

# BIG HORN COUNTY, WYOMING UTILITY LICENSE AMENDED 6-15-2010

COUNTY USE ONLY
Date Received: _____
Field Inspection By: _____
Date: _____
Final Inspection By: _____
Date: _____
Bond Release Date: _____

UTILITY LICENSE FEES	LOCATION	APPLICANT (LICENSEE)
<b>License Fee:</b> \$300  <b>Paved Roads:</b> A) Cut-in Fee: \$1,000 B) Pavement Bond: \$2,000  <b>Road Closure Liquidated Damages:</b> \$300/Calendar Day  <b>BOND REQUIRED</b> Yes <input type="checkbox"/> No <input type="checkbox"/>	<b>Section:</b> _____  <b>T.</b> _____ <b>N.</b> , <b>R.</b> _____ <b>W.</b>  <b>Road:</b> _____ <b>At Mile Post:</b> _____  <b>Address, if applicable:</b> _____ _____	<b>Name:</b> _____  <b>Address:</b> _____  <b>City:</b> _____ <b>State:</b> _____ <b>Zip:</b> _____  <b>Daytime Phone:</b> _____

**DESCRIPTION OF WORK:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**ESTIMATED CONSTRUCTION SCHEDULE:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

The Licensee hereby acknowledges and agrees as follows:

1. This license grants permission for the Licensee to occupy a portion of the right-of-way controlled by the County. This permission is limited by the type of controlling interest held by the County. Responsibility to satisfy any other fee (deeded) interests rests with the Licensee.
2. The utility facility will be placed in a manner to conform with recognized standards, applicable Federal, State or local laws, codes, and ordinances, in the exact location shown on the attached "Exhibit A", and as directed by Big Horn County. Placing the facility in a location other than the originally approved without obtaining prior County approval by submitting a revised "Exhibit A" shall void the license.
3. A plan sheet(s) labeled "Exhibit A", dated \_\_\_\_\_, is attached, which clearly shows the facility's alignment, grade, vertical and horizontal clearances, type of material, operating pressure and/or capacity. Land and reference ties, as well as dimensions from the proposed facility to the roadway centerline and/or right-of-way line, which by reference is made a part thereof.
4. The license will not be modified, transferred or assigned without the consent of Big Horn County. This License does not allow for the installation of additional facilities, nor does this license set aside a strip of land of specific width for the exclusive width of the licensee.
5. The Licensee agrees to incorporate traffic controls for utility construction and maintenance operations which conform to the latest edition of the **Manual on Uniform Traffic Control Devices** or the County requirements. Standards developed by the utility may be substituted if they have been approved by the County. The Licensee or his agents must cease all operations if the traffic control standards are not met. Any construction or maintenance operation should be planned with full regard to safety. Interference with roadway traffic should be kept to an absolute minimum. Traffic Control plans and road closure plans will be submitted to the County for approval prior to starting any work on the County right-of-way. If the county road is closed longer than approved plan, the Licensee will become subject to liquidated damages in the amount of \$300 per calendar day that the road is closed beyond the approved plans.
6. The Licensee agrees to forever indemnify Big Horn County and save it harmless from all liability for damage to property or injury to or death of persons, including all costs and expenses related thereto, arising wholly or in part or in connection with the existence construction, alteration, maintenance, surveillance, repair, renewal, use or removal of the Facility by the Licensee or his agents, for those facilities located within the County Road system.
7. This License will be null and void if construction of the described facility does not commence within six (6) months of approval, unless prior arrangements have been made specifying a construction period.
8. The Licensee is hereby advised that any work operation in the vicinity of electric power lines shall be in compliance with §37-3-301 through §37-3-306 titled **Wyoming High Voltage Power Lines and Safety Restrictions Act**, and the Licensee is further advised to comply with the provisions of §37-12-301 through §37-12-304, titled **Damage to Underground Public Utilities Facilities**.

9. Any disturbance of the County road way will require the addition of a minimum of 6 inches grading W (3/4" minus) road base over the entire width and length of the disturbance.
10. Paved County road will not be cut if it can be bored. A gravel county road may be cut but the entire trench must be backfilled with 1 sack flowable fill to within 6" of finished grade.
11. **IF A PAVED COUNTY ROAD IS TO BE CUT the Licensee will pay \$1,000.00 to Big Horn County for the cut-in fee and will deposit a minimum of \$2,000.00 cash bond** to be held by Big Horn County for one year following the completion of the installation to guarantee restoration of the road to its former condition and to the satisfaction of the Road and Bridge foreman. The County may increase these fees for unique situations.
12. **Agreement to Location of Licensed Buried Facilities**
  - A. The Licensee agrees to locate and mark the facility being licensed in the following manner: The Utility Company or facility owner, as a condition of approval for the attached license, agrees to locate the facility identified by this license, when needed by the County for future construction and maintenance activities. Any future alteration or modification of the Facility within the existing right of way, required and requested by the County, shall be completed without delay and without cost to the County. All costs due to delays or lack of response to the County or County's contractor resulting from the failure of the Licensee to perform the required adjustments necessitated by a County construction project or maintenance activities, will be borne by the Licensee.
  - B. Location information will include the marking of the facility on the ground, as specified by W.S. 37-12-301 et seq., with the appropriate color. Location information will also include the nature and elevation of the facility. For each location, the utility shall be tied both horizontally and vertically, by coordinates to a datum approved by the County. The information will be shown on plans created by the utility company or facility owner. A copy of the plans should be sent to the Board of County Commissioners at P.O. Box 31, Basin, WY 82410. **Costs associated with identifying and locating the facilities will be the responsibility of the utility company or facility owner on County right-of way.**
13. The Licensee is issued with the understanding that conventional constructional methods like: trenching, plowing, boring, pole setting by truck, etc. will be used. Activities like blasting, erection of poles or structures by helicopter, other non-conventional methods will require specific prior approval by the County.
14. Additional specific stipulations may be attached to this form by the County and labeled "Exhibit B". The Licensee agrees to incorporate the applicable requirements into the design of the facility and assures compliance with these requirements during the construction of the facility. Non-compliance will void this license.

The Undersigned, the Licensee, hereby accepts this License subject to the terms and conditions contained herein. This license does not become valid until the appropriate fees have been received by the County.

Date: \_\_\_\_\_

Date Approved \_\_\_\_\_

\_\_\_\_\_  
Licensee (Printed Name)

\_\_\_\_\_  
Chairman, Board of Commissioners, Big Horn County

\_\_\_\_\_  
By (Signature)

Date: \_\_\_\_\_

\_\_\_\_\_  
Recommended by Big Horn County Engineering Office