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Elko County Planning and Zoning Division

540 Court Street, Suite 104, ELKO, NEVADA 89801
(775) 738- 6816, Fax (775) 738-4581

STANDARD PROCEDURES FOR RIGHT-OF-WAY (R/W) PERMITS

1. Complete a standard R/W Permit Application.
2. Submit **TWO** complete sets of detailed drawings with the following information.
 - A. A vicinity map of the location, with a legal description.
 - B. Detailed drawings of the road.
 - C. Type of materials to be used.
 - D. Specific location of the cut.
 - E. What the use of the facility or utility in R/W is for.
3. Return both sets of drawings and completed application to the Elko County Community Development at 540 Court Street, Suite 104, Elko, NV, 89801. Please leave with staff at counter.
4. The R/W application will be reviewed. The standard packet for the specific work to be done will be put together and one set will be returned to you. You will be notified when your packet is ready to be picked up.

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Permit is granted based on the following:

1. Shall comply with the 1994 Terms & Conditions.
2. Contractor shall provide dust control and water for compaction effort during construction.
3. Traffic control shall be in compliance with Manual of Uniform Traffic Control Devices.
4. Roadway traffic shall be maintained at all times during the construction. No more than one half of the roadway shall be closed at any time.
5. No trenches, holes or dangerous conditions with the right-of-way shall be left open during non-construction hours.
6. Testing of materials will be required at the site during the cattle guard installation, by an authorized materials testing firm. The cost shall be at the permit holder's expense. The tester shall have a minimum of two compaction tests in the backfill material.
7. Contractor shall give two working days notice to Elko County Community Development prior entering R/W to begin work.
8. Contractor shall give two working days notice to Underground Service Alert (USA Dig) 1-800-227-2600. The site shall be properly marked before notice is given.
9. Construction shall meet the requirements of the terms and conditions and the attached standard details.
10. Terms and Conditions, Part III, section 26, requires the permittee to be responsible for maintenance of the cattle guard improvements in the right-of-way. Should the permittee fail to maintain the cattle guard improvements, written notifications of non-compliance will be issued. The notification will serve as intent by the County to remove the cattle guard from the County's roadway.
11. If the permittee is issued notification of non-compliance, he has 15 days from receipt to notify the Elko County Community Development, in writing, of his intention. An additional 90 day period will be granted to make the needed repairs, provided that the needed repairs do not pose an immediate threat to public safety. If at the end of the allotted time the repairs have not been made, the improvement will be removed from the County's roadway.

12. The permittee shall coordinate with the County Highway Department to verify that the cattle guard is not located on a curve, or similar condition which may cause a safety problem.
13. The improvement shall not obstruct or hinder the natural flow of water from the roadway or adjoining properties.
14. Backfill shall meet the requirements of Type 1 in the Standard Specification for Public Works Construction (Orange Book). The backfill shall be placed in uniform layers not exceeding 8' in loose thickness before compaction and shall be compacted to 90% of maximum material density.
15. The permittee shall install two standard cattle guard advisory signs in compliance with the Manual of Uniform Traffic Control Devices. The signs shall be installed on the standard 2" square metal break-away sign posts.
16. Installation shall be done as detailed and as approved on the submitted plans.

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Terms and Conditions

Relating to

Right-of-Way Occupancy of Streets and Highways

County of Elko

Community Development

540 Court Street, Suite 104

Elko, Nevada

2005

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I. DEFINITIONS

All Highway or Street Right-of-Way Occupancy Permits issued by the County of Elko to private or publicly-owned facilities, relating to approaches, intersections, poles, wires, cables, overhead structures, pipes, conduits, manholes, miscellaneous facilities, railroad crossings, and minor work are subject to all of the terms and conditions, except as otherwise specifically provided on the permit.

For the purposes of this permit, the following definitions shall apply:

1. Department: The County of Elko, acting by and through its Community Development.
2. Permittee: The corporation(s), person(s), entity(ies), or their agents to whom this permit may be issued.
3. Permit: Right-of-Way Occupancy permit issued pursuant to the provisions of Elko County Code, Title 8, Chapter 1, Section 16.
4. Terms and Conditions: Standards for permit work.

II. GENERAL REQUIREMENTS REGARDING PREPARATION AND SUBMISSION

1. Fees

As noted on application.

2. Plans

The PERMITTEE must attach two complete sets of detailed plans, drawing or maps. No permit will be processed without detailed plans which must, at a minimum, show,

- A. The highway alignment, including centerline, and right-of-way lines, in relation to the proposed work.
- B. Color coding (with legend) showing the facilities to be installed, removed, abandoned and / or adjusted.
- C. Directional orientation, i.e., north arrows, tangent bearings, etc., drawn to engineering or architectural scale.
- D. Highway right-of-way widths, boundaries, relevant property lines, and significant topographic features.
- E. Profile or cross section drawings showing an elevation view of proposed overhead utility or underground utility or drainage installations in relation to the highway.
- F. Location of existing facilities, if changes, extensions or additions to the existing facilities are proposed.

3. Traffic Control Plan

A traffic control plan showing the location of signs, barricades, flagmen and other devices to protect the motoring and pedestrian traffic during construction, is required when applicable or when required by Elko County Community Development.

