



**Houston County  
Highway Department**

3340 Highway 149  
Erin, Tennessee 37061

Office: 931-289-4151  
Fax: 931-289-5185

Email: talsobrooks@msn.com

**UTILITY RIGHT-OF-WAY AGREEMENT**

**REQUEST TO WORK WITHIN THE COUNTY RIGHT-OF-WAY**

Date and Time of Request: \_\_\_\_\_

Request is being made by (applicant): \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ Fax #: \_\_\_\_\_

Email address: \_\_\_\_\_

Applicant seeks permission to install, maintain, and/or remove the following described utilities within the county right-of-way:

\_\_\_\_\_  
\_\_\_\_\_

At the following described location: \_\_\_\_\_

GPS location: \_\_\_\_\_ Log Miles (begin/end): \_\_\_\_\_

Type of work to be performed:

\_\_\_\_\_  
\_\_\_\_\_

Expected starting date: \_\_\_\_\_

Expected completion date: \_\_\_\_\_

Contractor, Subcontractor or Party to perform work:

\_\_\_\_\_

Address and Telephone # of company or party to perform work:

\_\_\_\_\_

Is this an emergency? \_\_\_\_\_ If yes, why?

\_\_\_\_\_

## **Requirements and Policies for Installation and/or Repair of Utilities in Houston County Right-of-Ways**

Agencies or companies desiring to perform work in the non-traveled portion of the right-of-way, must apply for approval from the Houston County Highway Department at least three (3) working days prior to desired work date. No work will commence without written approval of the Superintendent of the Houston County Highway Department or his or her designated representative. Applications will be evaluated and returned within three (3) working days. If needed, the Houston County Highway Department will attempt to arrange a joint on-site meeting the first working day after receiving the application. If the joint meeting is delayed, then approval of the application will be delayed accordingly.

(When emergency repairs are necessary, notification shall be given to the Houston County Highway Department within 24 hours)

All agencies that routinely perform work in the non-traveled portion of the right-of-way will apply for approval. Approval is required for below ground and above ground work. Blank applications may be obtained upon request at the Houston County Highway Department located at 3340 Highway 149, Erin, TN 37061 or by calling (931) 289-4151.

Any time work is performed on or adjacent to any county maintained road in Houston County, safety will be the primary consideration. Safety considerations will extend to the travelling public, local bystanders, and work crews.

### **The following are minimum requirements for operations in the right-of-way:**

1. Tennessee One Calls will be made by the Applicant prior to beginning any project to avoid damage to existing facilities.
2. All utilities in the right-of-way shall be a minimum of thirty (30) inches deep. When the manufacturers' specifications require greater cover, they will supersede the thirty (30) inch minimum. The county reserves the right to waive the minimum depth where rocky terrain and/or other circumstances make it difficult to obtain the desired depth. The county shall determine the minimum depth in these situations. Additional depth may be required in areas scheduled for future excavation.
3. All overhead utilities will be a minimum of sixteen (16) feet above the surface.
4. All above ground utilities will be a minimum of five (5) feet from the edge of the pavement or roadbed.
5. All roadways that have surface treatment such as asphalt and/or chip-seal must be bored only, no open cuts are permitted on paved roads. Bore depth shall be a minimum of four (4) feet.
6. Open cuts on gravel road surfaces are permitted only with the Houston County Highway Superintendent's approval. All cuts must be backfilled and compacted with TDOT approved stone. At no time will the road be completely shut down. Applicants will be responsible for all traffic control and will assume all liability.
7. Any areas within the right-of-way damaged by the installation shall be repaired and restored to its original condition by the applicant or the cost of the repair performed by the county shall be assessed to the applicant.
8. All work in the shoulder will be a minimum of two (2) feet from the paved surface. They will be backfilled in six (6) inch lifts, compacted to 95% RC, and the shoulder stone will be replaced with crusher run at a

minimum of four (4) inches deep and two (2) foot wide. All disturbed areas will be dressed, seeded, and stabilized (straw or geotextile) within 72 hours of completion of work.

9. The agency or persons securing approval, guarantee the work for one (1) year after acceptance by the Houston County Highway Department. This guarantee will include maintenance and repair, labor, and materials.

10. The owners of any equipment (fire hydrants, phone boxes, guide wires, utility poles, etc.) are responsible for keeping the area free of debris, grass, etc. and the highway department will not be responsible for any damage to equipment.

11. All county governments are released from any liabilities from underground utilities placed in drainage ditches, pipes, etc. for any damages incurred under normal circumstances (mowing).

12. A profile of proposed lines must be included in this application.

13. This agreement is a temporary easement only. Should the roadway be deemed necessary to change grade or alignment, the cost of relocation to any utility within the county ROW will be the responsibility of the applicant or the owner of the utility company.

\*If an emergency call is made, the REGULATIONS GOVERNING THE USE OF THE COUNTY RIGHT-OF-WAY still require that certain information be provided to the chief administrative officer, using the request form, within 24 hours of the call. The county assumes no responsibility for any damage to any facility that is not properly maintained by the utility provider.

The requesting party (applicant), by the undersigned agent, agrees to comply with the Houston County regulations, a copy of which I have received, in carrying out the work proposed above.

\_\_\_\_\_  
Signature of Applicant Agent

\_\_\_\_\_  
Date

Request approved as presented \_\_\_\_\_ (check if applicable)

Request approved subject to the following conditions: \_\_\_\_\_

Request rejected \_\_\_\_\_ (check if applicable)

Reason for rejection: \_\_\_\_\_

Approved By: \_\_\_\_\_

\_\_\_\_\_

Highway Superintendent, Houston County Highway Department

Date: