

MEDINA COUNTY COMMISSIONERS

HIGHWAY USE MANUAL

SECTION I

**POLICIES AND PROCEDURES FOR THE
ACCOMMODATION OF UTILITIES WITHIN THE
RIGHTS-OF-WAY OF COUNTY AND TOWNSHIP
MAINTAINED HIGHWAYS**

SECTION II

**POLICIES AND PROCEDURES FOR THE
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DRIVE PIPES WITHIN THE RIGHT-OF-WAY
OF COUNTY AND TOWNSHIP MAINTAINED
HIGHWAYS**

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SECTION I

**POLICIES AND PROCEDURES FOR THE ACCOMMODATION
OF UTILITIES WITHIN THE RIGHTS-OF-WAY OF COUNTY
AND TOWNSHIP MAINTAINED HIGHWAYS**

A. INTRODUCTION

The Medina County Board of Commissioners has responsibility for maintaining the public highways under its jurisdiction per Chapters 5547 and 1723 of the Ohio Revised Code as necessary to preserve the integrity, operating safety and function of the highway facility. Since the manner in which utilities cross or otherwise occupy highway rights-of-way can materially affect appearance, safe operation and maintenance of the highway, it is necessary that such use and occupancy be reasonably regulated.

The purpose of this policy is to set forth the conditions under which utility facilities may utilize the rights-of-way of public highways under the jurisdiction of the Board of Medina County Commissioners. It is the intent of this policy to permit maximum use of rights-of-way under the Board's authority consistent with preservation of the highway investment, safety of the highway user, highway maintenance requirements, proposed future highway improvements and environmental considerations. This policy provides guidelines to permit uniform practices throughout the County for the accommodation of utilities and recognizes the need for special consideration for unusual or hardship situations.

Design of the several elements in utility crossings or occupancies shall conform to the requirements contained herein, but where State, Local or Industry design standards are higher than the treatments and design requirements specified herein, the higher standards shall be used.

This policy may be modified as conditions dictate for operation of the highway.

B. SCOPE AND APPLICATION

_____ This policy applies to all utilities, as defined on page 5, to be constructed, adjusted or relocated within rights-of-way under the jurisdiction of the Medina County Commissioners after the effective date of this policy.

This policy does not supersede specific permits or agreements previously issued or entered into by the Board of Medina County Commissioners for the occupancy of highway rights-of-way by specific facilities, nor does it supersede specific requirements of other governmental agencies or bodies.

The provisions of this policy are based on the American Association of State Highway and Transportation Officials publication, "A Guide for Accommodating Utilities on Highway Rights-of-Way". In case of conflict with the foregoing publication, the guidelines set forth in this policy shall apply.

C. DEFINITIONS

Asphalt Patch - The procedure for concrete driveway approaches against all non-concrete road pavements, which leaves the last three feet of the apron two inches lower than the road. The 3' x 2" area is then filled with an asphalt mix. The pavement may be saw cut and sealed if required by the Medina County Engineer.

Augering - The procedure of making a hole below the surface by the use of an earth auger.

Average Daily Traffic - The average 24-hour volume, being the total volume during a stated period divided by the number of days in that period; unless otherwise stated, the period is a year. The term is commonly abbreviated as ADT.

Backfill - Replacement of an excavated material with an acceptable soil, controlled density fill (CDF) or granular material in an excavation.

Bedding - Organization of soil or other material to support an underground facility.

Boring - The procedure of making a hole below the surface by the use of boring bar, rotating cutting head or pipe jack.

CDF - Controlled Density Fill - A mixture usually consisting of cement, fly ash, sand, water and admixtures used to enhance flowability. C.D.F. is generally used for utility trench, retaining wall, culvert, bridge abutment and stormsewer backfill, filling of annular space in pipe relining, filling of voids around structures, filling abandoned tanks, pipe bedding and paving subbase. Can be, but not limited to LSM-50 or LSM-100. (See Definitions).

Cap - An external cover for openings in pipes or conduits.

Carrier - Pipe directly enclosing a transmitted liquid, gas or solid.

Casing - A larger pipe enclosing a carrier.

Catch Basin - A structure to collect surface drainage and direct it through underground pipe lines.

Concrete - A reinforced or non-reinforced mixture of Portland cement, No. 57 or No. 67 limestone coarse aggregates, fine aggregate (sand) and water in a quantity not to exceed maximum water-cement ratio of 0.5.

Class "C" Concrete - A mix of cement (6 ½ sack), sand and limestone aggregate in proportions specified under Item 451 in the State of Ohio Department of Transportation Construction and Materials Specification Manual.

High Early Concrete - A term given to a fast-setting Portland cement concrete used for accelerated setting and strength development. - A type of concrete designed to be opened to traffic in 24 hours. Achieved by using a Class "C" mix with an accelerator and mid-range water reducer admixture, or increased cement content.

Clear Roadside Policy - The policy employed by the County to increase safety, improve traffic operation and enhance the appearance of highways by designing, constructing and maintaining highway rights-of-way as wide, flat and rounded as practical and as free as practical from physical obstructions above the ground such as trees, drainage structures, massive sign supports, utility poles and other ground-mounted obstructions.

Coating - Material applied to or wrapped around a pipe.

Conduit or Duct - An enclosed tubular runway for protecting the wires or cables.

Cover - (bury) - Depth to top of facility below grade of roadway, ditch or other surface.

Cradle - Rigid structural element under and supporting a pipe.

Direct Burial - Installing a utility facility underground without encasement, by plowing or trenching.

Driving - the procedure of placing pipe below the surface by applying force in intermittent blows to a block or driving shoe, attached to the trailing end of the pipe. A driving head or plugged collar is attached to the leading end of the conduit or pipe. An air hammer generally provides the driving force, also known as pipe jacking.

Encasement - Poured concrete, completely surrounding a pipe line or conduit installed in a trench.

Encroachment - Unauthorized use of highway rights-of-way or easements as for signs, fences, buildings or other structures.

Flexible Pipe - A plastic, fiberglass or metallic pipe having large ratio of diameter to wall thickness which can be deformed without undue stress.

Gallery - A prefabricated or monolithic structure large enough to permit inspections, repair and replacement of one or more utility lines in place.

Grate - A covering over the inlet to a catch basin, tee riser, manhole, or end of storm sewer that allows water to enter the system but keeps certain amounts of debris out.

Highway, Street or Road - A general term denoting a public way for purposes of vehicular travel, including the entire area within the right-of-way.

Inlet - An opening in an underground drainage system, culvert or bridge that allows water to enter the system.

Jacking - The procedure of installing pipe below the surface by the application of force to the trailing end of the capped conduit or pipe through hydraulic or mechanical jacks or pushing machines.

LSM - A low Strength Mortar backfill which is proportioned in numerous ways for different applications such as C.D.F. or LSM-100 which has 100 lbs. of cement, 250 lbs. of fly ash, 2850 lbs. of sand and 500 lbs. of water. These standard mixes may be altered for a diversity of applications.

Manhole - An opening in an underground system which workmen or others may enter for the purpose of making installations, inspections, repairs, connections and tests.

Normal - Crossing at a right angle.

Oblique - Crossing at an acute angle.

ODOT - Ohio Department of Transportation.

Permit - An agreement, by which the highway authority regulates and/or gives approval of the use and occupancy of highway rights-of-way by utility facilities or private lines. (A non-standard permit is one in which the application contains a feature in variance with applicable policies contained in this section or minimum standards for design.)

Pipe Line - A continuous carrier used primarily for the transportation of liquids, gases and/or solids from one point to another using either gravity or pressure flow.

Plates - Flat sheets of steel with a minimum 3/4 inch thickness and a minimum of six (6) feet width, used by contractors to cover open pits or road cuts allowing vehicle use and/or protection for the traveling public during utility installations.

Pressure - Relative internal pressure in psig (pounds per square inch gauge).

Right-of-way - A general term denoting land, property or interest therein usually in a strip, acquired for or devoted to transportation purposes.

Rigid Pipe - Pipe designed for diametric deflection of less than 1.0%.

Roadside - A general term denoting the area adjoining the outer edge of the pavement.

Roadway - The portion of a highway, including shoulders, for vehicular use.

Semi-Rigid Pipe - Pipe designed to tolerate diametric deflection up to 3.0%.

Service Drops or Lines - All lines supplying utility service to individual consumers from a main line.

Shoulder (berm) - The portion of the roadway contiguous with the traveled way for accommodation of stopped vehicles, for emergency use, and for lateral support of base and surface courses.

Slab, Floating - Slab not supported by a rigid foundation.

Sleeve - Short casing through pier or abutment of highway structure.

Specified Minimum Yield Strength (SMYS) - The force per unit area which will produce a stress sufficient to

cause permanent change in shape is known as the yield point, and this stress is the limiting factor in pipe line design.