4. Traffic Impact Report

A traffic impact report is required for all driveway and / or streets permits which serve major traffic generators. These reports will be prepared by competent professional engineering staffs, which possess expertise in planning and traffic engineering functions.

The traffic impact report for major traffic (100 or more vehicles per hour generated during the peak hours) shall contain the following:

- A. Identify all points of access, existing and proposed, and tie to existing highway stationing. This shall include all accesses on both sides of the highway for the length of the proposed development.
- B. State the type and extent of the proposed development including planned future expansion.
- C. Provide a site plan including building location, driveways, internal traffic network and parking areas.
- D. An analysis of existing traffic conditions including information on abutting access routes with respect to number of lanes and available right-of-way. Traffic counts at critical intersections during peak hours shall be included. Data on queues from nearby controlled intersections shall be included.
- E. Anticipated traffic to be generated by the proposed development shall be developed and analyzed. This shall include directional distribution, and critical hour turning volumes for site traffic at each approach and surrounding critical intersections. Identify how projected site traffic volumes were developed.
- F. The report shall provide a traffic impact and capacity analysis of the development's traffic on the existing traffic network. The report shall demonstrate that adequate means are provided under the proposed permit to accommodate all site traffic within the roadway systems
- G. Only approved design capacity analysis methods will be used. Planning techniques for capacity analysis will not be acceptable. In most cases, total build out site peak hour traffic volumes will be combined with existing roadway traffic in determining traffic impact. Future roadway traffic combined with site traffic may be required in special cases.
- H. In summary, the report shall provide levels of service at all critical existing intersections and existing driveways using present peak hour volumes. A second capacity analysis shall be made at all critical intersections and driveways, including site driveways and/or streets using existing peak hour volumes. Any additional lanes, traffic control capacity analysis shall be made to determine the effects of those measures. The summary of the report shall develop detailed recommendations with respect to improvements by location and type to handle the impact of the developmental traffic.

5. Drainage Plan

A drainage plan and run-off calculations shall be submitted for any development or construction impacting the highway right-of-way. These calculations shall include peak runoff for existing and proposed development conditions should the land usage be appreciably altered. Existing flow patterns at the highway drainage system by the PERMITTEE must be supported by drainage calculations. Provisions shall be made for the attenuation of peak flows which may have been increased due to the effects of the development.

6. Cultural Resources Survey

Those encroachments requiring cultural resources actions will be noted under the additional terms and conditions section of the Right-of-Way Occupancy Permits and more detailed requirements may be appended to the permit. If a cultural resources survey is required, a report must be prepared and appropriate mitigating processes conducted for all encroachments to be placed longitudinally within previously undisturbed portions of County of Elko right-of-way and for lateral crossings or approaches requiring significant disruption of previously undisturbed portions of a County of Elko right-of-way.

7. Approval From Local Agencies

The PERMITTEE, in addition to obtaining the Right-Of-Way Occupancy Permit, must also obtain any and all other permits required by State Law.

8. No Precedent Established

Right-of-Way Occupancy Permits are issued with the understanding that any particular action is not to be considered as establishing any precedent on the question of the expediency or acceptability of permitting any kind of right-of-way occupancy to be erected within right-of-way of county highways, or as to any utility, of the acceptability or suitability of any such permits as to any other or future situation.

9. Notice Prior to Starting Work

The PERMITTEE shall notify the Elko County Community Development prior to commencing work, and shall immediately notify the Elko County Community Development upon completion of work at 738-6816 Ext. 5

10. Location of Utilities

PERMITTEE shall arrange for having any and all utilities located within the construction area by contacting "USA DIG" location service at 1-800-227-2600, at least 2 working days prior to commencing work hereunder.

11. Working Days

No work shall be performed by the PERMITTEE on Saturdays, Sundays, or holidays or during hours of darkness without the prior written approval of the Elko County Community Development.

12. Posting Permit

The Right-of-Way Occupancy Permit, or a conformed copy, shall be kept at the site of the work and must be shown to the Elko County Community Development or any law enforcement officer on demand. WORK SHALL BE SUSPENDED IF THE PERMIT IS NOT AT THE JOB SITE.

13. Inspection and Approval by Department

A final inspection of the work accomplished by the PERMITTEE shall be performed by the Elko County Community Development to insure that the PERMITTEE has complied with the terms of this permit. Periodic inspections by the Elko County Community Development during the progress of work may be made to insure conformance to the Department's and all other applicable, standards and those specified by this permit.

14. Expense of Inspection

For complex or extensive work under this permit, the Department may require a full-time inspector to observe the progress of work in its entirety. In such case, the PERMITTEE agrees to compensate the Department for the direct and indirect costs of inspection, such as but not limited to, wages, mileage, per diem and overhead costs incurred by said inspector in connection with such inspection.

15. Standards of Construction

All work performed under this permit shall be in accordance with the current editions of the Standard Specifications for Public Works construction, the Standard Details for Public Works Construction, National Electrical Code and the State of Nevada Department of Transportation Manual on the Accommodation of Utilities, and shall be accomplished to the satisfaction of the Elko County Community Development. All construction shall be in conformance with the requirements, rules, and regulations of the Nevada Public Service Commission, the State Industrial Insurance System, and the State Labor Commission. Copies of all applicable standard plans and specifications are available upon request from the Elko County Community Development.

