

CHAPTER 10

PERMIT PROCEDURES

AND

BONDING REQUIREMENTS

FOR CONTRACTORS

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CHAPTER 10 - PERMIT PROCEDURES AND BONDING REQUIREMENTS

10.1 APPLICATION REQUIREMENTS AND PROCEDURES

- 10.1.1 A permit will be required for any construction or installation within the public right-of-way or for any substantial modification of existing construction or use in the right-of-way. Application for such permits will be made at the office of the Road and Bridge Department, 540 Manor Court, P.O. Box 277, Woodland Park, CO 80866. Telephone: 719-687-8812.

The permit holder must call for a County inspection by calling the Road and Bridge Department (719-687-8812) at least 24 hours, but not more than 120 hours, in advance of commencing work, or penalties of the "Stop Work" order may apply, (See Section 10.7). If an inspection is scheduled, and, for ANY reason, work is not performed as scheduled, the Permit holder must call and cancel the inspection as soon as possible. Failure to cancel the County inspection may result in a re-inspection fee (Appendix H) levied against the licensed permit holder, recommendation for revocation of the permit holders license, or both.

Application for permits will be accepted during normal County working hours at the Road and Bridge Department (Appendix H for fee schedule).

Teller County ROW will be inspected by Teller County personnel. For new development that is not in Teller County ROW a competent soils and materials testing laboratory that has a professional engineer employed shall be responsible for all testing and inspections as specified in Chapter 9 of these Roadway Standards.

- 10.1.2 No permit shall be issued to any person, corporation or other legal entity except as set forth herein.

- 10.1.3 The two (2) operational permits are:

- 10.1.3.1 Right-of-way Use Permit, which governs the construction, removal, repair, or maintenance of utilities, cable TV, signs and other facilities in the public right-of-way.

This permit also governs the installation or replacement of County maintained public improvements, including sidewalk, curb and gutter; roadway subbase, base and wearing surface, drainage and flood control structures, piping, or channels, signs and traffic signals; and the construction of new utility mains or extension of existing mains (non-maintenance items).

- 10.1.3.2 The Access Permit which governs access points from any person, business, or agency who proposes to install any type of vehicle access onto a County road right-of-way.

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- 10.1.4 The work of installing range boxes, surveying monuments, historical monuments, signs, adjusting manhole rings and service boxes, or any similar work undertaken solely for the convenience of and at the order of Teller County shall require a permit; however, the permit will be issued on a "no fee" basis.
- 10.1.5 These permits shall not apply to Emergency Repair. An Emergency Cut shall be defined as a roadway excavation required to restore an essential service which has been disrupted or failed, or where delay of repair would cause further damage to the public right-of-way.
- Essential service shall be defined as Electric, Telephone, Gas, Water, and Sanitary Sewer, or other such service needed to ensure the health, safety, and welfare of the public.
- 10.1.6 All utilities shall obtain a Right-Of-Way Use Permit prior to beginning work in Teller County ROW, except as allowed under Section 10.1.5. The practice of utilities using their own work order or job order to proceed with work in the ROW, in lieu of obtaining a County permit, is prohibited. After obtaining a permit, the utility shall notify the Teller County Inspection section at least 24 hours, but not more than 120 hours in advance of commencing work, or penalties of the "Stop Work" order may apply. (See Section 10.7).
- 10.1.7 Any permit issued shall pertain only to excavating or constructing within the County right-of-way or County drainage easement and is in no way to be considered a permit to enter on any private property adjacent to such right-of-way or easement or to alter or disturb any facilities or installations existing within the right-of-way and which may have been installed and are owned by others.
- 10.1.8 The Right-Of-Way Use Permit shall be in effect for sixty (60) days from and after the date issued (however, a sixty (60) day extension may be granted upon request), unless sooner revoked by the Road and Bridge Director or his designated representative for failure of the Applicant to abide by the terms and conditions of the permit, or by operation of the law, or at the time the utility for which the permit is issued ceases operation.
- 10.1.9 Failure of the Applicant to comply with any of the terms and conditions of the permit shall be sufficient cause for cancellation of the permit and may result in removal of the utilities, approaches, or other facilities by the County at Applicant's expense.
- 10.1.10 The permit, the privileges granted herein, and the obligations of the Applicant created thereby shall be binding upon the successors and assigns of the Applicant.
- 10.1.11 If the Applicant fails to complete installation of the facility covered by the permit within the period specified in the permit, said permit shall be deemed null and void and all privileges and fees thereunder forfeited, unless a written extension of time is obtained from the Road and Bridge Director or authorized representative.
- 10.1.12 Permits shall be issued only to the authorized representative of a company that holds a current license by Teller County to perform work. See the Teller County Building Code for licensing requirements.