Step-Down - On concrete drive aprons for non-concrete roadways: the last three feet of the apron is set two inches lower for an asphalt patch to be installed. This helps to prevent lifting of the concrete during winter months, thereby eliminating possible hazards while snowplowing.

T-Riser - A tee connection installed in an underground drainage system with an open end extended to the surface of the ground to allow surface water to enter the system.

Traveled Way - The portion of the roadway for the movement of vehicles exclusive of shoulders and auxiliary lanes.

Trench - A narrow open excavation in which a utility may be installed.

Tunnel - An enclosed excavation through which a utility is to be installed.

Unprotected - An underground utility line installed without provision of casing, encasement or gallery.

Untrenched - Installed without breaking ground or pavement surface, such as by jacking, boring or tunneling.

Utility - "Utility" shall mean and include all privately, publicly or cooperatively-owned lines, facilities and systems for producing, transmitting or distributing communications, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, stormwater not connected with highway drainage and other similar commodities, including publicly-owned fire and police signal systems and street lighting systems, which directly or indirectly serve the public or any part thereof. The term "utility" shall also mean the utility company, inclusive of any wholly-owned or controlled subsidiary. Service lines, privately-owned, devoted exclusively to supplying the various commodities to the owner and not directly or indirectly service the public, shall be considered a "utility."

Vent - Appurtenance to discharge vapors from casings.

D. GENERAL GUIDELINES

The following are general guidelines for the location and design of all utility installations within the highway rights-of-way:

1. LOCATION

a. Utility lines should be located to minimize the need for later adjustments to accommodate future highway improvements and to permit servicing such lines with minimum interference to highway traffic.

b. Longitudinal installations should be located on uniform alignment as near as practicable to the right-of-way so as to provide a safe environment for traffic operation and preserve space for future highway improvements and/or other utility installations.

c. To the extent feasible and practicable, utility line crossing of the highway should cross on a line generally normal to the highway alignment.

d. The horizontal and vertical location of utility lines within the highway road right-of-way limits should conform with the clear roadside policies applicable for the system, type of highway and specific conditions for the particular highway section involved. The location of aboveground utility facilities should be consistent with the clearances applicable to all roadside obstacles for the type of highway involved.

e. Where other locations are not feasible, bridges may be utilized to support utility facilities as provided in Part G of this section.

f. At no time will utility lines be allowed to utilize existing drainage culverts or drive pipes as a means of encasement.

g. In all cases full consideration should be given to the measures reflecting sound engineering principles and economic factors, necessary to preserve and protect the integrity and visual quality of the highway and the utility facilities, their maintenance efficiency and all safety factors.

2. DESIGN

a. The utility is responsible for the design of the utility facility to be installed within the highway rights-of-way or attached to a highway structure. The Medina County Engineer is responsible for review of the utility's proposal with respect to the location of the utility facilities to be installed and the manner of attachment and, acting under the authority of the County Commissioners, may accept or reject the utility's proposal as submitted. This includes the measures to be taken to preserve the safe and free flow of traffic, structural integrity of the roadway or highway structure, ease of highway maintenance, appearance of the highway and the integrity of the utility facility.

b. Utility installation on, over or under the highway rights-of-way and utility attachments to highway structures shall, as a minimum, meet the following requirements, and any and all subsequent amendments thereto:

(1) Electric power and communication facilities shall conform with the currently applicable Codes of the Public Utilities Commission of Ohio, and/or the provisions of the National Electrical Safety Code, as prescribed therein.

(2) Water lines shall conform with the currently applicable specifications of the Medina County Sanitary Engineer.

(3) Sewer lines shall conform with the currently applicable specifications of the Medina County Sanitary Engineer.

(4) Storm or drain lines shall comply with the currently applicable specifications provided in the

(5) Pressure pipe lines shall conform with the currently applicable sections of ANSI Standard Code for Pressure Piping of the American National Standards Institute and/or applicable Federal, State and Industry Codes.

c. The design of ground-mounted utility facilities should offer desirable characteristics to the appearance of the highway and its environment. Effort should be made to harmonize or blend the natural and man-made objects in the environment, insure continuity of visual form without distracting interruptions, and strive for simplicity of design which are desirably functional in shape but without clutter. In all cases, full consideration will be given to sound engineering principles and economic factors.

d. All permanent utility installations on, over or under highway rights-of-way and attachments to highway structures should be durable materials designed for long service life expectancy and relatively free from routine servicing and maintenance.

e. On new installations or adjustments of existing utility lines, provisions should be made for known or planned expansion of the utility facilities, particularly those located underground or attached to bridges. They should be planned so as to minimize hazards and interference with highway traffic when additional overhead or underground lines are installed at some future date.

E. PIPE LINES

1. GENERAL

The design of underground utility pipe crossings or occupancies of highways must necessarily be varied because of the site conditions, type of utility involved, type of highway and degree of access control; therefore, the following is to be considered as a flexible policy which may be modified where special conditions exist. Design of the utility facilities shall conform to the requirements contained herein, but where Local or Industry design standards are higher than specified herein, Local or Industry standards shall prevail. Arrangements for emergency maintenance procedures shall be made whenever possible by the utility notifying the appropriate Safety Coordinator or the Medina County Sheriff for the purpose of traffic safety.

2. LOCATION

Within highways, crossings are permitted subject to the conditions set forth in this policy. Longitudinal lines may be permitted and such installations should be located between the flowline of the ditch and right-of-way line. If location beyond the ditch is not feasible, the line may be located between the ditch and the pavement, and the line should normally be located such that the depth of the ditch shall not exceed the offset of the edge of pavement.

3. DESIGN

a. Casing is required for non-plastic pipe lines crossing the highway and carrying liquid petroleum or

gas under pressure if the pipe carries an internal pressure in excess of 30% SMYS (specified minimum yield strength) of the pipe.

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Casing is required for plastic pipe crossing the highway and carrying liquid petroleum or gas under pressure if the internal pressure exceeds 100 psig. The use of plastic pipe by the utility on highway right-of-way will require that the following information should be provided: the name of the manufacturer, the brand name of the pipe; the pipe material designation; pipe size and wall thickness; and the design working pressure.

The County, through the Medina County Engineer, reserves the right to require casing or equivalent alternate protection based on conditions or hazards involved.

When not required by the County, casing may be used at the election of the utility when it is the policy of the utility to use casing.

b. Galleries are provided for the purpose of performing repair or replacement of a pipe or lines of extreme importance to the public convenience or safety, or to a dependent industrial installation, where the cost or consequences of a prolonged shutdown or famine would be intolerable. Galleries shall be designed so that most repairs and replacement of sections of pipeline or lines can be made without resorting to pulling the entire pipe line. The gallery design shall include one or more entrance shafts of a size suitable for removal of one pipe section from the gallery. Shafts shall be sealed with a removable cap. Each cap shall have a manhole opening suitable for inspection access.

c. Casings and galleries may be constructed of any material permitted by the Ohio Department of Transportation Construction and Material Specifications for use in roadway culverts, and shall be designed to meet all conditions found at each site.

d. Tunnels shall be constructed of steel liner plates left in place, or of materials acceptable to the County Engineer. Voids remaining outside of the tunnel lining shall be filled with the appropriate type of concrete recommended by the County Engineer's Office, well rammed into place. Tunnel ends shall be sealed and provision may be made for tunnel drainage if outlet is available.

e. Pipe lines shall be designed to accept internal and external pressure and to resist external corrosion. Provisions shall be made for the cathodic protection of metal pipe lines crossing or occupying highway rights-of-way as found necessary by the Medina County Engineer.

Pipe lines of any type carrying gas or liquid under pressure shall be equipped with valves, which when closed, will isolate a section of line including the portion within the highway right-of-way.

Gravity flow pipe lines, such as sanitary sewers, shall be of a type suitable for roadway culverts. Joints shall be compression type or an approved equivalent.

f. Requirements for strengthening or replacing an existing utility pipe line which is to remain in its original position beneath a new highway facility shall be based on the design, strength and condition of the existing utility pipe line and upon the type of surrounding soil and the foundation soils. If a fill or surcharge is to be placed upon the existing ground above an existing utility pipe line, thorough investigation should be made

and consideration given to such treatments as concrete cap, partial encasement, full encasement or replacement with a stronger pipe. If the determination indicates that it is feasible to leave an existing utility pipe parallel under pavement, extensions for future service connections shall be made prior to pavement being placed.

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4. INSTALLATION

a. Pipe line crossings of all highways shall be made without disturbing existing pavements. Open cut of pavement will be permitted when approved by the Medina County Engineer.