16. Open Trenches, Pits, Vertical Pavement Dropoffs

The PERMITTEE shall not allow trenching or excavations within the limits of the right-of-way to remain open on any instance during the hours of darkness or on Saturdays, Sundays, or holidays. During such periods, trenching or excavations shall be either backfilled to surrounding grade or completely covered with steel plating or other suitable material. With the prior concurrence of the Elko County Community Development that such measures are impracticable, the PERMITTEE may instead erect sound and substantial fencing or barricades completely around the periphery of such trenching or excavations. The Elko County Community Development, in sole and absolute discretion, may at any time direct the PERMITTEE to take more stringent measures as circumstances warrant.

17. Protection of Traffic

During the construction operation, the PERMITTEE shall cause to have installed and maintained as a protection to the public, proper barricades, warning and directional signs, flags, fusee, or other protective devices. Flagmen on each side of the work area shall be provided as required during construction operations to slow and direct traffic around the work. Such safety measures shall conform-with the provisions of the Manual of Uniform Traffic Control Devices for Streets and Highways (U.S. Department of Transportation, Washington, D.C.). All flagmen must have a valid flagman's certification card in their possession when flagging.

18. Minimum Interference With Traffic

Any work incidental to the scope of this permit, but not specifically provided for herein, and which may affect public safety, shall be performed in such a manner as to insure a minimum of danger, delay, or inconvenience to the public, and as may be directed by the Elko County Community Development.

19. Storage of Material

The PERMITTEE shall not allow excavated material, equipment, and materials to remain upon the traveled way or roadway prism during the hours of darkness or on Saturdays, Sundays, and holidays. The PERMITTEE shall be responsible to insure that all such equipment and materials are situated, after each work shift, no less than 30 feet from the outside edge of the traveled way and no less than 15 feet outside the back face of the curb, whichever the case may be.

20. Care of Drainage

Construction grading shall be performed by the PERMITTEE in such a manner that the roadway drainage ditch or any natural water course which feeds existing drainage facilities will not be blocked or the free flow of water hindered at any time. Should the necessity arise to accommodate drainage water, culvert pipe of the size and length and at the location prescribed by the Elko County Community Development shall be installed by the PERMITTEE.

21. Permitted Shall Patch Pavement and Maintain Patches

PERMITTEE shall replace all removed paving daily with premix, and shall place the final paving course within 7 days after completion of work, and SHALL BE RESPONSIBLE FOR MAINTAINING THE RESTORED PAVED AREAS UNTIL SUCH TIME AS THEY ARE OVERLAID OR RECONSTRUCTED BY THE COUNTY OF ELKO. In the event of settlement in the area of the patched surface, the Elko County Community Development may require the PERMITTEE to repatch the disturbed area to correct the problem. Failure by the PERMITTEE to do so may result in necessary replacement and repairs by the County of Elko, or its authorized agents, in which case, the PERMITTEE shall pay the County of Elko for the actual direct and related indirect costs incurred by the County of Elko in performing the replacement or repairs.

The PERMITTEE shall assure that any pavement to be displaced is cut and removed in neat and straight lines. Trenching shall be performed in such a manner as to prevent breaking of the pavement edge adjacent to the trench. Paving shall be replaced by the PERMITTEE true to line and grade, and shall extend at least 12 inches on either side of the trench. The paving mix and thickness of PERMITTEE'S mix shall be approved by the Elko County Community Development and in no instance shall the depth be less than 3 inches, or less than that of the existing asphaltic pavement, whichever is greater.

22. Removal or Trimming of Trees

The PERMITTEE shall not cut, trim, mutilate, remove, or disturb in any manner, brush shrubs, trees, or other flora not located within the highway right-of-way, and /or highway planting easement, or which hereafter may be planted or grown therein, except as approved or directed by the Elko County Community Development.

23. Damage to Tree Roots

No tree roots over 2 inches in diameter shall be cut when trenching or other underground work is necessary adjacent to roadside trees. The roots that are 2 inches or more in diameter shall be carefully tunneled under and wrapped in burlap and kept moist until the trench is refilled. Trenching machines may not be used under trees if the trunk or limbs will be damaged by their use. If the trees involved are close together and of such size that it is practical to protect all roots over 2 inches in diameter, special arrangements may be made whereby pruning of the tree tops to balance the root loss can be done by the PERMITTEE under the close supervision of the Elko County Community Development. Manholes shall not be installed within 20 feet of any tree trunk.

24. Damage to Highway Property

Any highway appurtenances, including fences, disturbed or destroyed by reason of this permit shall be restored to equal or better condition by PERMITTEE. Cattle guards or other devices to restrain livestock shall be installed by the PERMITTEE as directed by the Department and so noted in the additional terms and conditions section of permit. The entire work area within the right-of-way shall be cleared of construction debris and restored to its original condition prior to acceptance of the work by the Elko County Community Development.

25. Survey Markers

Any permanent survey or right-of-way marker or monument disturbed or obliterated in construction of the right-of-way occupancy must be permanently reestablished by a Professional Land Surveyor licensed in the State of Nevada and a record made thereof.

