

# UTILITY PERMIT APPLICATION



**Highway Department**  
 1201 Main Avenue West  
 West Fargo, ND 58078  
[www.casscountynd.gov](http://www.casscountynd.gov)  
 Phone: 701-298-2370  
 Fax: 701-298-2395

**Please Print or Type** **Instructions:** Complete all questions that apply, sign, attach necessary documents, and submit to the Cass County Highway Department, along with a nonrefundable application fee in the amount of \$50. Submit an application and fee for each permit requested. Applications can be emailed to [rumppej@casscountynd.gov](mailto:rumppej@casscountynd.gov).

## Applicant Information

Applicant Name/Company Name	Contact Name			Telephone Number
Mailing Address	City	State	Zip	Email Address

## Preparer - Consultant

Company Name	Contact Name			Telephone Number
Mailing Address	City	State	Zip	Email Address

## Utility Contractor

Company Name	Contact Name			Telephone Number
Mailing Address	City	State	Zip	Email Address

Type of Facility Requested				
Open Trenching	Please attach a plan showing the location(s) of proposed facilities. Include dimensions from existing roads and other permanent structures. Include size and location of boring/jacking pits, appurtenances, and other pertinent information that will aid in the permit approval. The size of the plan should preferably be 8½ x 11.			
Boring or Jacking				
Repair				
Other (Describe)				
Address, City, State Zip of Property to be Served by Permit (if applicable)				
On what county highway are you requesting the utility?	Section-Township-Range	What side of the highway? <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W		<input type="checkbox"/> Along <input type="checkbox"/> Across
Description of proposed work				
Estimated Project Start Date		Estimated Project Completion Date		

By signing below, the Applicant agrees to perform all work in accordance with this Permit and to indemnify and hold harmless the County, its officers, and employees from all liability, judgments, costs, expenses, and claims growing out of damages, or alleged damages, of any nature whatsoever, to any person or property arising out of performance or nonperformance of said work, or the existence of said utilities.

\_\_\_\_\_  
 Applicant Signature

\_\_\_\_\_  
 Date

Upon approval and issuance of the permit, the Applicant is hereby granted permission to install and maintain the utilities applied for as shown on the plans attached hereto and made a part hereof, as per the Estimated Project Start Date, within the deeded right of way or easement or will obtain proper easements via the landowner.

\_\_\_\_\_  
 Authorized Highway Department Signature

\_\_\_\_\_  
 Date

**TERMS AND CONDITIONS:**

1. Installation, maintenance, relocation, and removal of said utilities on highway right of way shall be done in a manner satisfactory to the Board of County Commissioners or County Engineer.
2. No work under this application is to be started until the application is approved and the permit is issued.
3. The Owner shall notify the County Engineer forty-eight (48) hours prior to beginning this installation. Immediately following the final cleanup of the area, the Applicant shall again notify the County Engineer, that the work is completed and is ready for final inspection.
4. Where work on or near the traveled roadway is necessary, proper signs, channelizing devices, warning lights, and barricades must be erected to protect traffic, employees, and pedestrians. All traffic control devices and methods shall conform to the Manual on Uniform Traffic Control Devices.
5. The Applicant shall be required to wear an ANSI/ISEA 107-2004 Class II high visibility garment while within the highway right of way as per the requirements of 23 CFR 634.
6. No foreign material such as dirt, gravel, or bituminous material shall be deposited or left on the road during or after completion of the construction or installation of said facilities.
7. The Owner is responsible for obtaining all utility locations prior to beginning any work within the highway right of way.
8. Proper erosion control and sedimentation devices shall be used.
9. Owner shall repair or replace highway structures, appurtenances, and any existing facilities located on, over, or under highway right of way, which may be damaged as a result of the installation and maintenance of said utilities on highway right of way.
10. Applicant shall promptly remove said utilities from highway right of way, shall relocate, or adjust said utilities, at its sole cost and expense when requested to so do by the Board of County Commissioners.
11. The County shall not be liable for damage to said utilities resulting from reconstruction or maintenance of the highway.
12. Within thirty (30) days after construction, maintenance, relocation, or removal of said utilities, any right of way scars shall be removed and disturbed areas shall be seeded and restored to original conditions. The area will be maintained by the Applicant for a period of one (1) year from the date of final inspection.
13. The utility shall be placed at a minimum depth of forty-two (42) inches below the ditch elevation and/or culvert within one hundred (100) feet from the centerline of the County Highway.
14. The utility shall be placed under all County Highways by means of casing pipe or bore at a minimum depth of forty-two (42) inches under the road surface or below the lowest ditch elevation. No open cuts allowed 42 inches below any culvert.
15. Marker posts shall be installed on all crossings on the right of way line or farther from the centerline of the road.
16. No construction shall be considered complete until checked and approved by the County Highway Department. The applicant will be notified of any deficiencies. Failure to complete the repairs will cause the applicant to be liable to the County for the cost of the repairs, as outlined in Ordinance #2015-2 and NDCC § 24-05-23.
17. Detailed location maps showing lateral offsets from roadway centerline are required for a permit.

OFFICE USE ONLY		
Application Number:		
Application Fee Received:	Amount \$	Date:
Approved Permit Sent to Applicant:	Date:	
Notification Received From Applicant that work is complete:	Date:	
Final Inspection Completed By:		Date:
Final Inspection Approved:	Yes      No	
Comments:		

NOTICE: the Recipient must comply with ALL applicable Federal, State and local laws, rules, and regulations, the North Dakota Century Code, Chapter 49-23. (ONE-CALL EXCAVATION NOTICE SYSTEM) INSTALLATION AND MAINTENANCE: Installations and maintenance of said facilities on Highway right of way shall conform to the following provisions:

1. The Cass County Highway Department may not be the total fee owner and does not warrant the title to the highway right of way covered by the terms of this permit. The Recipient shall be responsible for reviewing the public records to determine ownerships and any encumbrances to the title of the properties covered by the terms of this permit.
2. Trenches and pits opened within the right of way shall be cut to O.S.H.A. Standards and shall be of the minimum width necessary to accommodate installation or maintenance of said facilities. Open trenches and pit shall be barricaded if left unattended.
3. Trenches and pits opened within the right of way shall be backfilled with the same material originally in place, compacted to a density equal to that of the adjacent undisturbed soil and restored to the original grade. The backfill shall be tamped in layers not to exceeding six (6) inches in compacted thickness. Consolidation of the backfill by saturation or ponding is not permissible.
4. The diameter of the hole for bored or jacked installations shall not exceed by more than one (1) inch the outside diameter of the facility. Oversized bores, over-breaks, and unused holes shall be backfilled with grout.
5. Vehicles and other equipment shall not be parked on the through-traffic lanes or shoulders of the highway during installation.

I have read the above terms and conditions set forth in this permit. By my signature I acknowledge and accept terms.

Sign \_\_\_\_\_ Date \_\_\_\_\_