Where a pipe crossing or casing is installed by jacking or driving, augering or boring ahead of the casing will be allowed, where soil conditions permit. Water jetting will not be permitted.

Galleries, water vaults, casings or unprotected utilities installed in open cut trenches or highway rights-of-way shall be bedded and backfilled in accordance with the standards herein.

b. Grade of the crown of an unprotected pipe or of the crown of a casing shall be established such that minimum depth of cover will be four (4') feet under any surface for waterlines and three (3') feet under any surface for all other utility lines.

Gas or other liquid petroleum transmission lines will require greater cover, in areas not under pavement, in accordance with Federal Minimum Pipeline Safety Standards.

Additional depth of cover, or less than minimum, may be required to meet existing field conditions.

c. When the highway is now, or is to be constructed, on an embankment or in a shallow cut, casings or galleries when used, shall extend across the full width of the right-of-way. If significant savings would result, the casing or gallery may be terminated beyond the outer edge of the ditch flow line, or the embankment slope if a ditch is not provided.

d. When the highway is now, or is to be constructed in deep cut, casings or galleries when used, shall extend across the roadway to include the effective width of the outside shoulders. Effective width is considered to be the offset distance between the edge of the pavement and the face of the guardrail as provided elsewhere on the highway project. Overhead structures, either utility or highway, may be considered for the purpose of spanning deep cuts with water and gas lines when other locations prove difficult and unreasonably costly.

F. POWER AND COMMUNICATION LINES

1. GENERAL

a. The guidelines for accommodation of power and communication lines on highway rights-of-way will vary with the site conditions, type of line involved, type of highway and degree of access control; therefore, the following is to be considered a flexible policy which may be modified where special conditions exist. Design of the utility facilities shall conform to the guidelines contained herein, but where Local or Industry standards are higher than specified herein, Local or Industry standards shall prevail.

b. The vertical clearance of overhead lines crossing highway rights-of-way shall not be less than the minimum required by the Public Utilities Commission of Ohio and/or the National Electrical Safety Code. The County Engineer will determine the location and extent of additional clearance, required during highway construction, and will make every effort to give ample notification to the utility. 9

c. Arrangements for emergency maintenance procedures shall be made whenever possible by the utility notifying the Medina County Sheriff or appropriate County Safety Coordinator for the purpose of traffic safety.

2. LONGITUDINAL OCCUPANCY

a. Within highway rights-of-way, longitudinal lines, either overhead or underground, may be permitted. Location of such lines should be between the ditch and the right-of-way line.

If thorough investigation reveals that the location is not feasible for an underground line, authorization may be granted to construct the line in the shoulder area, it shall be so located that a one-to-one slope from the inside edge of the bottom of the trench will be installed within the shoulder area where lines for highway lighting, illuminated signs or other obstructions are located. Backfilling of the trenches shall be in conformance with the standards set forth in Part L. of this section.

Ground-mounted utility facilities should be placed as far as practical from the traveled way, beyond the clear roadside area, and be of a pleasing design compatible with the visual quality of the highway involved. Guy wires to ground anchors and stub poles should not be placed between a pole and the traveled way where they encroach upon the clear roadside area. There is no established dimension for the width of a clear roadside area, but when there is sufficient border space (i.e., the space between the edge of the pavement or curb line and the right-of-way line), 30 feet from pavement edge should be used as a design safety concept guide. In urban areas where there are curbed sections, the utility facilities should be located a minimum of 8 feet behind the face of outer curbs, or if not practical, as far back as feasible.

b. Longitudinal installations of overhead lines should be limited to single pole type of construction. Joint-use single pole construction is encouraged at locations where more than one utility or type of facility is involved.

3. OVERHEAD CROSSINGS

Structures for the support of overhead utility lines crossing highway rights-of-way may be permitted; however, such structures should be located between the ditch and the right-of-way line in a manner that will cause the least interference with the normal maintenance of the highway.

4. UNDERGROUND CROSSINGS

a. Lines crossing under highways shall be of durable materials designed to meet conditions found at the site, and so installed as to virtually preclude any necessity for disturbing the roadway to perform maintenance or expansion operations.

b. Conduits, casings or unprotected utilities installed in open cut trenches across highway rights-of-way

shall be bedded and backfilled in accordance with the provisions set forth in Part L. of this section.

c. Conduits, casings or unprotected utilities for underground lines crossing existing highways shall be installed by driving, boring, tunneling or jacking without disturbing the pavement or paved shoulders, if soil conditions are suitable. Water jetting will not be permitted. Open cut of pavements will not be permitted unless it is demonstrated there is no reasonable alternate method available and approval has been obtained from the Medina County Engineer.

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d. Conduits or casings shall extend beyond the outer edge of the ditch flow lines, or the embankment slope, if a ditch is not provided. When the highway is constructed in deep cut, the conduit or casing may be terminated beyond the shoulders, if approved by the Medina County Engineer's Office.

e. The grade of the crown of conduit, casing or unprotected power or communication line shall be established such that minimum depth of cover will be three (3') feet under any surface.

Additional depth of cover, or less than minimum, may be required to meet existing field conditions.

G. UTILITY INSTALLATIONS ON OR NEAR HIGHWAY BRIDGES

1. GENERAL

In many cases, attachment of utility facilities to highway bridges is a practical arrangement and will be permitted, where found to be in the public interest. However, attaching utility facilities to a highway bridge can materially affect the bridge, the safe operation of traffic, the efficiency of maintenance and the appearance. Therefore, where it is feasible and reasonable to locate utility facilities elsewhere, attachment to bridge structures should be avoided.

2. CONDITIONS

Where other locations for a utility facility to span an obstruction prove to be difficult or too costly, consideration shall be given for attaching the utility facility to a bridge structure under the following conditions:

(a) The utility installation shall be made in a manner that will not inhibit maintenance of the structure, reduce the vertical clearance of the structure, or detract from the appearance of the structure.

(b) None of the structural members in the proposed bridge are to be reduced in section, or the cross section of the super-structure revised to other than a normal section solely for the purpose of accommodating utility lines.

(c) Conduits to be installed in the sidewalk element must be at least two inches (2") above the construction joint, between the bridge slab and sidewalk, and spaced to provide at least two inches (2") clearance between the outside of the conduits.

(d) Utility attachments to the outside of a bridge structure will not be permitted except where reasonable

alternatives do not exist.

(e) Gas mains may be supported by bridges provided the internal pressure does not cause stress in the pipe to exceed 30% SMYS (specified minimum yield strength) of the pipe, and cutoff valves area provided at readily accessible location within a reasonable distance from each end of the bridge. 11

(f) Water mains may be supported by bridges if cut-off valves are provided at a readily accessible location within reasonable distance from each end of the bridge, and insulating wrapping is provided, to prevent sweating or freezing.

(g) The design of pipe line installations on bridge structures shall provide for a pipe line support that will prevent vibration in the pipe line.

(h) Power and communication conduits installed on bridges shall be equipped with access points at a readily accessible location within reasonable distance from each end of the bridge.

(i) Any proposed utility attachment to a bridge structure shall be applied for prior to its construction. Application shall consist of submitting plans and drawings detailing the utility attachment to the Medina County Engineer's Office for review. If such application is approved, the utility will be notified and the attachment may proceed.

3. AERIAL CROSSING NEAR HIGHWAY BRIDGES

(a) Aerial crossings above highway bridges will not be permitted.

(b) Aerial crossings near highway bridges shall not be less than 125 feet from the bridge abutment closest to the crossing.

(c) Aerial lines near highway bridges that are parallel to traffic shall be 29 feet from centerline of the right-of-way.

4. UNDERGROUND CROSSING NEAR HIGHWAY BRIDGES

(a) Underground crossings near highway bridges shall not be less than 75 feet from the bridge abutment closest to the crossing.

(b) Underground crossings near highway bridges that are parallel to traffic shall be 28 feet from the centerline of the right-of-way.

(c) Underground utilities crossing channels shall be four (4) feet or more below channel flowline.

(d) Four (4) foot depth shall be maintained a distance of 50% of the bridge span from each abutment or 25 feet from each abutment, whichever is greater.

5. DISCLAIMER

Approval of permit by the Medina County Engineer's Office does not release any utility owner from the obligation to relocate the utility in the future if deemed necessary by the Medina County Engineer's Office.

H. PERMITS

1. GENERAL

Utilities, contractors, homeowners, etc. shall obtain permits for the use or occupancy of all highway rights-of-way under jurisdiction of the County.

2. RESPONSIBILITY FOR PERMITS

The Medina County Engineer shall be responsible for receiving applications for permits; reviewing the application and plan; issuing of permits; inspecting construction to insure conformity to the permit; and maintaining records of all applications and permits. The Contractor is responsible for conforming to all applicable Local, State and Federal regulations.

