

The work authorized by this permit shall be completed by _____ or within _____ calendar days (180 days max.) after the date of approval by the Hamilton County Highway Department, otherwise the permit will be considered null and void.

The permit allowing occupancy and work on Hamilton County right-of-way is approved.

Hamilton County Highway Department & Date

This permit is subject to the conditions and restrictions established in accordance with the Illinois Highway Code and Part 530 of Title 92 of the Illinois Administrative Code including but not limited to the following:

- a. The applicant represents all parties in interest and shall furnish material, do all work, pay all costs and shall in a reasonable length of time restore the damaged portions of the highway to a condition similar or equal to that existing before the commencement of the described work, including any landscape restoration necessary. (Section 530.250 of Title 92).
- b. The proposed work shall be located and constructed to the satisfaction of the County Engineer or his duly authorized representative. No revisions or additions shall be made to proposed work on the right-of-way without the written permission of the County Engineer or his duly authorized representative (Section 530.200 of Title 92). In certain circumstances the Hamilton County Highway Department may require that the construction plans and/or the as-built documents be sealed by an Illinois Registered Professional Engineer. Typical of such projects would be petroleum or gas pipelines.
- c. The applicant shall at all times conduct the work in such a manner as to minimize hazards to vehicular and pedestrian traffic. All signs, barricades, flaggers, etc., required for traffic control shall be furnished by the applicant. (Section 530.240 of Title 92).
- d. The applicant must ascertain the presence of Highway Authority Agreements established in accordance with 35 Ill. Admin. Code Section 742.1020 in the path of its proposed installation and take precautions to protect its workers, human health and the environment in those areas. (Section 530.240 of title 92). Where contamination is encountered through excavation in the right-of-way, it should be managed offsite.
- e. The applicant shall not trim, cut or in any way disturb any trees or shrubbery along the highway without the approval of the County Engineer or his duly authorized representative. (Section 530.600 of Title 92).
- f. The facilities authorized to occupy the right-of-way by this permit are subject to removal, relocation or modification by the permittee at no expense to the County on notice given by the Hamilton County Highway Department in accordance with section 9-113 of the Illinois Highway Code, as amended. Permittee shall cooperate with the Hamilton County Highway Department with the scheduling of any removal, relocation or modification deemed necessary for highway or highway safety purposes. Use of and compliance with current Illinois Department of Transportation Traffic Control Standards will be required.

- g. If the applicant and the Hamilton County Highway Department cannot agree either on whether the permit should be issued or on what conditions would be appropriate, the applicant may, within 30 days of the issuance of written notice of the Hamilton County Highway Department's position, appeal the County's determination to the Hamilton County Board Chairman. (Section 530.900 of Title 92).
- h. The permittee agrees to fully comply with the following legal obligations in advance of entering and while upon any right-of-way within the Hamilton County Highway System.
 - 1 Only a permit issued by the Hamilton County Highway Department under this Part will satisfy the "written consent" requirement of Section 9-113 of the Illinois Highway Code.
 - 2 A permit from the Hamilton County Highway Department grants a license only to undertake certain activities in accordance with this Part on a County right-of-way, and does not create a property right or grant authority to the permittee to impinge on the rights of others who may have an interest in the right-of-way. Such others might include an owner of an underlying fee simple interest if the right-of-way is owned as an easement or dedication of right-of-way, an owner of an easement, or another permittee.
 - 3 It shall be the responsibility of the permittee to ascertain the presence and location of existing above-ground or underground facilities on the highway right-of-way to be occupied by their proposed facilities. The County will make its permit records available to a permittee for the purpose of identifying possible facilities. When notified of an excavation or when requested by the County, a permittee shall locate, physically mark, and indicate the depth of its underground facilities within 48 hours excluding weekends and holidays.
 - 4 The permittee shall avoid conflicts with any existing underground or above-ground facilities on or near the highway right-of-way. Both the Hamilton County Highway Department and J.U.L.I.E. are to be contacted for assistance during the application process.
 - 5 The permittee shall comply with all other applicable laws relating to the placement of utility lanes.
 - 6 The issuance of a utility permit by the Hamilton County Highway Department does not excuse the permittee from complying with any existing statutes, local regulations or requirements of the County (e.g., oversize and overweight vehicles) or the requirements of other County and State agencies including, but not limited to the following:
 - I. Illinois Commerce Commission
 - II. Illinois Department of Agriculture
 - III. Illinois Department of Natural Resources
 - IV. Illinois Department of Mines and Minerals
 - V. Illinois Environmental Protection Agency
 - VI. Illinois Historic Preservation Agency
 - 7 Rights of abutting and underlying property owners are protected by common law and Sections 9-113 and 9-127 of the Illinois Highway Code. The permittee will address these rights prior to initiating activities on County right-of-way. The

County will not be a party in any negotiations between and utility and abutting property owners.

- 8 In no case shall the permit give or be construed to give an entity any easement, leasehold or other property interest of any kind in, upon, under, above or along County highway right-of-way.
 - 9 Each person responsible for a utility, in place on the effective date of this Part, on a County highway right-of-way shall notify the Hamilton County Highway Department in writing, if that facility does not comply with this Part. The Hamilton County Highway Department shall treat such a notice as a request for a variance under Section 530.130. Until informed that a variance will not be granted, a person responsible for a pre-existing utility will not be in violation of this Part. The failure to provide such a notice constitutes a violation of this Part and of the utility accommodation permit (if any) and would justify the imposition of sanctions set forth in Section 530.810.
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Work to be coordinated with County Representatives:

Richard Coronado Jr., PE, County Engineer

Office: (618)643-2714

Aaron Perryman, Engineering Technician

Office: (618)231-2620

Utility Contact Person

E-mail

Phone

Work to be done by:

Contractor

Daytime Phone

Emergency Phone

Traffic Control operation:

Lane Closures:

Dates

Times