

HIGHWAY PERMIT CONDITIONS & RESTRICTIONS

Tazewell County Highway Department

1. Only a written permit issued by the County Engineer will satisfy the “written consent” requirement of the Illinois Highway Code.
2. This permit is effective in so far only as the County Engineer and the County of Tazewell of the State of Illinois, jointly and severally, have jurisdiction. In the event this permit is granted to locate, construct, operate and maintain utility facilities on a County highway right-of-way, the PETITIONER shall comply with all other applicable laws relating to the placement of utility lines, shall comply with other requirements of the County Engineer (e.g., oversize and overweight vehicles), and shall comply with the requirements of other local, state and federal agencies, including but not limited to, the Illinois Department of Transportation, United States Army Corps of Engineers, Illinois Department of Natural Resources, United States Environmental Protection Agency, Illinois Environmental Protection Agency, Illinois Commerce Commission, Illinois Department of Agriculture, Illinois Department of Conservation, Illinois Department of Mines and Minerals and Illinois Historic Preservation Agency.
3. This permit grants permission only to undertake certain activities on County highway right-of-way, and does not create a property right or grant authority to the PETITIONER to impinge on the rights of others who may have an interest in the right-of-way. Such others might include an owner of an underlying fee simple interest if the right-of-way consists of an easement or dedication, an owner of an easement, or those subject to another permit. It is the responsibility of the PETITIONER to satisfy all owners of property within or outside County highway right-of-way. In no case shall the permit give or be construed to create an easement, leasehold or other property interest of any kind in, upon, under, above or along the County highway right-of-way. The work permitted and authorized herein is for the bonafide purpose expressed. Parking or servicing of vehicles on HIGHWAY right-of-way is prohibited.
4. The PETITIONER, shall defend, indemnify, and hold the County of Tazewell and its duly appointed agents, employees and contractors harmless from all claims for injuries and damages to persons or property (including that of the PETITIONER) sustained by reason of the exercise of this permit.
5. The PETITIONER shall furnish all material, do all work, pay all costs and shall in a reasonable length of time restore said highway to a condition similar or equal to that existing before the commencement of the described work as determined by the County Engineer of Tazewell County, hereafter County Engineer. The PETITIONER shall reimburse the County for any repairs the County Engineer deems necessary and undertakes on the existing highway in case of emergency or neglect by said PETITIONER.
6. All work within the County highway right-of-way shall be located and constructed to the satisfaction of the County Engineer and shall conform in all respects to the plans and specifications as approved by the County Engineer as a part of this permit, as determined in the reasonable discretion of the County Engineer. No revisions or additions shall be made to the proposed work or the approved plans and specifications for any work within the County highway right-of-way without the express written consent of the County Engineer.
7. It shall be the responsibility of the PETITIONER to ascertain the presence and location of existing above-ground or underground facilities on the County highway right-of-way to be occupied by their proposed facilities. When notified of an excavation or when requested by the Department, the PETITIONER shall locate, physically mark, and indicate the depth of its underground facilities within 48 hours excluding weekends and holidays. Any field tile, subsurface drains, utilities or other property damaged by the PETITIONER shall be repaired by the PETITIONER at their expense. The repairs shall be in the manner prescribed by and shall meet the approval of the County Engineer and the owner of the applicable tile, drain, utility or other property.

8. The PETITIONER shall conduct the work so as not to interfere with or obstruct traffic on said highway and shall keep said highway open to traffic at all times, except where the permission granted is specifically for the temporary closing of a section of said highway. The PETITIONER shall provide protection to the traveling public and those performing the work by the use of traffic signals, beacons, signs, protective devices, pavement markings, barricades, lights and flagmen that are warranted during progress of the work in accordance with the current State of Illinois Manual of Uniform Traffic Control Devices for Highway Construction and Maintenance Operations and the latest revisions of the Highway Standards of the Illinois Department of Transportation.
9. Wherever trenches are constructed the PETITIONER shall thoroughly tamp and settle all backfills and fill upper surface of backfill with at least 15 inches of gravel where gravel shoulders, driveways, mail box approaches or side roads have been disturbed and to maintain all trenches until fully settled, as determined by the County Engineer.
10. The PETITIONER shall remove all excess dirt, shall leave the shoulders, ditches and backslopes in the same presentable condition as before construction, and shall reseed and fertilize all areas where existing sod has been disturbed during the prosecution of the work in accordance with the specifications of the State of Illinois.
11. The PETITIONER is prohibited from using on any bituminous surfaces or bridges any tractor or other machinery equipped with wheel or track lugs that would cause damage to bituminous surfaces. The PETITIONER shall replace and repair any bituminous surfaces damaged during construction as directed by the County Engineer. All facility crossings of bituminous surfaces shall be made by pushing, boring or tunneling underneath all areas supporting the roadway embankment (all areas between roadway ditch flowlines) to a depth which is a minimum of 24 inches below the proposed roadway ditch flowlines unless otherwise permitted by the County Engineer and as otherwise specified herein.
12. Facilities placed below the finished grade shall be a minimum of: 36" below the ground surface; 12" below the bottom of all interesting tile; 5 feet below minor crossing flowlines including but not limited to crossroad culverts, drainage swales or ditches; and 10 feet below all major crossing flowlines including but not limited to rivers, streams or creeks.
13. All facilities shall be installed in a manner which does not interfere in any way with the intended use or function of the County highway right-of-way as determined by the County Engineer, which shall include but is not limited to the egress, ingress, flow of traffic, and proper drainage.
14. The PETITIONER shall not trim, cut or in any way disturb any trees or shrubbery along said highway without the approval of the County Engineer.
15. The facilities authorized to occupy County highway right-of-way by this permit are subject to removal, relocation or modification by the PETITIONER, at no expense to the County, on notice given by the County Engineer in accordance with Section 9-113 of the Illinois Highway Code, as amended. In the event this permit is granted to locate, construct, operate or maintain utility facilities on County highway right-of-way, participation by the PETITIONER in the County's Utility Coordination Council is required as a condition of this permit and PETITIONER shall cooperate with the County Engineer in scheduling any such removal, relocation or modification deemed necessary for highway or highway safety purposes, and shall cooperate with the activities of said council.
16. In any case not covered by above conditions and restrictions the County Engineer is authorized to draw up reasonable conditions and restrictions suitable to the particular case.