3. GENERAL PROVISIONS APPLICABLE TO ALL PERMITS

During the progress of the work all traffic control devices shall be installed and maintained as required for the protection of the traveling public in accordance with the "Ohio Manual of Uniform Traffic Control Devices for Streets and Highways." The same shall be properly lighted at night, when required. The party or parties to whom the permit is issued shall be responsible for all damages to persons or property due to or resulting from any work done under this permit.

Except as authorized under the permit, no excavation shall be made or obstacles place within the limits of the highway.

If any grading or other work done under the permit interferes with the drainage of the highway in any way, such catch basins and outlets shall be constructed as may be necessary, in the opinion of the County engineer and/or chief executive officer of the Stormwater Management and Sediment Control Rules and Regulations, to take proper care of said drainage.

If the party or parties to whom a permit is issued does anything contrary to the terms of the permit, and after written notice, fails to correct such work or to remove such structure or materials as ordered by the Board of County Commissioners, the County may correct such work or remove such structure or material; and the party or parties to whom the permit is issued shall reimburse the County for any expense incurred in correcting the work or removing the structure or materials.

All the work contemplated under the permit shall be done under the supervision and to the satisfaction of the County Engineer, and the entire expense thereof, shall be borne by the party or parties to whom the permit is issued.

On completion of the work under the permit, the highway shall be left clean of all rubbish, excess materials, temporary structures and equipment; and all parts of the highway shall be left in an acceptable condition.

The granting of a permit does not in any way abridge the right of the County in its jurisdiction over highways. If, in the process of any future work for the benefit of the traveling public, it becomes necessary, in the opinion of the County Commissioners, to order the removal, reconstruction, relocation or repair of any of the fixtures, or

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work performed under the permit, said removal, reconstruction, relocation or repair shall be wholly at the expense of the owners thereof, and be made as directed by the County Commissioners.

During the time any work is being performed an inspector shall represent the interests of the County, and all expenses therefore shall be paid wholly by the permit holder. The inspector will determine from the nature and complexity of the job whether his continual presence is needed.

The County will require a performance guarantee, a Hold Harmless Statement and proof of Liability Insurance as a prerequisite to the issuance of a permit.

All of the above conditions shall be applicable to the work authorized under the permit, unless the same are inconsistent with conditions entered on the face of the permit, in which case the conditions written or printed on the face of the permit shall apply.

The acceptance of a permit or the doing of any work thereunder, shall constitute an agreement, between the County and the party or parties to whom the permit is granted, to comply with all of the conditions and restrictions printed or written in said permit.

A permit may, at any time, be revoked and annulled by the County for noncompliance with any of the conditions, restrictions and regulations thereof.

When highway improvement contracts are awarded by the County Commissioners at or near the area covered by the permit, the party or parties to whom the permit is issued shall cooperate with the highway contractors and each arrange his work so as not to interfere with the operations of others. The permit holder shall schedule his work in an acceptable manner and shall perform it in proper sequence to that of the others so that the services of the parties will not be unnecessarily interrupted.

4. WHEN PERMITS ARE REQUIRED

a. Underground Installations

Utilities shall be required to obtain permits from the County for the installation of all pipe lines, conduits or other underground structures, either temporary or permanent, crossing or occupying highway rights-of-way. Each structure must be installed in accordance with the provisions of the permit.

b. Overhead Installations

Utilities shall be required to obtain permits from the County for the placement of poles or other structures, either temporary or permanent, to occupy highway rights-of-way longitudinally.

Utilities shall be required to obtain permits from the County for all overhead installations, either temporary or permanent, crossing highway rights-of-way as follows:

(1) Highways

Permits shall be required for temporary guard poles or structures located within highway rights-of-way for supporting conductors or other lines over the highway during installation or removal operations, or permanent poles or structures located within highway rights-of-way for the support of conductors or other lines over the highway.

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(2) Service drops crossing all highways

Permits shall be required for service drops crossing highway rights-of-way where: temporary poles or structures are to be located within highway rights-of-way for support of conductors during installation or removal operations; or permanent poles or structures are to be located within highway rights-of-way for support of conductors or other lines over the highway.

5. EXCEPTION TO NORMAL PERMIT REQUIREMENTS

a. A permit is not required for maintenance of utility facilities. Maintenance as used in this instance does not include any upgrading of service, or work involving the disturbance of any ground. In all work performed on highway rights-of-way by, or for, the utility, the utility shall be responsible for installing and maintaining traffic control devices, as required for the protection of the traveling public, in accordance with the "Ohio Manual of Traffic Control for Construction and Maintenance Operations."

b. Should the proposed utility installation fail to meet the requirements as set forth in this manual, or should the Medina County Engineer feel that a permit should not be issued because the installation would jeopardize the structural integrity of the roadway or highway structure or endanger the traveling public, then the applicant may request granting of special permission from the Medina County Commissioners by a separate resolution.

c. Permits are not required, but the Medina County Engineer must be notified, when the following work is being performed:

(1) Emergency Pole Replacement

Emergency replacement of communication or power poles when the replacement pole is set immediately adjacent to the existing pole and not closer to the roadway surface.

(2) Service Connections

Service connections, on the same side of the roadway as the facility being served, both underground and overhead, where the existing distribution line, telephone pedestal, power line pole or communication line pole is no farther than four (4) feet from the road right-of-way line and no closer than ten (10) feet to the edge of pavement.

I. PERMIT PROCEDURES

1. GENERAL

a. The procedures set forth herein shall serve as a guide in establishing a uniform method for the application of regulations governing the issuance of permits for the use of occupancy of all highway rights-of-way under the jurisdiction of the Medina County Commissioners.

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b. These procedures do not cover permits for the movement of overweight and/or oversize vehicles and loads on county or township highways (see Section II of the “Medina County Commissioners Highway Use Manual”).

c. Issuance of permits in accordance with this section shall apply only to county or township highways outside municipal corporations unless the county or township has, by agreement, assumed full maintenance of a section of a highway that lies wholly or in part within a municipal corporation.

d. Requests to locate utility facilities on county and township highways must be made in accordance with the policies and procedures as set forth in this section. Each utility has the responsibility for contacting the Ohio Utilities Protection Services for their work.

2. APPLICATION FOR PERMIT

a. Application for permit forms and instructions are available at the office of the Medina County Engineer, 791 West Smith Road, Medina, Ohio 44256 (or P.O. Box 825, Medina, Ohio 44258).

b. Completed applications containing all required information as outlined on the application form shall be returned to the Medina County Engineer for processing.

c. Applications shall bear the signature of the property owner, lessee, company or corporate official or contractor responsible for construction and maintenance of the installation placed on highway right-of-way.

d. At least two copies of a detailed plan shall accompany each application that is submitted. The plan shall show the proposed location of the installation with reference to the pavement, right-of-way line and should show the owner’s property lines. If installation crosses the highway, a cross section of the present roadway and proposed installation should be shown. In addition, the following information should be shown on the plan: The Township in which the installation is to be made; the County/Township Highway name and number; and the distance from some geographical point, such as intersecting highways, city or village corporation limits, section lines, or state, county or township highways.

3. ADDITIONAL REQUIREMENTS - COMPANIES ORGANIZED FOR PURPOSES DESCRIBED IN CHAPTER 1723 OF THE OHIO REVISED CODE

a. Pursuant to Section 1723.02 of the Ohio Revised Code, the Board of County Commissioners may grant, as far as the rights of the public therein are concerned, to a company organized for the purposes described in Section 1723.01 of the Ohio Revised Code, the right to lay tubing, pipes, conduits and wires in the rights-of-way of County roads. Included are those companies organized to store or transport natural or artificial gas or petroleum.

The following are additional items required from such companies. These items must be presented at the time the application for permit form is presented to the Medina County Engineer for processing.

(1) A list of property owner's names and addresses over whose land the proposed line will run (if the road right-of-way is an easement rather than a dedicated road) together with a certification from the Company that each property owner has been advised of the location and time of the proposed installation. Notification of the property owner by regular mail will be deemed sufficient.

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(2) A signed agreement from the Company that it will maintain the pipes, tubing, conduit, or wires installed, and will reimburse the County or township for any cost of repair necessitated by the existence of said pipes, tubing, conduit, or wires in the right-of-way, until such time as they may be removed.

(3) The Company shall furnish the Medina County Engineer with their current business address and phone number as well as names, addresses and phone numbers of persons to be contacted in case of emergency. The Company will also advise the Medina County Engineer of any changes of addresses or phone numbers.

(4) The Company shall advise the Medina County Engineer of any mergers, dissolution, or sale of the Company which would affect the County's security for the installation allowed.

