# PERMIT STANDARDS FOR ALL UTILITIES WITHIN THE RIGHT-OF-WAY

Revised August 28, 2025

***9.5.2. UTILITY PERMITS***

Tuscola County Road Commission's Utility Permits are processed using a web-based permitting system called Oxcart Permits (http://www.oxcartpermits.com).

Prior to commencement of a project, a Right of Way permit application shall be completed. As per Michigan Compiled Law Public Act 368 of 1925 247.184 Section 14 "the consent of the Board of County Road Commissioners shall be obtained before the work of such construction shall be commenced; …" No person, organization, or governmental unit shall undertake or conduct any of the following activities within county road Right-of-Way unless a permit to allow such activities shall have been obtained from the Tuscola County Road Commission (TCRC).

- Construct, reconstruct, relocate, repair any facilities (sewer, water, gas, electric, drains, telephone, cable, fiber, guys/anchors, etc.)
- Perform any work (ditching, tree trimming, landscaping, etc.)

Failure to comply with any part of this document shall be just cause for either the temporary or permanent suspension of the permit, as well as the Permit Holder's other permits.

## Plan Requirements

All permit applications shall be accompanied by a set of plans which shall include all of the following:

- Drawing(s) on a proper size sheet at a reasonable scale for the proposed work with an arrow depicting North.
- Existing road pavement/surface, ditches, cross culverts, and dimensions thereof.
- Location of all existing utilities and driveways including surface type; and diameter and length of culverts.
- Show location of all proposed construction with dimensions from the Right-of-Way and centerline of Right-of-Way along w/ dimensions to centerline of existing roadway.
- Show the distance to the nearest monument box or section corner.
- Ditching plans must show watershed area, existing and proposed grades, ditch depth relative to roadway and calculations used in culvert sizing.
- A Traffic Control Plan documenting how traffic will be managed and controlled during construction.

Variations to these procedures must be approved by the TCRC.

INDEX

## General Requirements for All Utilities

A. All utility crossings of the public roadway shall be perpendicular within the road right of way, unless TCRC approved variance. Utilities running parallel to the road shall be installed at or near the edge of road right-of-way unless otherwise agreed upon by the Engineer. All material and workmanship shall comply with the current Michigan Department of Transportation Standard Specifications for Construction (MDOT Specs). Materials shall meet American Association of State Highway and Transportation Officials (AASHTO) standards as noted herein.

B. As per MDOT Road Design Manual; Section 9.02.02 (revised 7-25-2022) … "Private utilities may be located within trunkline ROW by permit issued by the Department pursuant to Public Act 368 of 1925. If conflicts between private utilities and a trunkline project exist, relocation or adjustment of the utility is at the utility company's expense." …

C. All installation activity shall conform to the permit terms listed on the reverse of the Right-of-Way Permit issued by TCRC.

D. The construction, maintenance, or reconstruction of all facilities shall be as described in an approved engineered drawing and permit.

E. The Permit Holder shall notify the TCRC by fax, email, or phone call between 24 and 72 hours before beginning construction.

F. All permits issued shall have clean-up and restoration performed at the time of installation. The restoration shall include, at a minimum: 4" topsoil, seed (summer or winter blend), and staked mulch blankets. Any variances shall be approved by TCRC prior to performing the work.

G. Any permits not completed by November 15th must be resubmitted with the TCRC and will be charged with a new permit fee in accordance with the current TCRC fee schedule. Winter permits may be issued at the discretion of TCRC. Winter Construction Practices shall be followed or the permit will be revoked.

H. Work crews shall have all applicable permits onsite. Miss Dig is to be notified prior to any work. No work shall be allowed on an unmarked location.

I. All work shall be performed Mondays through Fridays between 8:00 A.M. and 5:00 P.M. unless written approval is obtained from the TCRC. If road closures are permitted by the TCRC they shall be done during off-peak traffic hours, between the hours of 9:00 A.M. and 3:00 P.M. unless otherwise approved and/or directed by the TCRC.

J. If a road closure is not approved, traffic shall be maintained at all times. Sheeting may be required to protect the road if conditions warrant sheeting. The road surface may not be used for the storage of materials or any other construction purpose without prior approval of the TCRC. Depending on traffic volumes and other conditions, the TCRC may require the Permit Holder to provide bypass lanes (either paved or unpaved), may allow one-lane traffic properly controlled, or some combination of the two. Traffic control shall be in accordance with the TCRC Section 8. Traffic Control Policy.

INDEX

K. In the event of an emergency, a permit shall be obtained as soon as possible, but no later than the next working day. Immediate notification must be given to the TCRC for emergency (public safety, health, and welfare) work which requires the removal of the road surface. If the Tuscola County Road Commission cannot be reached, Tuscola County Central Dispatch shall be notified and a phone message/fax/email shall be submitted to the TCRC offices.