- 10.1.13 Each person who is issued a license may designate other persons who are authorized to obtain permits on behalf of the license holder. The license holder is still responsible for the permitted work even though the permit is obtained by their authorized representatives.
- 10.1.14 The license holder may designate other persons who must be on the site of the permitted work at all times during construction. If one of the authorized representatives is not present at the construction site with a copy of appropriate permit, a stop work order for all work on the site may be issued until an authorized person arrives on site.

10.2 PERMIT STANDARDS AND CONDITIONS

- 10.2.1 This section describes the requirements for plans and other information necessary for approval of a permit application and issuance of permits.
- 10.2.2 Permits are issued subject to the approval of city, state or other governmental agencies having either joint supervision over the section of road, or authority to regulate land use by means of zoning and/or building regulations. It shall be the Applicant's responsibility to determine the necessity of and to obtain any such easements and approvals which may be required.
- 10.2.3 Granting of a permit is conditioned upon replacement or restoration of the road and right-of-way to a satisfactory condition by the Applicant. Satisfactory condition shall be deemed a repair made in conformance to Sections 8.2.1, 9.2.6, and 10.5 of these Roadway Standards.
- 10.2.4 The Applicant of the site adjacent to the area where the permitted work is being done agrees to be responsible for maintenance of landscaped areas between the property line and adjacent public roadway(s).
- 10.2.5 The Applicant shall be responsible for relocating or adjusting any utility facilities located on the road right-of-way as required to accommodate the road approach or other facility applied for. Construction of the utility, road approach or other facility by the Applicant, his agent or contractor, will be permitted only after the Applicant has furnished the Road and Bridge Department evidence that satisfactory arrangements for said relocation or adjustments have been made with the owner of the affected utility facility.
- 10.2.6 When construction plans and specifications are required, they shall be submitted in accordance with the requirements of Chapter 2 of these Roadway Standards prior to issuance of any permit. For maintenance projects involving road cuts, the Applicant shall submit his request in the form of the Right-Of-Way Use Permit Application. This permit application shall be accompanied by a sketch plan showing type, size and location of the proposed installation or repair.
- 10.2.7 Traffic control plans shall be submitted to the Road and Bridge Department at the time of application for any Right-Of-Way Use Permit. Traffic control plans shall be in accordance with Section 6.11 of these Roadway Standards.
- 10.2.8 Applicant shall pay required fees and provide insurance and bonding, if required, prior to approval of the application. (Section 10.4 and 10.5.)

- 10.2.9 Repairs of damage caused to existing facilities as a result of work carried out under a valid permit shall be the responsibilities of the Applicant.

10.3 REFUNDS

No refunds shall be made on any permit fee, unless authorized by the Road and Bridge Director.

10.4 BONDS AND INSURANCE REQUIRED FOR CONTRACTOR

These bonding and insurance requirements are for the contractor obtaining permits. The Applicant must provide security and insurance according to the S.I.A.

- 10.4.1 Bonds. See Teller County Building Code for bonding requirements.

- 10.4.2 Insurance. See Teller County Building Code for insurance.

10.5 SPECIFICATIONS, GENERAL

- 10.5.1 Work done under a permit shall result in a repair being made to the road or other County property involved. Said repair shall cause the road or other property to be returned to a condition equal to or better than immediately prior to work performed, within the limits of careful, diligent workmanship, good planning, and quality materials. Said repair shall be accomplished in the least possible time and with the least disturbance to the normal functioning of the road or other property.

- 10.5.2 All backfill material, compaction and resurfacing of any excavation made in the County Right-Of-Way will be done in accordance with specifications and standards in these Roadway Standards.

10.6 ROAD CLOSINGS

- 10.6.1 Normally, only one side of a road may be blocked at any given time. Traffic must be provided a minimum lane width of 10 feet in the construction area. Any plan for traffic control during construction that indicates a complete closure must show detour routes and must be approved by the Road and Bridge Department prior to issuance of permit.