4. APPLICATION REVIEW AND SITE INSPECTION

a. After receiving the completed application, the appropriate representative of the County Engineer's office (permit coordinator, permit technician or field inspector) will review the permit application and any other

information related to the possible installation. Once an office review has been completed, the representative will inspect the site of the proposed installation.

b. Review time will be governed by the complexity of the proposed installation. Generally, seven to ten (7-10) working days shall be allowed for processing any application.

c. If, after reviewing the application and inspecting the site, the County Engineer determines that the proposed location or type of construction of the utility will materially affect the appearance, operation or maintenance of the highway, a conference will be scheduled with the utility to discuss possible revisions to the location or type of construction.

5. BOND, INSURANCE AND HOLD HARMLESS REQUIREMENTS

Prior to issuance of a permit, the utility will be required to furnish the following:

a. Performance Guarantee

A Performance (Permit) Bond, substantially as set forth in Appendix 1, a certified check or approved escrow account for the amount established by resolution of the Medina County Commissioners to cover the cost of all possible damages and maintenance of the disturbed area sustained by the County on account of the failure of the utility to perform all or part of the work as specified in the permit. Said bond, certified check or approved escrow account shall remain in force for normal permits for a period of ninety (90) days following completion of the work performed or if weather conditions are not beneficial to restoration, then when deemed appropriate by the Medina County Engineer's office. If the restoration has not been completed in accordance with Section I, Part L. SITE RESTORATION, said bond, certified check or approved escrow account shall be forfeited and will become property of the Medina County Commissioners.

A corporate bond from a public utility, when approved by the Medina County Commissioners, may be furnished in lieu of a performance bond, certified check or approved escrow account.

b. Hold Harmless Statement

A signed statement in substantially the following form:

_____ as consideration for the authorization from the County of Medina to place its _____ within the road right-of-way of No. _____, hereby agrees to hold harmless, indemnify and defend the County of Medina, its Commissioners, officers, employees and agents against any and all claims, losses, damages or lawsuits for damages arising from, allegedly arising from or related to the installation for which authorization is sought in Permit No. _____.

c. Liability Insurance

A Certificate of Liability Insurance with limits of not less than \$500,000 bodily injury liability, \$1,000,000 each occurrence and \$500,000 property damage liability. If the applicant does not have specified insurance limits, but has an excess umbrella liability policy of \$1,000,000 or greater, the excess liability policy shall be considered as acceptable insurance coverage. The insurance provided shall be of a comprehensive nature, covering any and all damages which may arise during the installation of the project, including underground property damage. Evidence of insurance must be provided to the Medina County Commissioners.

6. ISSUANCE OF PERMITS

- a. After all necessary bonds, certified checks or approved escrow accounts have been posted, and after both the utility and the County Engineer have agreed on the location and schedule of construction, the County Engineer, acting as the representative of the County Commissioners, will issue the permit.
- b. The Medina County Engineer, acting under the authority of the County Commissioners, may issue a permit, reject the application or request a revised application be submitted.
- c. Issued permits will be on the form approved by the Medina County Commissioners and signed by the Medina County Engineer.
- d. Issued permits must be in the possession of employees in charge of the work at all times and must be shown upon request to any employee of the Medina County Engineer, the Medina County Commissioners, the Township Trustees in the appropriate township or the Medina County Sheriff.
- e. Permits will become void if work has not commenced within thirty (30) days of issuance unless conditions warrant an approval of an extension of time, or if work does not commence within thirty (30) days of the requested work scheduled date.

J. FEES

1. GENERAL

a. Fees, payable to the Medina County Engineer, will be charged for both the cost of issuing a permit and for the cost of inspecting the work. Non-notification fees and/or late fees may also be charged under certain conditions.

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(1) Permit Fee

The permit fee covers the cost of clerical work and pre-construction site inspection.

An application for permit will not be reviewed until the permit fee has been paid or guarantee of payment supplied. Billing will be available for established applicants and at the discretion of the Medina County Engineer.

(2) Inspection Fee

Inspection fees will be charged based on the total of the following:

- a - Inspector's actual rate per hour.
- b - Inspector's benefits per hour.
- c - Twenty-five percent (25%) of lines (a) and (b) to cover such items as office expenses, equipment, transportation, etc.

All inspection fees will be billed at the completion of the utility installation or monthly, whichever occurs first. Receipt of payment by the Medina County Engineer will not be considered as approval or acceptance of the permitted installations.

b. Where proposed utility installations are of such magnitude that detailed plan review is required for approval, a fee for plan review will be charged. The plan review fee will be charged based on the same schedule as that used for inspection fees.

c. The fee amounts will be established by resolution and will be reviewed annually by the Medina County Commissioners and the Medina County Engineer. A resolution amending the fee schedule or continuing it for an additional year will be passed during the beginning of each year.

d. Failure to pay permit fees and inspection fees billed to the permit holder within thirty (30) days after receipt of the invoice may result in withholding of future permits from the applicant until permit and inspection fees have been paid.

K. INSPECTION

1. GENERAL

a. Prior to any excavation for a utility, or any construction, installation, adjustment or relocation of a utility, as defined on page 5, within rights-of-way under the jurisdiction of the Medina County Commissioners, the Office of the Medina County Engineer shall be notified. The utility owner will be required to advise the Medina County Engineer's Office at least one (1) full working day in advance of any proposed activity. An inspector will determine from the nature and complexity of the job whether his/her continual presence is needed.

b. Failure to comply with the above policy may result in denial to begin construction until proper notification has been received. If scheduled work must be canceled, the Medina County Engineer must be notified at least one (1) hour prior to the requested inspection time. Failure to notify the Medina County Engineer when work

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has been postponed or canceled will result in a billing for a minimum of one hour of inspection time at the current inspection rate.

c. Failure to give notice will be considered a violation of the permit and will be just cause for the Medina County Engineer to request the Board of County Commissioners to take appropriate action to stop the construction and will result in a billing for a minimum of one hour of inspection time at the current inspection rate. Repeated failure to notify the Medina County Engineer when work is being performed may result in the withholding of the approval of future permit applications.

d. Inspection fees as outlined in Part J. of this section will be charged to the permit holder. Charges will be based on actual time logged by the inspector for the inspection of the particular job. If the utility owner, after beginning construction, ceases activity and fails to notify the Medina County Engineer's Office, causing the inspector to unknowingly travel to the site, a minimum of one hour inspection fee will be charged. If the utility owner, after beginning construction, has been discovered to be working prior to the issuance of a permit application, and has failed to notify the Medina County Engineer's Office of such work or failed to apply for such permit application, a minimum of one hour inspection fee per offence may be charged in addition to the regular permit fee.

e. The inspector's normal working hours are between 8:00 a.m. and 4:30 p.m., Monday through Friday. When he/she is required to perform his/her inspection duties at times other than these, the charge per hour will be computed at the inspector's hourly rate times one and one-half (1 ½). Work requiring inspection at a time other than normal working hours may be performed only if an inspector is available to perform the inspection at the requested time.

L. SITE RESTORATION

1. GENERAL

In all cases where a permit is granted for excavating or placing obstacles within the limits of a county or township highway, it shall be the responsibility of the permit holder to restore the disturbed area to a condition equal to or better than it was originally.

All mailboxes, signs, yards, driveways, roads, drainage structures, fences, ditches and sidewalks damaged or removed during construction will be replaced or repaired, by the permit holder, to the minimum requirements of the Medina County Engineer's Office, as soon as possible.

After any pipes, conduits, drains or other underground structures are laid or any excavation is made within the limits of the highway, the trenches or openings shall be properly backfilled with suitable material as directed by the County Engineer's Office.

2. EXCAVATION WITHIN THE RIGHT-OF-WAY

a. All excavation within the right-of-way requires a highway use permit.

b. Approved excavations made within the traveled portion of the highway, in the berm within four (4') feet of the pavement edge, and with four (4') feet or less of the inside edge of the trench, in street intersections, or in driveways, shall be backfilled with granular materials as directed by the County Engineer's Office.

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Excavations that require a granular backfill material may be filled by "Free Dumping" No. 67 limestone (See Item 703 Aggregate, State of Ohio, Department of Transportation, Construction and Material Specifications) or crushed No. 67 washed gravel in the berm areas. This material shall be brought up to within eighteen (18") inches of finished grade. The remainder of the excavation shall be backfilled with Item 304, Aggregate Base, in layers not to exceed six (6") inches, loose measurement. Each layer shall be compacted to the satisfaction of the County Inspector.

c. Approved excavations made where work performed requires removal of the pavement, the surface shall be cut with a masonry saw, or vermeer wheel to a depth of six (6") inches or as required to provide a clean break. The width of the pavement cut shall be a minimum of four (4') feet. The width of the trench shall be a minimum of twelve (12") inches or one (1) pipe diameter plus eight (8") inches, whichever is the greater. The contractor must maintain at least one-way traffic at all times during construction by using steel plates to bridge the trench. The trench shall be backfilled with Controlled Density Fill or LSM-100 or as otherwise directed by the Medina County Engineer's Office.