26. Permittee Shall be Responsible for Maintenance

The PERMITTEE agrees, by accepting this permit, to properly maintain and repair any structure, sidewalk, driveway, utility, or other encroachment constructed or placed within the right-of-way of any County Highway, and to inspect the area included in the permit at reasonable intervals to determine the necessary maintenance is performed in a timely manner. PERMITTEE understands and agrees that this maintenance responsibility shall continue until this permit is revoked, or until the PERMITTEE removes the encroachment, and restores the right-of-way to its pre-existing condition, whichever occurs last.

PERMITTEE understands and agrees that the Elko County Community Development may require the PERMITTEE to make needed repairs or properly maintain the encroachment. Failure by the PERMITTEE to do so may result in necessary repairs or maintenance by the Elko County Community Development, in which case, the PERMITTEE shall pay the County of Elko for the actual direct and related costs incurred by the County of Elko in performing the repairs or maintenance.

27. Emergencies

Any PERMITTEE who lawfully maintains a right-of-way occupancy in, under, or over any County Highway may enter in or upon any County Highway right-of-way to perform emergency repairs on PERMITTEE'S facilities. PERMITTEE shall notify the Elko County Community Development of any emergency repairs as soon as possible, and shall immediately address a confirming letter to the Elko County Community Development stating the work to be done.

28. Control of Access Highways

Maintenance shall not be allowed within the control of access of a controlled access highway without providing at least 2 working days notice to the Elko County Community Development.

In the case of emergency maintenance involving control of access highways the PERMITTEE shall immediately correct the problem and notify the Elko County Community Development of its action as soon as practicable.

29. Standards of Construction

All work performed under the routine or emergency maintenance provisions of this permit shall conform to the Standard Specifications for Public Works Construction and the Standard Details for Public Works.

30. Permittee Shall be Responsible for Costs of Enforcement

PERMITTEE agrees to pay all necessary expenses, including reasonable attorney's fees, incurred by the County of Elko to enforce any provisions of this permit.

31. Permittee Shall Post a Bond

PERMITTEE agrees to post a surety bond to insure faithful performance of the conditions of this permit. The amount of the length of time of the bond shall be determined by the Elko County Community Development, in sole and absolute discretion.

III. GENERAL PROVISIONS

1. Permittee Shall Be Liable for Damages

The PERMITTEE agrees to indemnify and save harmless the County of Elko and its officers, agents and employees against any and all liability, loss, damage, cost, and expense which it or they may incur, suffer, or be required to pay by reason of death, disease, or bodily injury to any person or persons, or injury to, destruction of, or loss of use of any property, including property belonging to the County of Elko, arising out of or incident to activities contemplated by this permit, and proximately caused, in whole or in part, by any act or omission of the PERMITTEE, or its contractors, agents, or the employees of any one or all of them, OR BY THE OFFICERS, AGENTS, OR EMPLOYEES OF THE COUNTY OF ELKO, unless it is established by the PERMITTEE that the proximate cause was the willful misconduct or gross negligence of the officers, agents, or employees of the County of Elko.

2. Subject to Prior Permits

This permit is issued subject to all prior valid and existing permits, agreements, contracts, leases, liens, reservations, conditions, encumbrances, or claims of title which may affect the property covered by this permit and the PERMITTEE is responsible for obtaining consent from any underlying fee owner in the event the department does not own the full fee simple interest in the right-of-way.

3. Revocation

The terms, conditions, and general provisions of this Right-of-Way Occupancy Permit are revocable, or subject to modification or abrogation by the County of Elko, at any time. In the event of revocation, the PERMITTEE shall, at the direction of the Elko County Community Development, remove any or all encroachments installed or constructed pursuant to the Right-of-Way Occupancy Permit, and shall restore the right-of-way to its pre-existing condition.

4. Acceptance of Provisions

The performance of ANY work contemplated by this permit shall constitute an acceptance by the PERMITTEE of ALL the provisions and terms of this permit and ALL work shall be prosecuted diligently until completion. ALL work authorized by this permit shall be completed within one year from the date of issuance hereof, or this permit shall automatically lapse, expire, and be revoked without any further action being taken by the DEPARTMENT to accomplish the same; except upon written request, prior to the expiration, lapse, and warranted, and good cause if shown, the PERMITTEE may be given an extension not to exceed 90 days beyond the one year, whether such an extension is warranted or good cause is shown shall be in the sole and absolute discretion of the DEPARTMENT.

5. Future Moving of Installation

Facilities erected or installed in the exercise of the privilege granted remains subject to relocation or removal under the encroachment provisions of paragraph E of the Elko County Code 8-1-16.

6. Plan Changes

The PERMITTEE must obtain prior written approval from the Elko County Community Development before making any changes from the approved plans and/or method. Should any change in the plans be approved, the PERMITTEE shall submit “as built” drawings delineating the change within 30 days after the date of completion in triplicate.

7. Permit Transfer

PERMITTEE may not transfer, convey, or assign this permit, or any privilege or responsibility contained herein pertaining to actual work to be accomplished within the right-of-way without prior written approval of the Department. PERMITTEE will insure, however, that his continuing responsibility for the upkeep and repair of any facility erected or installed in connection with this permit will transferred to his successors in interest or assigns, should this permit be approved. PERMITTEE is solely responsible for performance of the work authorized herein.