- 10.6.2 The Applicant must give a written request to the Road and Bridge Department, prior to issuance of a Right-Of-Way Use Permit, requesting approval for temporary closure of a public road. The request must state exact location of road barricades, detour routes, and dates traffic will be impeded. Copies of the written request to the Road and Bridge Department shall be provided to the appropriate fire protection district, the County Sheriff's Office, and the Colorado State Highway Patrol. Upon receiving written approval from the Road and Bridge Department for temporary closure and acquiring a permit, the Applicant will notify the appropriate fire protection district, the County Sheriffs office, and the Colorado State Highway Patrol for notification that permit was issued and permission was given for temporary road closure. This notification must be within 24 hours but not more than 72 hours in advance of closure time.

10.6.3 Barricades shall be maintained at all times by the responsible contractor.

10.7 STOP WORK ORDERS

Any person, corporation, quasi-governmental agency, special district, mutual company, electric, gas or communication utility corporation, who without first having obtained a permit and/or who having made a cut in a public right-of-way which has settled, has failed, or which has not been repaired in conformance with these Roadway Standards, shall be subject to a "Stop Work Order" issued by the County whereupon that person, corporation, or utility shall, except for emergency repair work, discontinue all work within public rights-of-way within Teller County until such time as the required repair has been satisfactorily completed. No further permits will be issued until the repair has been made, or the County reimbursed for their expenses. Teller County, may, on its own initiative, make required repairs and bill the responsible contractor. Minimum charge shall be a \$300.00 administrative charge, plus actual costs for labor, materials and equipment on a portal to portal basis incurred by Teller County.

Roadway Standards may be enforced by work stoppage injunctions issued by the District Court pursuant to law; or suit may be filed by the County Attorney on behalf of the BOCC for damages resulting to County rights-of-way due to noncompliance with these requirements.

10.8 UTILITY INSTALLATIONS

10.8.1 Underground

All utility lines and Cable TV, shall be installed to minimum as outlined in Figure 12.3. This requirement is applicable throughout the County right-of-way, including ditch lines and/or borrow pits. Exceptions may be granted by the Road and Bridge Director or authorized representative where warranted and upon prior written request and approval.

10.8.2 Overhead

A minimum ground clearance of 19 feet shall be provided where overhead utility lines cross public roads. The clearance shall be measured at the lowest point where the line crosses the traveled portion of the roadway.

10.8.3 Exploratory test holes made to determine location of existing utilities in an intersection shall be charged the fee as set forth in the fee schedule. A maximum of five (5) test holes, not to exceed eight (8) square feet (i.e. 2' x 4' hole) each per intersection shall be permitted by a single fee.

10.9 APPLICABILITY

The requirements of this chapter shall apply to any person, partnership, joint-venture, corporation, municipality, quasi-municipality agencies, mutual companies, electric, gas or communication utility or other entity, who for any reason cuts, disturbs, or otherwise defaces any County road for the purposes of installing or repairing, or for any reason pertaining to the presence of, an underground utility or structure.

10.10 FEES

10.10.1 Fees shall be assessed for permits and inspection at the time of issuance of the permit in accordance with the schedule in force. (See Appendix H) for fee schedule.

- 10.10.2 Any person, partnership, joint-venture, corporation, municipality, quasi-municipality agencies, mutual companies, electric, gas or communication utility or other entity commencing any work without prior valid written authorization, shall be required to pay a penalty permit fee. This permit shall be issued to any person, contractor, or corporation commencing work prior to obtaining a proper Right-Of-Way Use Permit or Access Permit. The fee for this permit shall be the permit fee which would have otherwise been collected, and, of which shall cover the foregoing, plus a penalty fee (Appendix H).
- 10.10.3 A re-inspection fee will be charged if the requirements on a permit are not met and a re-inspection is necessary. (Appendix H fee schedule).

10.11 LICENSING

- 10.11.1 **Licensing.** See Teller County Building Code for licensing requirements.
- 10.11.2 **Testing.** See Teller County Building Code for testing or examination requirements.
- 10.11.3 **The License.** See Teller County Building code for requirements concerning the examinee and license.
- 10.11.4 **Revocation of License.** See Teller County Building Code for requirements concerning revocation of a license.