L. Routine inspections may be charged to an account established in the Utility's name. If damages are identified from routine inspections, the Utility will be contacted immediately. Repairs will be determined to keep the road safe for public travel. Charges by TCRC Maintenance crews may be made to the Utility's account for immediate repairs. Examples: bituminous patching or limestone/gravel patching, grading, or dust control.

M. The Contractor when performing work authorized by permit, within the right of way or on a project is responsible for protecting the life and health of all personnel; the safety and health of the public; and property during the construction of the project. The Contractor must comply with all local, state, and federal laws and regulations governing construction methods and the furnishing and use of safeguards, safety devices, protective equipment, and environmental and hazardous materials controls. All workers must wear high-visibility safety apparel as specified in the MMUTCD. Costs incurred to comply with this requirement will be the responsibility of the Contractor. Failure to follow these requirements may result in termination of the permit/contract.

N. Any Permit Holder who conducts his/her operations in a manner detrimental to the Road Commission's statutory obligation of maintaining roads and streets at all times in a safe and fit condition for the traveling public will be required to cease all operations within the Right-of-Way. If necessary, additional cash deposits and expense of maintaining a TCRC inspector (full time) may be required from the Permit Holder before the resuming of work.

O. If utility is being relocated due to conflict with future work, the abandoned utility must be removed from the Right-of-Way.

P. **Winter Construction Procedure:**

- **a.** Permitted work may be allowed at the discretion of the TCRC during winter restrictions (Nov. 15-Apr.15) contingent upon the following:
  - **i.** The work shall be scheduled (day and time) with TCRC at least 36 hours in advance. An inspector shall meet the crew onsite at the stated day and time to ensure they have the proper signs, equipment and restoration materials onsite.
  - **ii.** All frozen material shall be removed and replaced with suitable material.
  - **iii.** All cleanups shall be finished immediately following the installation of the utility. This would include topsoil, seed and mulch blankets. Please note that either winter seed or wheat will have to be used to prevent spring erosion. Before beginning another job, all clean-up from the previous job location shall be complete.
  - **iv.** If inclement weather presents itself, all work shall be rescheduled and all equipment shall be removed from the Right-of-Way

INDEX

## Requirements for Underground Utilities

A. **Material**

All material shall meet the requirements as stated in the MDOT Standard Specs, Section 401, 402.02, and 909.

a. HDPE: Smooth-lined corrugated plastic pipe shall meet the requirements of AASHTO M-294, Type S Polyethylene pipe.

b. PVC: Corrugated Polyvinyl Chloride Pipe shall meet AASHTO M-304, Certa-Lok joint. C900, or equivalent, shall be used for all water main or storm sewer crossings, Certa-Lok joint.

c. Steel Casing: Casings for under the road drains shall meet MDOT Spec section 909-06 and as herein specified. Casings are to be fabricated with corrugations of 2 2/3" x ½", have a galvanized finish, and all casing ends are to be re-rolled. All casings 24" and larger are to be built to a tolerance of plus or minus 1" from the normal size. 15" through 18" bands are to be a minimum of 11" in width. 24" and larger bands are to be a minimum of 21" in width. Bands are to be fully corrugated. Casings for Jack and Bore shall meet MDOT Spec sections 401-03H and 909-05D

*Bell and spigot joint allowed for approved open-cut method. See Table 402-1 in the MDOT Spec Book for further detail.

Note: Tracer Wire is required for all non-metallic pipe installation for post construction location purposes.

B. **Depth**

Utilities shall be installed at the depths displayed in Chart 1 according to utility type.

| Chart 1 | | |
|---|---|---|
| **Utility Type** | **Minimum Plow/Bore Depth in ROW** | **Minimum Road Crossing Depth** |
| Telecommunications and Cable* | **36"** | **48"** |
| Electric* | **48"** | **48"** |
| Gas and Oil* | **48"** | **48"** |
| Water, Storm Drains, and Sewer* | **60"** | **60"** |
| Agricultural Tile | | **36"** |

*Depths shall be measured from the bottom of ditch pan or road grade, whichever is lowest.

C. **Exposed Outlet**

When the cross road pipe has an exposed outlet a concrete ring, a steel end Section, or a concrete end section shall be installed as per MDOT Specs 404.02.C. A rodent screen shall also be installed. As shown in MDOT Standard Plan R-80-Series.

D. **Agricultural Drain**

Connections shall be made outside the Right-of-Way unless approved by the TCRC. All Material inside Right-of-Way shall meet TCRC Standards. If surface water may enter the drain, pipe shall be placed inside TCRC Approved Steel Casing under the roadway.

