DISTRICT: _____

ARW #:_____
PERMIT FEE $25.00:_____
ISSUED: _____ EXPIRES: _____

COUNTY HIGHWAY DEPARTMENT
CONSTRUCTION IN COUNTY RIGHT-OF-WAY PERMIT
(Utility)

Billings County, North Dakota
TAX EQUALIZATION & ZONING OFFICE
PHONE: (701) 623.4810 • FAX: (701) 623.4761
495 4TH STREET • PO BOX 247 - MEDORA, ND 58645-0247
stswanson@nd.gov
jpemberton@nd.gov

The Board of Billings County Commissioners, in the state of North Dakota, hereby grant permission to _____ to place, construct and thereafter maintain a utility line on County road right-of-way at the following location(s): Section: ___ Township: ___ Range ____ along county road _____ or crossing ____ .

1. The utility line shall be placed at a minimum depth of _____ inches below the surface of the ground.
2. The utility line shall be placed under county roads by means of pipe or boring tool pushed under the surface of the road, at a minimum depth of _____ inches.
3. Above ground fixtures shall be located off the road right-of-way or on the right-of-way line.
4. All trenches and other excavations shall be carefully backfilled in such a manner as to eliminate settlement, and the surface of the ground shall be returned to its original condition.
5. It is understood and agreed that Billings County will not be liable for any costs in connection with the future required relocation of the utility due to road improvement.
6. Installation, maintenance, relocation, and removal of said facilities on county right-of-way shall be done in a manner satisfactory to, and subject to supervision by the County Engineer for the County Highway Department.
7. Billings County shall not be liable for damage to said facilities resulting from reconstruction or maintenance of the right-of-way. Applicant and/or its successors shall hold the County harmless for injury to persons or damage to property resulting from the location of said facilities on county right-of-way. Applicant and/or its successors are responsible for any and all claims of damage, personal injury, or bodily injury that might result from their activities in crossing any existing road or section line in Billings County. Furthermore, the applicant and/or its successors agree to indemnify and hold harmless Billings County for any and all claims of damage, either personal injury or property or any type of claim for damages of any nature whatsoever, whether valid or invalid, that is made against Billings County on account of the activities conducted by the applying company and/or its successors in crossing any existing road or section line

8. Applicant and/or its successors shall promptly remove said facilities from county right-of-way or shall relocate or adjust said facilities, at its sole cost and expense when requested to do so by the County. When the applying company and/or its successors uses an existing road or section line easement, the applying company shall be responsible to pay for all costs of moving, relocating, or reconstructing the facility, should Billings County deem it necessary or advisable, in its sole discretion, to repair or reconstruct existing roads or to build new roads on section lines or off section lines as allowed by North Dakota State law. Should the applicant and/or its successors fail to take necessary steps to relocate, or reconstruct its facility, the county may take steps to have the same accomplished, and the applying company agrees to reimburse the county for all expenses incurred by Billings County in moving, relocating or reconstruction the facility so the existing roads may be repaired or reconstructed, or new roads may be built on the section line or off the section line as allowed by North Dakota law.

9. If at any time Billings County wants to excavate in this area and if it should require the utility line to be moved, it will be at the expense of the applying company and/or its successors.

10. Applicant and/or its successors shall repair or replace highway structures and 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 facilities on highway right-of-way, including but not limited to slumping in of trenches, collapse of pipe, etc.

11. A GPS'd drawing of proposed location must be placed on file with Billing County Auditor and must show at a minimum the location of the proposed facility from a section or quarter line, section, township and range the facility will be placed.

12. The application plans to bury a utility line facility that will follow or cross an existing section line or road easement which is further detailed as following: (type, size, product carried in pipeline, utility line, phone line etc)_____

13. During construction or when encroaching upon a public roadway the applicant is required to provide proper signage such as "Roadwork Ahead or Equipment Working."

14. All permits are valid for one year upon approval by the County Commissioners

Before Commencement of construction, the applicant must meet with the road foreman from the district in which construction shall take place.

Applicant (Representative, Company)_____

Applicant Address (Address, City, State, Zip)_____

Phone Number(s) of Applicant _____ Fax _____

Email _____

AUTHORIZED SIGNATURE_____ **TITLE** _____

PERMIT FEE: $25.00 (Make check(s) payable to Billings County)

BILLINGS COUNTY, ND

	TWP/RANGE	DISTRICT
	Highway Superintendant Jeff Iverson 701-575-4661	
1	137-100	**DISTRICT 3** Jim Arthaud, Commissioner 701-623-4461
2	137-101	
3	137-102	
4	138-100	
5	138-101	
6	138-102	
7	139-100	
	FRYBURG	
8	139-101	
9	139-102	
10	140-100	
11	140-101	
12	140-102	
33	**MEDORA**	
13	141-98	**DISTRICT 2** Mike Kasian, Commissioner 701-677-5589
14	141-99	
15	141-100	
16	141-101	
17	141-102	
18	142-98	
19	142-99	
20	142-100	
21	142-101	
22	142-102	
23	143-98	**DISTRICT 1** Joeseph L. Kessel, Commissioner 701-863-6551
24	143-99	
25	143-100	
26	143-101	
27	143-102	
28	144-98	
29	144-99	
30	144-100	
31	144-101	
32	144-102	