Excavations that require CDF fill material may be filled by "Free Dumping" the CDF. The CDF must be of a consistency that will cause it to flow into all voids created by the excavation, and shall be brought up to within two (2") inches of finished grade. Steel plates must then be set in place and edges sealed with bituminous asphalt material "cold patch" materials for a period of twenty-four (24) hours. The road surface must be replaced as required by the Medina County Engineer's Office.

3. OPEN CUT

When normal excavation is deemed impossible or the best method of installing the utility is by open cut, it must first be approved by the Medina County Engineer's Office. The Medina County Engineer's Office will determine the necessity and if approved, will list any and all special requirements to be made during the work.

Approved excavations made within the traveled portion of the highway, in the berm within four (4') feet of the pavement edge, and within four (4') feet or less of the inside edge of the trench, in street intersections or in driveways, shall be backfilled with granular materials as directed by the Medina County Engineer's Office.

Where work performed requires removal of the pavement, the surface shall be cut with a masonry saw or vermeer wheel to a depth of six (6") inches or as required to provide a clean break. The width of the trench shall be a minimum of twelve (12") inches or one (1) pipe diameter plus eight (8") inches, whichever is greater.

The contractor must maintain at least one-way traffic at all times during construction by using steel plates properly to cover the trench or open cut.

4. BACKFILL MATERIAL

Excavations that require a granular backfill material may be filled by "free dumping: No. 67 Limestone (see Item 703 Aggregate, State of Ohio, Department of Transportation, Construction and Material Specifications) both under the road surface and in the berm areas. The No. 67 Limestone shall be brought up to within eighteen

inches (18") of finished grade. The remainder of the excavation shall be backfilled with Item 304, Aggregate Base, in layers not to exceed six inches (6"), loose measurement. Each layer shall be tamped or rolled. If layers cannot be tamped or rolled, an LSM (see definition) should be used, or the area should be backfilled as directed

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by the Medina County Engineer. In addition, where the road surface was removed for construction, the surface shall be replaced with either asphaltic concrete (Item 404) or high-early-strength concrete as directed by the County Engineer. The surface thickness shall be a minimum of two inches (2") of (404) over six inches (6") if (401) (eight inches (8")) total) and shall be finished to the same grade as the existing road surface. Adequate precautions shall be taken to prevent the concrete from freezing. Any concrete that fails within ninety (90) days after project completion, shall be replaced by permit holder, or on his failure to act, by utilization of his maintenance bond. The contractor shall protect the restored area by using steel plates set in place and edges sealed with a bituminous asphalt material "Cold Patch" for a period of twenty-four hours or until such time as normal traffic can proceed without causing damage to the roadway surface. Driveways and drainage ditches that have been disturbed shall have a top layer of material comparable to that which was removed.

5. TIME PERIOD FOR COMPLETION OF RESTORATION

- a. All restoration within the right-of-way must be completed within ninety (90) days after completion of the work performed within the right-of-way. If conditions prohibit restoration to be performed within the ninety (90) day time period, an extension of time may be granted at the discretion of the Medina County Engineer.
- b. If restoration is not completed within the approved time period, the required work will be performed by the Medina County Highway Department or in the event of the unavailability of the Medina County Highway Department, an outside hired contractor. All costs incurred for labor and materials to perform the restoration will be billed to the permit holder for payment.
- c. Failure to pay all amounts charged for restoration performed by the Medina County Highway Department or outside contractor will result in the amount being deducted from the performance guarantee furnished or forfeiture of the performance guarantee.
- d. Repeated violations of the restoration requirements may result in the withholding of approval of future permit applications.
- e. In the case of a contractor damaging another utilities' already existing installation, the contractor is responsible for contacting that utility immediately. The contractor should, under no circumstances, make any attempt to repair the damage himself until after notification and approval of that utility.

MEDINA COUNTY COMMISSIONERS
HIGHWAY USE MANUAL

SECTION II

POLICIES AND PROCEDURES FOR THE ISSUANCE
OF SPECIAL HAULING PERMITS ON COUNTY
AND/OR TOWNSHIP MAINTAINED HIGHWAYS

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A. PERMIT PROCEDURES

1. GENERAL

a. The procedures set forth herein shall serve as a guide in establishing a uniform method for the application of regulations governing the issuance of permits to operate or move vehicles or combinations of vehicles of a size or weight of a vehicle or load exceeding the maximum specified in Sections 5577.01 to 5577.09 of the Ohio Revised Code on or across any and all Medina County maintained highways and/or appropriate township maintained highways.

b. Issuance of SPECIAL HAULING PERMITS shall apply only to County or Township highways outside municipal corporations unless the County or Township has, by agreement, assumed full maintenance of a section of a highway that lies wholly or in part within a municipal corporation.

c. Requests for SPECIAL HAULING PERMITS must be made in accordance with the policies and procedures as set forth in this section. Applicants are advised that these permits cover Medina County and Township maintained highways. Permits to move over state highways must be obtained from the Director of Transportation.

2. APPLICATION FOR PERMIT

a. Application for SPECIAL HAULING PERMIT forms are available at the office of the Medina County Engineer, 791 West Smith Road, Medina, Ohio 44256 (or P.O. Box 825, Medina, Ohio 44258).

b. Completed applications containing all required information as outlined on the application form shall be returned to the Medina County Engineer's Office for processing.

c. All applications must show the exact axle spacing and weights. The form must be complete, even though not for an overweight movement.

d. Applications shall bear the signature and the title of the person (or his/her authorized representative) assuming full responsibility for the proposed moved.

3. APPLICATION REVIEW AND SITE INSPECTION

a. After receiving the application, the County Engineer's Office will review the form for completeness. The County Engineer or his authorized representative will inspect the proposed route, examining roadway and structure conditions.

b. Review time will be governed by the amount of weight and size of the vehicles or loads to be moved together with the length of the proposed route and the impact the move will have on the highway. Generally, seven (7) working days should be allowed for processing any application.

c. If, after reviewing the application and inspecting the proposed route, the County Engineer's Office

determines that the proposed move would materially affect the appearance, operation or maintenance of the

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highway, a conference will be scheduled to discuss possible revisions to the proposed route and/or reductions in size and weight of the load.

4. BONDS AND INSURANCE

Prior to issuance of a SPECIAL HAULING PERMIT, the applicant will be required to furnish the following:

a. Liability Insurance

A Certificate of Liability Insurance with limits of not less than \$500,000 bodily injury liability, \$1,000,000 each occurrence and \$500,000 property damage liability. If the applicant does not have specified insurance limits but has an excess umbrella liability policy of \$1,000,000 or greater, the excess liability policy shall be considered as acceptable insurance coverage.

There shall be a Special Contractual Endorsement attached and filed with the Certificate of Liability Insurance (see Appendix I of this section).

b. Surety Bond

A Surety Bond, certified check or approved escrow account is required in an amount sufficient to pay for all damages that may occur to all County maintained highways, bridges and culverts. All Surety Bonds must be submitted on forms prepared by the County of Medina and available through the Medina County Engineer (see Appendix 2 of this section).

5. ISSUANCE OF PERMITS

a. After all necessary insurances, bonds, certified checks or approved escrow accounts have been posted and after both the applicant and the County Engineer have agreed on the time of the move and the route, the County Engineer, acting as the representative of the County Commissioners, will issue the permit.

b. The Medina County Engineer, acting under the authority of the County Commissioners, may issue a permit, reject the application or request a revised application be submitted.

c. Issued permits will be on the form approved by the Medina County Commissioners and signed by the Medina County Engineer.

d. Permits will become void thirty (30) days after issuance or as noted on each permit.

6. RENEWAL OF PERMITS

a. A written or verbal request for renewal of a SPECIAL HAULING PERMIT will be processed upon receipt of the permit fee.

b. A SPECIAL HAULING PERMIT will not be renewed if inspection of the proposed route would now

indicate movement cannot be made without causing damage to highways, bridges or culverts or without causing unnecessary inconvenience to the traveling public.

