possible and shall avoid conflict with the roadway clear zone. In addition, the applicant shall provide an approval letter from the Klamath County Water Master authorizing the transfer of water, which may be requested annually by KCPW.
7. All trenches shall be backfilled and compacted to 95% of relative maximum density. Backfill shall be constructed in 12 inches maximum lifts.
8. As provided in the order signed by the Board of Klamath County Commissioners, all paved road crossings must be bored.
9. As provided in OAR 744-055-0100, a 24 month warranty is given by the permittee to fix improvements, trenches, etc. that degrade due to workmanship or quality of materials.
10. During construction, roads and nearby ditches/catch basins will be kept free of mud, or other debris by the permittee.
11. If, during construction, substantial changes to design need to occur, the County Engineer shall be notified immediately and a set of as-built construction plans shall be provided if requested.
12. Oregon law requires you to follow rules adopted by the Oregon Utility Notification Center. Those rules are set forth in OAR 952-001-0010 thru 952-001-0090. You may obtain a copy of the rules by calling the center at 503-232-1987.
13. Prior to construction in the road right of way, the owner, contractor and or sub-contractor must provide proof of insurance in the amount equal to the state minimum required, found in OAR Chapter 812-003-0221. Certain types of projects may require additional insurance equal to the amounts specified in the Klamath County Board of Commissioners Insurance Guidelines. Contact the Klamath County Engineer for more information on insurance requirements. Where utilities remain in-service within the right of way, the utility operator shall maintain those same insurance limits for operations.
14. To the fullest extent permitted by law, and except to the extent otherwise void under ORS 30.140, the Contractor shall indemnify, defend (with counsel approved by the Agency) and hold harmless the Agency, Agency's Authorized Representative, Architect/Engineer, Architect/Engineer's consultants, and their respective officers, directors, agents, employees, partners, members, stockholders and affiliated companies (collectively "Indemnitees") from and against all liabilities, damages, losses, claims, expenses (including reasonable attorney fees), demands and actions of any nature whatsoever which arise out of, result from or are related to the construction performed, or continued utility operation in the right of way.

Permittee Initials _____ Date _____



TO OCCUPY OR PERFORM OPERATIONS WITHIN A PUBLIC ROAD OR COUNTY ROAD RIGHT-OF-WAY

Applicant Name/Permittee _____ **Date of Application** _____

Applicant Address _____

Applicant hereby applies to Klamath County for permission to install the facilities in the right-of-way of
_____ Klamath County, Oregon
as shown on the attached map or plan and by reference made a part hereof.

Drawings attached dated: _____

The installation will consist of:



Contractor _____ assumes
responsibility for maintenance, continuity and operation of the facility after Utility signs final acceptance for facilities.

UTILITY COMPANY AUTHORIZED REPRESENTATIVE

Signature Date

Printed Name Phone Number Email address

OFFICE USE ONLY

Insurance Certificate:

On File Attached

Date Permit Approved _____ Approved By _____

Date of Final Inspection _____ Final Inspection By _____

Permit Number _____