IV. UNDERGROUND UTILITIES

1. Crossing Roadway

Pipes shall normally be jacked or otherwise forced underneath pavement without disturbing same. Pavement or roadway shall not be cut unless specifically allowed by the permit. Service pipes will not be permitted inside culverts used as drainage structures. No hydraulic or wet boring is allowed.

2. Limit of Excavations

No excavation is to be made closer than 6 feet from the edge of the pavement except as may be specified in the permit.

3. Depth of Pipes

There shall be a minimum of 36 inches of cover over all pipes or conduits, except as may be specified by the permit.

4. Backfilling

Trenches shall be backfilled by the PERMITTEE with Type I gravel backfill, or other material acceptable to the DEPARTMENT, to the elevation of the bottom of the existing base and surfacing (subgrade) as prescribed by the Standard Specifications. Backfilling of the base area shall be made with Type I gravel or equivalent material. PERMITTEE shall remove and dispose of all excess material immediately after backfilling. All backfill shall be placed in uniform layers not exceeding 8 inches in loose thickness before compaction and shall be compacted to 90 percent of maximum material density.

5. Pipes Along Roadway

Except as hereinafter provided in paragraph (C) of this subsection, all installations of underground pipes and conduits in the highway right-of-way shall be marked and designated as follows:

- A. All new installations of underground crossovers, except service laterals: where no curbs exist, a 4-inch by 4-inch timber or standard utility company marker shall be installed and maintained by PERMITTEE outside the ditch line at locations satisfactory to the Elko County Community Development. Such timber or marker shall extend to 30 inches above ground and have stenciled thereon the nature of the underground obstruction and the name or identifying symbol of the PERMITTEE.
- B. All new longitudinal installations: Where no curbs exist, 4-inch by 4-inch timbers or standard utility markers shall be placed adjacent to the conduit or offset to such a distance as may be specified and at intervals not to exceed 1,000 feet, at each angle point, or where nonconcentric with the highway, at least every 300 feet. Where the markers shall be placed at an offset outside with the ditch line at locations satisfactory to the Elko County Community Development with an offset

distance given. Where curbs exist, the information shall be visible and permanently marked or monumented on the curb near each intersection.

- C. Exceptions. In unincorporated towns where the installation is in accordance with ordinances, other regulations, or established practices, it will not be necessary to mark or designate said facilities as required above unless dictated by federal directive. All installations covered under this section shall be placed or constructed in such a manner as not to constitute a hazard to the traveling public.

6. Casings

Casings shall be designed to support the load of the highway and superimposed loads thereon and, at a minimum, shall equal the structural requirements for highway drainage facilities. Casings shall be composed of materials of satisfactory durability under conditions to which they may be exposed.

7. Jacking or Boring

Bore holes or pits may be placed within 35 feet of the edge of shoulder of the road under the following conditions:

- A. Bore holes or pit areas shall be completely fenced.
- B. PERMITTEE and/or their contractors will not be permitted to use any portion of the right-of-way for their operations, except in the fenced areas, or as permitted by the Elko County Community Development.
- C. Access to bore holes or pit areas will not be permitted from the traveled portions of the highway.
- D. Bore holes or pits will not be permitted within the median area of the highway except as authorized by the Elko County Community Development. Extreme care must be taken during this operation to guard against the impairment of the earth structure under the pavement and shoulders.
- E. Any voids created by the boring operation outside the casing shall be pressure grouted.

8. Trenching

Trenching may be allowed if deemed necessary in the opinion of the Elko County Community Development. Trenched areas of pavement shall be patched in accordance with the Standard Details for Public Works Construction. See details for method of patching attached to permit. Trenching will generally not be allowed unless at least one of the following conditions is evident:

- A. The roadway is scheduled for overlay or reconstruction within the next two years.
- B. The roadway surface is in such poor condition that a permanent pavement patch

will not detract from the existing roadway surface quality.

- C. The PERMITTEE has attempted to bore the crossing and found it impractical due to subterranean conditions.
- D. The conditions and/or locations of other utilities make it impractical to attempt a bore.

9. Routine Inspection and Maintenance of Underground Utilities

PERMITTEE may inspect and repair underground utilities, including manholes, conduits, cables and pipelines. PERMITTEE may open existing manholes to repair underground utilities and uncover not more than 50 feet of cables or lines buried in earth portions of highway right-of-way. Where existing manholes lie within the improved surfaces of the highway, the PERMITTEE, will provide adequate protection of traffic in accordance with the permit or as directed by the Elko County Community Development. No excavation shall be made in improved surfaces, landscaped areas, or closer than 6 feet to the edge of the pavement without a special permit, except in emergencies.

10. Emergency Repairs

PERMITTEE may make emergency repairs by excavating through improved surfaces only when breaks in the lines, conduits or cables under the pavement present a hazard to traffic or serious interruption of essential service. In such cases, the Elko County Community Development shall be notified immediately. Backfill and pavement replacement shall be performed in accordance with the Standard Specifications for Public Works Construction. Landscaped areas which are disturbed shall be re-landscaped at PERMITTEE'S expense.

11. Service Connections

These terms and conditions do not authorize the continuous installation of gas or water service connections within the County highway right-of-way, regardless of location of main. All new pipe services, main extensions, or excavations to abandon services must be covered by individual permits.