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7. TYPES OF SPECIAL HAULING PERMITS

a. Trip and Return: This permit is for overweight loads to travel to and from a single location. Tire sizes, axle weights, axle numbers, load weight, gross weight, tractor and trailer empty weights, types and license numbers will be required. All axle weights must still be legal as stated in the Ohio Department of Transportation's Special Hauling Rules and Regulations. An escort provided by the County Engineer's Office will usually be required. The applicant MUST call prior to moving in or out of the site. The permit will not be valid if no call is made to the Medina County Engineer's Office prior to each and every move.

b. Annual Overwidth: This permit covers legal weight loads that are from 8'6" up to and including 12' width. A single permit will cover the tractor and any trailers or legal loads that fall within this gross width for a period of one year. The applicant is required to call the Medina County Engineer's Office prior to each move in order for the Medina County Engineer to approve the route and decide whether an escort will be needed for the move. The permit is not valid if no call is made to the Medina County Engineer's Office prior to each and any move.

c. Construction Permit: This permit provides a company undertaking a project to permit the oversized loads going to and from a project on a specified route for a specified period of time. A permit is needed for each tractor/trailer and load and a call must be made notifying the County Engineer's Office of moves each day.

d. Seasonal (Frost Law) Permit: This permit covers normally legal-weight loads during the weight limit reduction listed for County/Township roads during the period of January 15 through approximately April 15 of each year (or such time as the County Engineer deems the Frost Reduction lifted). Applicants that cannot reduce their loads to travel during the weight reduction period can apply for a permit for each tractor for the season. Applicants are required to call prior to EACH move. The County Engineer's Office will determine on a daily basis, whether the routes requested may be traveled over that day, whether an alternate route must be taken, or whether travel has been denied completely because of the danger of damage to the roadways.

e. Special Permits: Permits that require special conditions will be reviewed by the Medina County Engineer's Office and any special arrangements, routing, bonds, escorts, videoing of the roadway, contact with utilities, etc. will be made with the applicant and all applicable parties. Each permit will be reviewed individually to determine what arrangements will need to be handled and whether the permit will be granted. An example of a special move is a "Super Load" or building/house move.

8. APPLICANT'S RESPONSIBILITIES

a. The applicant is responsible for following all safety requirements listed under the Ohio laws such as signs, flaggers, escorts, axle weights, etc. The applicant is also responsible for any additional safety requirements listed by the Medina County Engineer's Office to insure a safe move.

b. The applicant is responsible for the safety and accessibility of the destination. The roadway and site must be kept clear of all materials and obstacles to the traveling public during the entering of any site. Access to the site should be easily accessible and inspected prior to the movement of the vehicle and load.

B. FEES

1. GENERAL

a. A fee payable to the Medina County Engineer, will be charged to cover the cost of issuing a permit and inspecting the roadway and structures before, during and after the permitted movement.

b. An application for a SPECIAL HAULING PERMIT must be accompanied by the permit fee.

c. The amount of the fee will be established by resolution and will be reviewed annually by the Medina County Commissioners and the Medina County Engineer. A resolution amending the fee schedule or continuing it for an additional year will be passed during the beginning of each year.

2. INSPECTION FEES

a. The permit holder will be responsible for all inspection fees charged for the movement of a load.

b. An inspection fee will be charged when an inspector is required to perform inspection as a time other than normal working hours. All inspection fees billed for an inspection at a time other than normal working hours will be billed at one and one-half times the current inspection rate.

c. Normal working hours are 8:00 a.m. to 4:00 p.m., Monday through Friday. No movement of an oversize and/or overweight load may be made on State Routes on a Saturday, Sunday or a legal holiday as established by the Ohio Revised Code, or on a County or Township roadway unless the Medina County Engineer's Office gives permission. The inspection fee will be billed at one and one-half times the current inspection rate if an inspector is required for an approved move during other than normal working hours.

d. An inspection fee will also be charged if the inspector is required to wait longer than one hour for the load to arrive or commence movement at the specified meeting time and location. The permit holder will be billed for all time exceeding one hour at the current inspection fee rate.

e. Failure to pay invoices billed for inspections within thirty (30) days after receipt of invoice may result in the withholding of issuance of any future SPECIAL HAULING PERMIT until the invoices have been paid.

f. Permits pulled for violation by any law enforcement officer may require the applicant to re-apply and submit an additional permit fee for any SPECIAL HAULING PERMIT. Repeated violations, misrepresentations of the facts, or omissions of facts may result in the refusal of further permits being issued to the applicant.

MEDINA COUNTY COMMISSIONERS
HIGHWAY USE MANUAL

SECTION III

POLICIES AND PROCEDURES FOR THE CONSTRUCTION
OF DRIVEWAYS/DITCH ENCLOSURES AND THE INSTALLATION
OF DRIVE PIPES WITHIN THE RIGHT-OF-WAY OF COUNTY
AND TOWNSHIP MAINTAINED HIGHWAYS

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RULES AND REGULATIONS FOR THE CONSTRUCTION OF DRIVEWAYS ON MEDINA COUNTY HIGHWAYS

PERMIT PROCEDURES

The construction and repair of driveways to allow access to residences of business fronting on Medina County maintained highways shall be done only with the written permission of the Medina County Engineer. Permission is also required for the paving of that portion of an existing driveway that lies within the road right-of-way. In addition, any change, such as from residential use to commercial use, will require permission from the County Engineer's Office.

Application for Permit forms are available at the office of the Medina County Engineer, 791 West Smith Road, Medina, Ohio 44256. The application form must be filled out in its entirety and presented to the Engineer's Office for review. The owner or developer will be required to set a minimum of two (2) stakes to show the edges of the proposed drive. In cases where the approach to an existing driveway is to be paved, a sufficient amount of stakes to outline the area to be paved, will be required. The stakes will need to be in position before the application can be processed.

SITE INSPECTIONS AND PERMIT REQUIREMENTS

Once an application has been received and the necessary staking has been done, an Inspector from the Medina County Engineer's Office will make a field check to observe the existing conditions at the drive location. On rural-type highways with open ditches where drive pipes are required, the Inspector will determine the diameter and length of pipe needed. The diameter of the pipe will be determined through the use of available hydrological data. Under normal conditions the minimum acceptable diameter is twelve inches (12"). The length of the pipe will be determined by the combination of width of the proposed driveway and the depth of the existing ditch. In most instances the minimum acceptable length shall be **thirty feet (30')**. Drive pipes will be purchased and installed by the owner or developer after a permit is issued by the County Engineer.

In all cases, whether the highway is of the rural type with open ditches or of the urban type with curb and gutter, a field check will be made to observe the existing conditions at the proposed drive location. Because the geometrics of many of the roads in Medina County cause the sight distance to be very limited, special attention will be given to clear-sight distance for approaching traffic. A driveway located with less than 500 feet of clear-sight distance is potentially hazardous. All attempts should be made by the owner or developer to establish the driveway in a location that affords the greatest amount of visibility for the safety of the user of the driveway and also the approaching traffic. Reliance on a warning sign does not relieve the driver entering the roadway from yielding to approaching traffic. The erection of such warning signs will be authorized only if, in the opinion of the County Engineer's Office, all means to establish a safer driveway location have been exhausted.

If the driveway is to be constructed on a rural-type highway with open ditches, the profile of the driveway must slope away from the existing pavement in accordance with the minimum standards shown on the Medina County Engineer's Driveway Details.

Driveways to be constructed on urban-type streets with curbs and gutters, must slope up from the existing pavement in accordance with the minimum standards shown on the above mentioned Driveway Details.

Driveway aprons (that portion of the driveway between the edge of the pavement and the road right-of-way) on rural-type highways, may be constructed of asphalt, concrete, limestone or gravel.

Residential Driveway Aprons

Concreted residential aprons should contain a minimum of 517 lbs. of cement per cubic yard (5 ½ sack mix) and be a minimum of six (6") inches in thickness. Paved aprons must extend to the edge of the existing aggregate berm or with a **three foot by two inch step down (3' x 2")** that will be patched by the County Highway Department, Township Road Department or the owner. Driveway aprons on rural roadways must be a minimum of thirty (30') feet width at the edge of pavement and no paved apron may be set above the edge of pavement. Driveway aprons in subdivisions must be a minimum of twenty (20') feet width at the edge of pavement **unless otherwise noted by the inspector.**

Commercial Driveway Aprons

Commercial concrete driveway aprons should contain a minimum of 600 lbs. of cement per cubic yard (Class C) and be a minimum of eight (8") inches in thickness. Driveway aprons must be a minimum of fifty-five (55) feet width at the edge of pavement. Aprons must extend to the edge of the existing road edge, if concrete or have a **three foot by two inch step-down (3' x 2")** that will be patched by the County Highway Department, Township Road Department or the owner.

No curbs or headwalls that could create hazards or hamper maintenance operations, such as snow plowing, will be allowed to be constructed in the shoulder area. Asphalt aprons must extend to the pavement, but not above it. Driveway aprons on urban-type highways shall only be constructed of asphalt or concrete.