INDEX

E. **Bore or Jack**
When the pipe is installed by boring and jacking, the leading edge of the pipe shall proceed the auger by ½ times the diameter of the pipe. If the auger cannot be operated inside the utility pipe, a casing pipe will be required. A casing pipe may also be required at other times when deemed necessary by the TCRC. Directional boring methods may not require casing. If directional boring is to be used, the TCRC will evaluate requirements on a case-by-case basis.

F. **Shaft or Pit**
All shafts or pits shall be located at least 10 feet off the edge of pavement on all county roads. If the shaft or pit must be closer to the road than the above dimensions due to the location of the utility to be tapped, TCRC approval shall be required. Sheeting or shoring shall be used on all sides of the excavation which are closer to the road than the above requirements. Protection-Fencing barriers shall be installed at the site until Backfilled. Backfill shall meet trench backfill requirements with suitable material.

G. **Drilling Fluids**
Drilling fluid shall be used during drilling and back reaming operations. Excess drilling fluids shall be contained in a lined pit or containment pond, or trailer-mounted portable tank, until removed from site. Drilling fluids shall not be allowed to enter the streets, manholes, sanitary and storm sewers, and other drainage systems, including county drains, streams, and rivers.

H. **Fill Voids**
All voids shall be filled by pressure grouting or other approved methods. If any settlement or other change in grade occurs, the road shall be reconstructed per TCRC typical cross section.

I. **Open Cut**
If the TCRC approves crossing the road by the open cut method, the provisions for handling traffic will be as directed by the TCRC. Approval of road closures will usually require that detours be installed in accordance with TCRC Maintaining Traffic Spec. Requests for road closures must be made in writing and include the location, length of time the road will be closed, approximate starting and completion dates and reasons for the request. Open-cut crossings shall be made during off-peak traffic hours, normally between the hours of 9:00 A.M. and 3:00 P.M. unless otherwise approved and/or directed by the TCRC.

J. **Pavement Removal**
All utility trenches crossing major roads by the open-cut method shall remove pavement to a minimum width of 5 feet and at least 1 foot wider on each side than the trench. All Pavement Removals require TCRC Approval.

K. **Saw Cut**
The pavement shall be cut by sawing unless otherwise approved. All saw cuts shall be made in a straight line and shall be parallel to existing transverse and longitudinal joints unless otherwise approved.

INDEX

L. **Backfill**
Backfill shall be as per MDOT Spec Section 401.03D. MDOT Certified Class II Sand up to 6" (six inches) below the bottom of the existing surface. Remaining 6" backfill shall be 23A Crushed Gravel or 23A Cr. Limestone, matching existing material. A copy of the certified mechanical analysis shall be supplied to TCRC for all material used. Match existing thickness of hard surface or 3" (three inches) of 13A bituminous or LVSP, whichever is greater.

M. **Density**
For all open cuts or If work is done within a 1' on 1' influence from the edge of the gravel shoulder backfill shall be in appropriate lifts with density tests taken. A copy of results shall be supplied to the TCRC. Density to a minimum of 95%. Class II Sand Compacted to 95% of the maximum unit weight as per MDOT Specs Section 401.03.D. Aggregate compacted to 98% of the maximum unit weight at no greater than optimum moisture content, as per MDOT Specs Section 307.03. Density Testing can be supplied by TCRC if the contractor so chooses.

N. **Fiber Optic Cables**
All fiber optic cables shall be installed between 28' and 33' from the center of the road right of way. Installations shall be in straight lines in-so-far as possible, with deflections subject to approval in advance. Marker posts shall be installed at all cross culverts & intersections to clearly mark the location. Additional markers will be required at deflections. Caution ribbon shall be installed with the cable. Caution Ribbons must be 12"-18" above the cable.

## Road Crossing Method

All crossings will be done by approved methods other than the open-cut method if possible & all crossings shall be perpendicular within the road right of way. Any variance must be approved by the TCRC.

A. **Gravel Road**
Allowed to open cut a trench with proper backfill as per MDOT Specs, Section 401.03 D. Class II Sand up to 6" (six inches) from top of road. Remaining 6" (six inches) shall be 23A Cr. Gravel or 23A Crushed limestone, match existing. Contractor shall meet all **Requirements for Underground Utilities.** Proper notification shall be done by Contractor to TCRC, Central Dispatch, Post Office, and School District (if during school year).

B. **Hard Surfaced Road**
All requests for Hard Surfaced Road open cuts must obtain TCRC Board Approval. If allowed to open cut, proper backfill as per MDOT Specs, Section 401.03 D. Class II Sand up to 6" (six inches) from top of road and the remaining 12" (twelve inches) shall be 23A Cr. Gravel or 23A Crushed limestone (match existing) is required. Match existing thickness of hard surface or 3" (three inches) of 4EL, whichever is greater. Contractor shall meet all **Requirements for Underground Utilities**. Proper notification shall be done by Contractor to TCRC, Central Dispatch, Post Office, and School District (if during school year).