V. OVERHEAD UTILITIES

1. Conformance with Code

The PERMITTEE shall insure that when installing aerial and/or underground electrical or communication lines, the clearances and method of construction shall be in accordance with the safety rules for the installation and maintenance of electrical supply and communication lines as set forth in the National Electrical Safety Code and the Nevada Department of Transportation Manual on the Accommodation and Installation of Utilities.

2. Permission From Property Owners

The PERMITTEE must secure permission, if needed, from abutting property owners prior to starting work.

3. Guy Wires

No guy wires are to be attached to trees except as may be specified in the permit, and in no event shall they be so attached as to girdle the tree or interfere with its growth. Guy wires shall be kept at a minimum elevation above ground as directed by the Elko County Community Development.

4. Remove Old Poles, Guys, and Studs

The entire length of old timbers shall be removed from the ground and the holes backfilled and thoroughly tamped.

5. Vertical Clearance Over Roadway

Aerial crossings shall conform to the requirements of the National Electrical Safety Code (per American National Standards Institute, ANSI)

The minimum vertical clearance for highway crossings shall be 18 feet for communications lines, 22 feet for electrical lines, and 17 feet 6 inches for walkways. This measurement shall be from the highest point of the roadway prism to the lowest point of the installation crossing.

6. Crossings

Crossings shall be made at or as near to 90 degrees as possible across the roadway. Poles supporting crossings shall be, as a minimum, located outside the "Clear Zone" as prescribed by the AASHTO Guide to Selecting, Locating, and Designing Traffic Barriers, 1977, and addenda thereto, and whenever possible will be located at the right-of-way line. In the case of divided highways, poles are not to be placed within the median strip unless the median strip is at least 80 feet in width and the median pole is absolutely necessary to support the crossing.

7. Longitudinal Installation

Poles shall be placed at or as near the right-of-way as possible.

8. Routine Inspection and Maintenance of Pole Lines

PERMITTEE is authorized to stub, anchor, or reset existing poles, provided no change in location is made. Stubs and anchors must not be placed between existing poles and the traveled way. PERMITTEE may replace poles, guy poles, and crossarms in exact location on no more than two consecutive poles. No additional poles or guy poles are authorized under this routine maintenance provision. PERMITTEE may replace broken pins and insulators, repair broken wires, pull slack wires, and replace or pull broken or slack guys, and repair and complete transfer work on existing aerial cables. PERMITTEE may string aerial wire and place additional crossarms on existing poles. Existing transformers may be replaced and new transformers may be installed on existing poles. PERMITTEE may install new and replace present service drop wires from facilities existing within the highway right-of-way except where new or replacement wire crosses the highway. Service wires over highways are subject to Public Service Commission regulations and must cross as near right angles as practicable. A new permit shall be obtained for each installation or replacement or addition of wire, drop wire, or other encroachment which crosses the highway or which encroaches upon the highway right-of-way even though not attached to or in contact with existing facilities within the right-of-way.

VI. CONCRETE CURBS, GUTTERS, SIDEWALKS, AND WHEELCHAIR RAMPS

1. Curbs and Gutters

Curbs and gutters shall be constructed in accordance with Standard Details for Public Works Construction. See details attached to permit.

2. Sidewalks

Sidewalks shall be a minimum of 4 inches in depth unless otherwise authorized by the Elko County Community Development, and shall be constructed in accordance with the requirements of local governing agencies, the Standard Details for Public Works Construction, the Standard Specifications for Public Works Construction and/or directed by the directed by the Elko County Community Development.

3. Wheelchair Ramps

Wheelchair ramps shall be constructed on all curb and gutters on streets and approaches, and shall be constructed in accordance with the requirements of local governing agencies, the Standard Details for Public Works Construction, the Standard Specifications for Public Works Construction and/or as directed by the Elko County Community Development.

VII. LANDSCAPING

1. Landscaping Allowed Under Permit

Landscaping may be allowed under the provisions of this permit when the permit is submitted only for landscaping or when the landscaping is requested in conjunction with required site development such as approaches, curbs and gutters, or sidewalks.

2. Landscaping Not Allowed Under Permit

Landscaping shall not be allowed under the provisions of this permit when the landscaping requested in conjunction with any parking or other commercial use of right-of-way which is incorporated into a multi-use license or commercial lease development to accommodate the proposed use of the right-of-way.

3. Plans

Specific plans for landscaping must be attached to the permit and must show, at a minimum; plants, planters, irrigation systems, landscape grading.

4. Botanical Names

Landscaping requests shall include the botanical names for each of the species of plants proposed.