The property owner is required to maintain any drive approach to minimum standards. Existing drive pipes that have deteriorated or have been damaged causing blockage to the flow of water in the roadside ditch will be required to be repaired or replaced. When the County Engineer determines that repair or replacement of an existing drive pipe is necessary, written notification will be given to the property owner. The owner will be given thirty (30) days from receipt of notification to complete the work required. Failure of the owner to repair or replace the drive approach, including deteriorated or damaged drive pipes, after having been given proper notification, will be considered just cause for the County engineer to remove the obstruction. It would then be the obligation of the property owner to obtain the necessary permit and re-establish the driveway approach. When deteriorated or damaged drive pipes present a danger, directly or indirectly, to the traveling public, then immediate repair or replacement will be required.

FEES

A permit fee will be charged for the construction of a new driveway and when alterations are required in conjunction with any use change. The amount charged will be established by resolution and will be reviewed annually by the Medina County Commissioners and the Medina County Engineer. A resolution amending the fee schedule or continuing it for an additional year will be passed the beginning of each year.

When conditions warrant the installation of unusually large structures, the owner or developer will be required to construct the installation using a set of plans approved by the County Engineer.

The normal time limit for a permit will be ninety (90) days from issuance to completion of construction. Drives requiring unusually large or complex drainage structures may, at the discretion of the County Engineer, be given additional time for completion. If work is not finished by the time the permit expires, the permit will become void and the owner or developer will be required to apply for a new permit. An additional fee will be required for **any such permit**.

GENERAL PROVISIONS

In requesting a driveway permit, the owner or developer agrees, if the permit is granted, to comply with these rules and regulations and the general provisions as stated on the back of the permit. Those general provisions are as follows:

During the construction of the driveway, the pavement shall be kept clear of all dirt, stones and debris.

During the progress of the work, such barriers shall be erected and maintained as may be necessary for the protection of the traveling public; the same shall be properly lighted at night. No excavation shall be made or obstacle placed within the limits of the highway in such manner as to interfere unnecessarily with the travel over the road. The party or parties to whom this permit is issued shall be responsible for all damages to persons or property due to or resulting from any work done under this permit.

If, in the opinion of the County Engineer, any grading work done under this permit interferes with the drainage of the highway in any way, catch basins and outlets shall be constructed as may be necessary.

If the party or parties to whom this permit is issued does anything contrary to the orders of the County Engineer and after due written notice, fails to correct such work or remove such structure or material as he or they may be ordered to remove, the County Engineer shall advise the County Commissioners that such work or structure constitutes an obstruction to the road right-of-way. The County Commissioners may, thereafter, with or without further notice to the party or parties to whom this permit is issued, order the County Engineer to remove such structure or material. The party or parties to whom this permit is issued shall, thereafter, be subject to suit for the expense of such removal, or such may be placed upon the tax duplicate against the property involved.

All the work herein shall be done under the supervision and to the satisfaction of the County Highway Department, and the entire expense thereof shall be borne by the party or parties to whom this permit is issued.

On the completion of the work herein contemplated, the roadside shall be left neat and presentable and satisfactory to the County Highway Superintendent.

All the above conditions shall be applicable to the work herein authorized, unless the same are inconsistent with the conditions on the face of the permit, in which case the conditions written or printed on the face of the permit shall apply.

The acceptance of this permit or the doing of any working thereunder shall constitute an agreement by the party or parties to whom the permit is granted to comply with all of the conditions and restrictions printed or written herein

SECTION III

RULES AND REGULATIONS FOR THE CONSTRUCTION OF DITCH ENCLOSURES ON MEDINA COUNTY HIGHWAYS

The construction and repair of ditch enclosures parallel to Medina County maintained highways shall be done only with the written permission of the Medina County Engineer. **Permission is also required for relocating any such enclosure or for any change that could in any way affect the drainage for that area.**

PERMITS

A permit application will need to be filled out and returned to the Medina County Engineer's Office prior to any road ditch being enclosed or changed in any way that could affect the drainage for that area. Application for Permit forms are available at the office of the Medina County Engineer, 791 West Smith Road, Medina, Ohio 44256. The application form must be filled out in its entirety and presented to the Engineer's Office for review.

INSPECTIONS

Once an application has been received, an inspector from the Medina County Engineer's Office will make a field check to observe the existing conditions at the location. The inspector will determine the condition of the ditch, whether a pipe is needed and if so, the diameter, length, and need for T-riser or catch basin. The inspector may call for a survey to be completed by the Medina County Engineer's Office in the event the ditch needs cleaning or moved back. All materials, installation, erosion control, seeding and finished grading will be the owner's responsibility unless determined otherwise by the appropriate County or Township official. The permit will then be issued and the owner has a limited time under that permit to complete the enclosure.

T-Risers or catch basins should be used at the upstream side of the drive and where needed to pick up side drainage and/or side drainage tiles running to the enclosure.

The owner or developer must notify the inspector from the Medina County Engineer's Office prior to covering any pipe for the verification of correct installation of the ditch enclosure. An inspector must be at the site during construction to verify that the installation is in compliance with the conditions of the permit. At the completion of the enclosure a final inspection is done by the Medina County Engineer's Office.

FEES

A permit fee may be charged for the enclosure of a ditchline and when alterations require inspections, surveys, or other such work to be done by the Medina County Engineer's office. The amount charged will be established by resolution and will be reviewed annually by the Medina County Commissioners and the Medina County Engineer. A resolution amending the fee schedule or continuing it for an additional year will be passed the beginning of each year.

When conditions warrant the installation of unusually large structures, the owner or developer will be required to construct the installation using a set of plans approved by the County Engineer.

APPENDIX 1

APPLICATION FOR PERMIT
INSTRUCTION SHEET

- (1) Name of property owner or developer
- (2) Mailing address of property owner or developer
- (3) Current phone number
- (4) Fill in all blanks. House numbers for new buildings may be obtained from the Tax Map Office, 144 North Broadway, Medina, Ohio 44256; phone (330)723-9777
Minimum width = 10 feet for normal residential driveway; 25 feet for commercial. (See Medina County Engineer's Driveway Details) Two (2) stakes must be set to show side of proposed drive. If highway is rural type, set stakes on back slope of ditch. If highway is urban type, set stakes behind curb. If approach is to be paved, set a sufficient amount of stakes to outline the proposed paved area.

IMPORTANT NOTE:

MINIMUM pipe length is **thirty feet (30')** for any drive required a culvert pipe.

DIRT BACKFILL WILL NOT BE ACCEPTED.

For residential driveways, resurfacing with concrete requires a **6" minimum thickness** of the apron or the equivalent if not concrete surfacing..

Commercial concrete drives require a **minimum 8" of concrete** or greater, as engineer or architect requires.

Permits must be applied for and issued PRIOR to any work being done.

The Permit ***WILL NOT BE ISSUED UNTIL THE DRIVEWAY AREA HAS BEEN INSPECTED.***

Special requirements will be noted on the face of the permit.

Concrete aprons may only be poured to the road edge where the roadway is concrete. Otherwise a 3' x 2" asphalt patch must be installed.

GENERAL PROVISIONS IN FORCE IN SO FAR AS THEY
APPLY TO THE WORK TO BE DONE UNDER THIS PERMIT

During the construction of the driveway, the pavement shall be kept clear of all dirt, stones, and debris.

During the progress of the work such barriers shall be erected and maintained as may be necessary for the protection of the traveling public; the same shall be properly lighted at night. No excavation shall be made or obstacle placed within the limits of the highway in such a manner as to interfere unnecessarily with the travel over the road. The party or parties to whom this permit is issued shall be responsible for all damages to persons or property due to or resulting from any work done under this permit.

If, in the opinion of the County engineer, any grading work done under this permit interferes with the drainage of the highway in any way, catch basins and outlets shall be constructed as may be necessary.

If the party or parties to whom this permit is issued does anything contrary to the orders of the County Engineer and after due written notice, fails to correct such work or remove such structure or material as he or they may be ordered to remove, the County Engineer shall advise the County Commissioners that such work or structure constitutes an obstruction to the road right-of-way. The County Commissioners may, thereafter, with or without notice to the party or parties to whom this permit is issued, order the County Engineer to remove such structure or material. The party of parties to whom this permit is issued shall thereafter be subject to suit for the expense of such removal, or such may be placed upon the tax duplicate against the property involved.

All the work herein shall be done under the supervision and to the satisfaction of the County Highway Department, and the entire expense thereof shall be borne by the party or parties to whom this permit is issued.

On the completion of the work herein contemplated, the roadside shall be left neat and presentable and satisfactory to the County Highway Superintendent.

All the above conditions shall be applicable to the work herein authorized, unless the same are inconsistent with the conditions on the face of the permit, in which case the conditions written or printed on the face of the permit shall apply.

The acceptance of this permit or the doing of any work thereunder shall constitute an agreement by the party or parties to whom the permit is granted to comply with all of the conditions and restrictions printed or written herein.