INDEX

## Requirements for Overhead Utilities

A. All overhead crossings of the public roadway shall be perpendicular within the road right of way, unless TCRC approved variance. Location shall be no closer than 100' (feet) horizontally to a water crossing of 36" (inch) diameter or more. Utilities running parallel to the road shall be installed at or near the edge of road right-of-way unless otherwise agreed upon by the Engineer. All material and workmanship shall comply with the current Michigan Department of Transportation (MDOT) Standard Specifications for Construction (MDOT Specs), the National Electrical Code (NEC) as well as, the National Electrical Safety Code (NESC).

B. The Utility Company shall notify the TCRC of project completion. All roads affected by the project will be reviewed for damage by TCRC. If deemed necessary by the TCRC, a plan will be identified to have repairs completed within a specific time frame. If repairs are not completed within the time frame, all future permits will be held until an agreement is established with the TCRC.

C. Vertical clearance of wires, conductors, and cables over TCRC roadways for an unloaded sag with no wind at 60 degrees F shall not be less than 18 feet. The vertical clearance of wires, conductors, and cables over these roadways for a loaded sag with ice at 32 degrees F shall not be less than 15ft 6in.

D. All utility poles shall be located a minimum of 31 feet from the center of the road right of way. In areas of wider right of way, poles shall be located a minimum of 40 feet from the center of the Right-of-Way. Upon decommissioning of the poles, they shall be removed from the Right-of-Way by the Utility at no additional cost to the TCRC.

INDEX

## Public Utility Annual Maintenance Permit

The following is a list of the activities which utility companies will be allowed to undertake within the Tuscola County Road Right-of-Way under an annual permit, and the conditions under which activities will be allowed:

A. **Allowable Annual Permit Activities**

- Repair existing underground conduit, buried cable, buried wire, and pipe (not under pavement).
- Replacement of bad cable sections with like size up to 200 feet parallel to the roadway or up to 66 feet perpendicular to the roadway. This only applies if all excavation is at least 10 feet from the edge of the road. If the replacement cable is to be placed outside the immediate area (more than 2 feet away from the existing location centerline), special permission is required to do so. (This item does not apply to gas mains – see below)
- Near-side service leads may be installed up to 300 feet parallel to the roadway.
- Insertion of plastic pipe inserts or lining through existing mains. (no pavement cuts)
- Install buried cable or wire loop/lateral to an existing pole in an existing pole line or to an existing pedestal. This may include crossing of the road by squeeze boring or pushing one pipe 2 inches or less in diameter.
- Install, remove or replace any case with similar size on existing buried cable or wire.
- Replace open wires, single pair rural wire and/or drop wire with multiple line wire or small cable on the same pole line.
- Repair and maintenance of open wire, multiple type wire, drop wire and aerial cable.
- Replace or add up to two poles within or beyond an existing pole line.
- Repair and/or replace leaking, distressed or otherwise damaged sections, up to 50 feet, of existing gas mains (except under pavement). Backfill and restore in accordance with this policy.
- Adding or replacing guys and/or anchors to poles parallel to the road or directed away from the road.
- Install aerial drops which do not require a new pole within road Right-of-Way outside of existing pole line, or install aerial drop along with intermediate pole in an existing pole line to permit installing aerial drop.
- Inspect and maintain systems, valves and meters and their associated manholes.
- Conduct soil borings outside of the traveled surface. Voids shall be backfilled with suitable material and borings in asphalt or concrete shall be capped.
- System tie-ins to existing near-side facilities (except under pavement).
- Survey work, locating, and investigating utility facilities.
- Tree Work.
- Place and replace utility marker posts.

INDEX

B. **Conditions for Annual Maintenance Permit Activities**

- Miss Dig is to be notified prior to any work. No work shall be allowed on an unmarked location.
- Except for survey, location, and investigation work, as well as aerial repair, the annual maintenance permit does not apply during winter shutdown (Nov. 15- Apr. 15).
- The TCRC shall be notified of all work in advance with the approximate location and date. Failure to provide the required notification and other disruptions (such as improper signing/safety issues) shall result in an additional inspection charge of four (4) hours of inspection time to cover time lost in scheduling and other related costs incurred by the Road Commission. Emergency repairs may be made with notification being given to the Road Commission as soon as possible, but no later than the next working day.
- Any work requiring pavement removal requires a separate permit. If emergency repairs are necessary under the pavement, refer to the first section of this policy regarding notification.
- Monthly reports shall be submitted to TCRC Permits listing the location, date, and type of work for each activity performed. These reports shall be provided within seven (7) calendar days after the end of each month.

Failure to comply with any of the above conditions, or to submit timely payment of all fees and monthly bills, will result in the cancellation of the annual permit. At such a time, a separate utility permit shall be required for all work within the road right-of-way per the requirements set forth previously in this policy.

INDEX