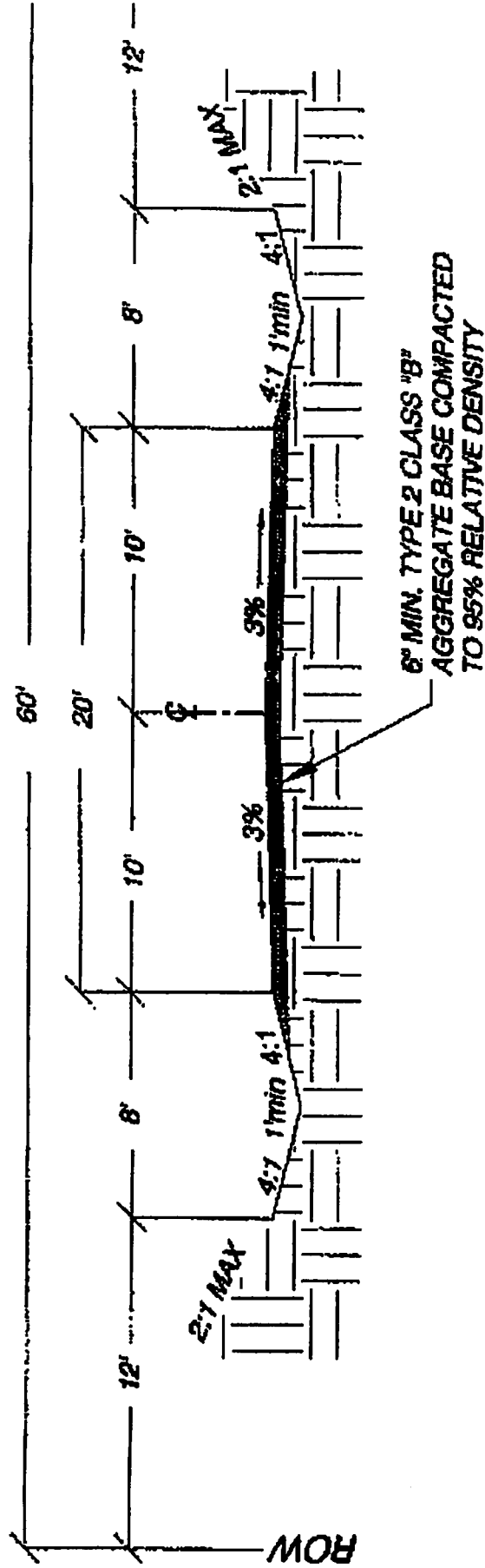
5. Plant Height

All plants proposed for use in landscaping shall be low-profile in nature, and shall not be over 2 feet in height. No solid objects will be allowed.

6. Approval From Local Agencies

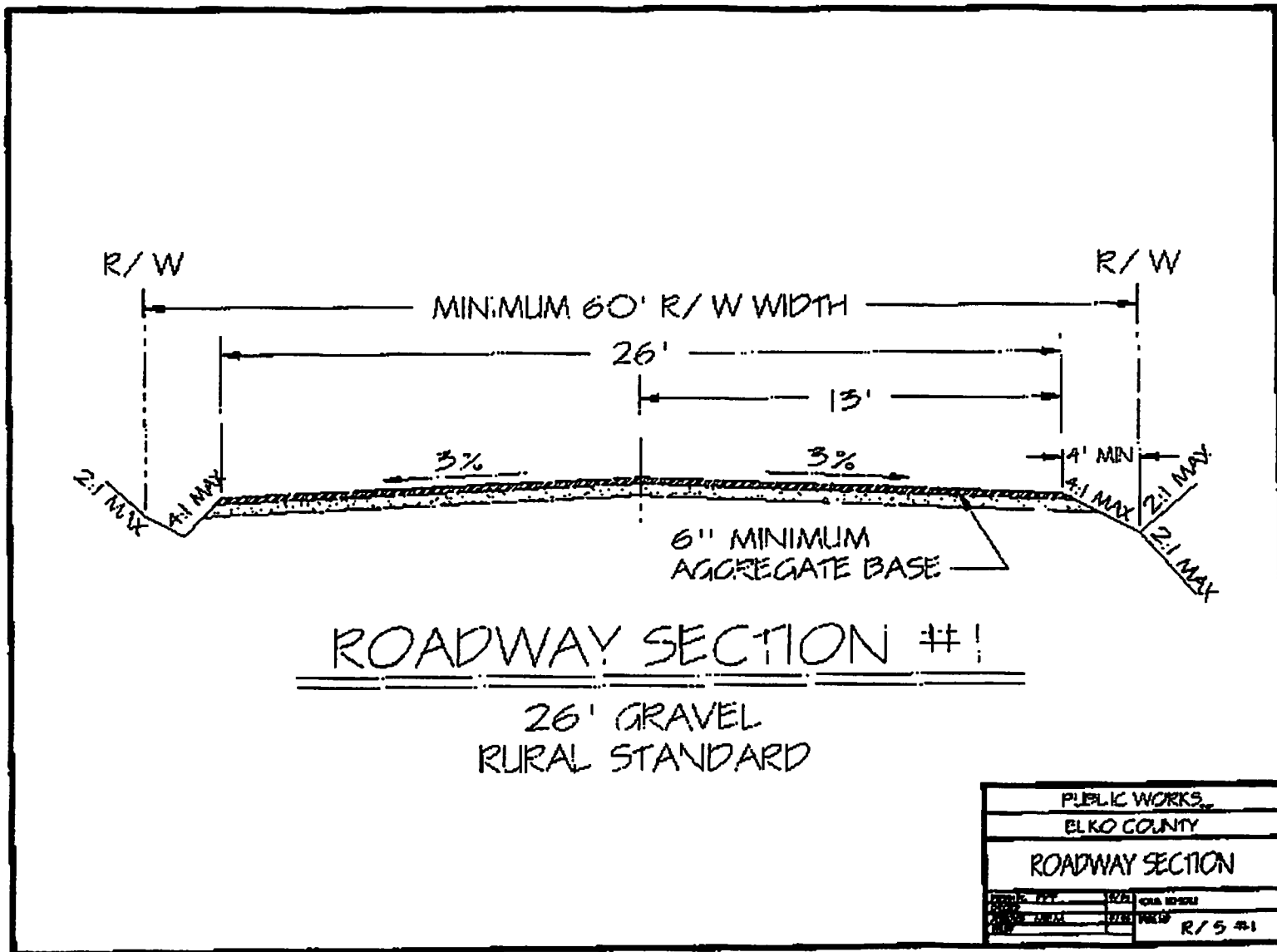
Any permit submitted with pertinent landscaping must be approved by the applicable local government entity. Approval must be obtained by the PERMITTEE prior to submission of the permit to the Department, and such approval shall be submitted with the permit. Any allowed appurtenance, including plants, must not impede or infringe upon the highway clear roadside and must not constitute a hazard to the traveling public.

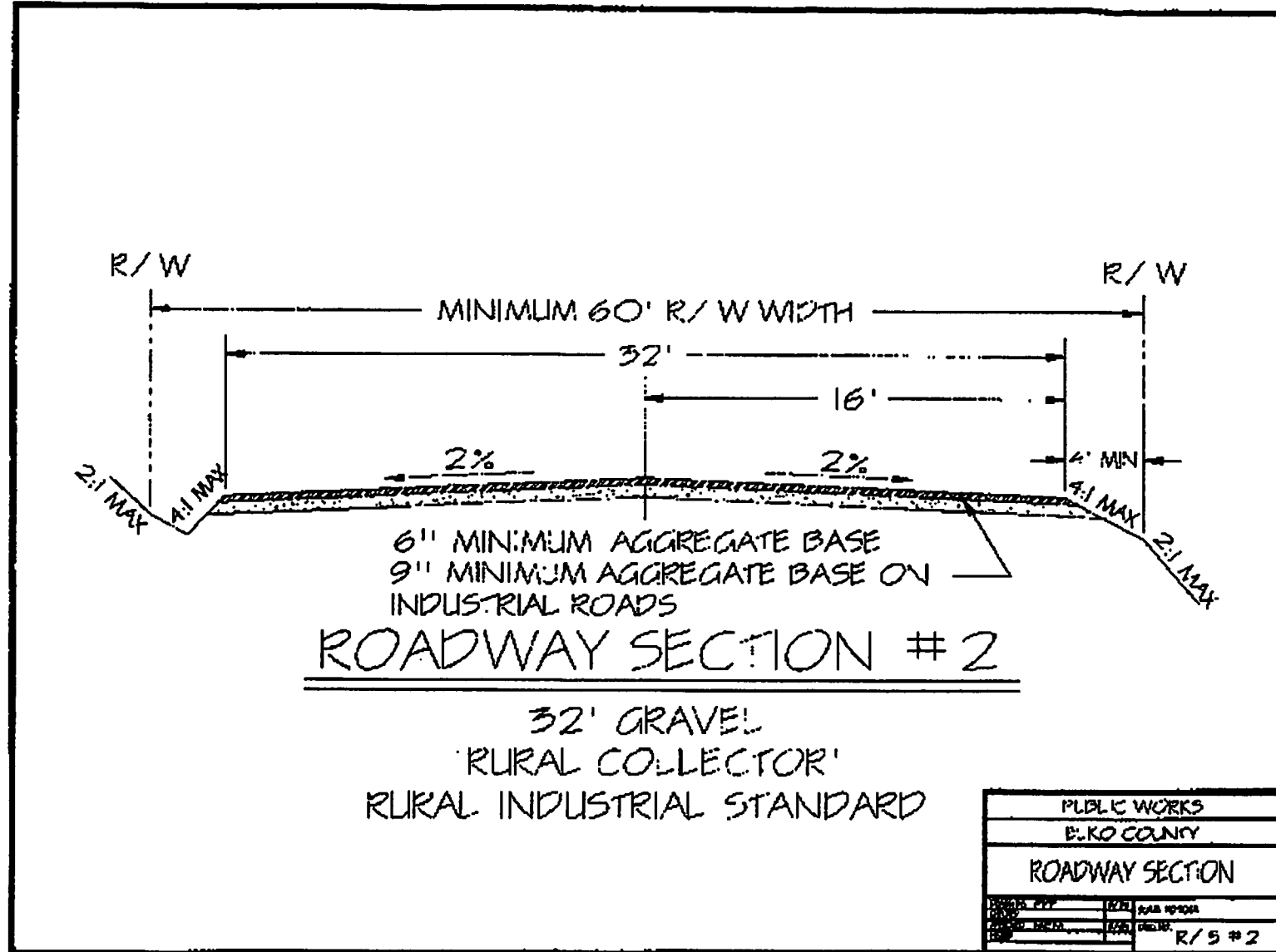
20' WIDE RURAL GRAVEL SURFACE:



(Ord. 05-2010, 8-5-2010, eff. 9-10-2010)

26' WIDE RURAL GRAVEL STANDARD:





I, _____ do hereby verify that I have read and will abide to all Terms and Conditions relating to Right-Of-Way occupancy of streets and highways on this date of _____, 201____ .