

RESOLUTION # _____

RESOLUTION ADOPTING UTILITY PERMITS

BE IT RESOLVED by the Board of Laramie County Commissioners,

WHEREAS, The Board of Laramie County Commissioners, having provided a public hearing and opportunity for public comment upon the proposed amendments and complied with W.S. 16-3-101 et seq. in adopting Utility Permits;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF LARAMIE COUNTY COMMISSIONERS, that the Utility Permit attached hereto as "Exhibit 1" is hereby adopted as an administrative rule.

PRESENTED, READ, AND ADOPTED this day of July, 2021.

BOARD OF LARAMIE COUNTY COMMISSIONERS

Chairman

ATTEST:

Debra Lee, Laramie County Clerk

Reviewed and approved as to form:



Laramie County Attorney's Office

LARAMIE COUNTY UTILITY PERMIT

Laramie County Public Works Department

13797 Prairie Center Circle Cheyenne, WY 82009

(307) 633-4302

permits@laramiecounty.com

The Owner/Permitee hereby acknowledges and agrees as follows: Laramie County, Wyoming, through the Laramie County Public Works Department (hereinafter called the "County"),

1. The nonrefundable application fee for this permit is **\$50.00**.
2. The facility will be placed in a manner conforming to recognized standards, applicable federal, state, or local laws, codes, ordinances, and regulations, and as specified in the latest edition of the Wyoming State Highway Department Utility Accommodation Regulation, in the exact location shown on the attached "Exhibit A". Placing the facility in a location other than originally approved without obtaining prior County approval by submitting a revised "Exhibit A" may void the permit.
3. Attached to this permit is a plan sheet(s) labeled "Exhibit A", which clearly shows the facility's alignment, grade, vertical and horizontal clearances, types of material, operating pressure and/or capacity, roadway location, as well as dimensions from the proposed facility to the roadway and/or right-of-way line, which by this reference is made a part thereof. Any future alterations, modifications, or removals of the facility within the right-of-way, required and requested by the County, shall be completed immediately. Adjustments will be accomplished at no expense to the County, unless otherwise provided by law, if such adjustments are required for public use of the roadway.
4. The permit is pursuant to W.S. 1-26-813 and grants permission for the Owner/Permitee to occupy a portion of the right-of-way controlled by the County. The type of controlling interest held by the County limits this permission. Responsibility to satisfy any other fee (deeded) interest rests with the Owner/Permitee.
5. Permittee shall notify County in writing thirty (30) days before any transfer, modification, or assignment of this permit. The permit does not allow for installation of additional facilities, nor does this permit set aside a strip of land of specific width for the exclusive use by the Owner/Permitee. Minor repairs, minor additions to existing equipment and routine maintenance are permissible without additional permitting provided that prior notification is made to the County, except in emergencies where notification is not feasible.
6. The Owner/Permitee agrees to the standards for traffic control as outlined in the "Manual on Uniform Traffic Control Devices", including supplements. Standards developed by the Owner/Permitee may be substituted for the cited manual provided the County has approved them. The Owner/Permitee must cease all operations if he does not comply with traffic control standards. If lane closures or road closures are anticipated, traffic control plans will be submitted to the County for approval prior to starting any work within County right-of-way. No work shall begin in County right-of-

way until all traffic control devices and personnel are in place.

7. The County hereby reserves any claims it may have to sovereign immunity as a defense to any action available to it by law arising in conjunction with this agreement.

Laramie County Public Works Department

The Owner/Permittee claims no property rights in and to the public road being used for its fixtures and facilities. If the Owner/Permittee fails to comply with the provisions of this permit as accepted, the Owner/Permittee agrees to pay all reasonable damages proximately caused by such failure as actually incurred by the County. The Owner/Permittee shall save harmless Laramie County and all of its representatives from all suits, actions or claims of any character, brought on account of any injuries or damages sustained by any person or persons or property in consequence of any act or acts caused by construction by the Owner/Permittee, contractor(s), their employees or representatives.

8. The County may attach specific construction considerations that may be required for public use of the roadway to this form. The Owner/Permittee agrees to incorporate such requirements into the design of the facility and assures compliance with these requirements during the construction of the facility. Non-compliance will void this permit. This requirement is not intended to supplant the authority of the Public Service Commission.
9. The Owner/Permittee is required to notify the County in writing to cancel and/or nullify any issued permit if the described facility is to be abandoned in place, will be removed, or will not be constructed. The County will determine if abandonment in place will hinder the County's future operations and if the facility must be removed at the time of abandonment.
10. The permit 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 for a specific construction period. This permit shall be null and void if the described facility is not in use for a period of eighteen (18) months or longer, and the Owner/Permittee may be required to remove the facility.
11. Based upon the complexity, construction methods or other concerns, the County may assign part-time or full-time inspector(s) to the Owner/Permittee's project. The County will notify the Owner/Permittee at the time of permit issuance of the assignment of an inspector(s) and provide the Owner/Permittee with an estimate cost of inspection at the expense of the Owner/Permittee. The cost of such inspection will be at the sole expense of the Owner/Permittee, at the rate of \$50.00 per hour or as set through resolution by the Laramie County Commissioners. The Owner/Permittee, Contractor(s), their employees, agents or representatives shall have in their possession a copy of the Utility Permit at the job site. The Owner/Permittee shall notify the County prior to beginning and completion of work.
12. The Owner/Permittee is hereby advised that any work operation in the vicinity of electric power lines shall comply with W.S. 37-3-301 through 37-3-306, titled Wyoming High Voltage Power Lines and Safety Restrictions Act, and the Owner/Permittee is further advised to comply with the provisions of W.S. 37-12-304, titled Damage to Underground Public Utilities Facilities.

13. The Owner/Permittee will be required to close and patch all cuts and/or holes within one week after the facility is in place. If weather will not allow, Owner/Permittee will patch with temporary and monitor until such time as a permanent patch can be placed. Permittee agrees that if these conditions are not met the County will finish the work and the Owner/Permittee will be billed for all associated costs.
14. The Owner/Permittee agrees to comply with all federal, state and local laws/regulations.
15. The Owner/Permittee agrees to ongoing maintenance of the facility placed in the right-of-way at the expense of the Owner/Permittee.

EXHIBIT 1

LARAMIE COUNTY UTILITY PERMIT

Permit No. _____

(Permit is valid for 60 days.)

Construction Activity Location (Include County Road Number or Section/Township/Range or Subdivision Lot/Block/Tract or Address.)

Start Date: _____

Completion Date: _____

Description of Utility to be Installed (Attach Exhibit A)

APPLICANT CONTACT INFORMATION

OWNER/PERMITEE

ADDRESS

PHONE

COMPANY

TITLE

SUPERINTENDENT

EMAIL ADDRESS

I, the undersigned hereby certify that this application has been completed truthfully, that I have read the above conditions and understand them fully, and that I will take full responsibility for performance of the type of work under this permit. I understand that failure to complete work according to terms of this permit and applicable law or regulation may result in the County completing said work or removing nonconforming work. The costs of such County action shall be imposed upon my organization or me. I further understand that failure to comply with the terms and conditions of this permit or any other applicable law or regulation may subject me to criminal penalty and/or any other available legal action. The undersigned, Owner/Permittee of the facility, hereby accepts this Permit, subject to the terms and conditions stated herein.

Printed Name

Applicant Signature

DATE

PERMIT AUTHORIZATION

Laramie County Inspector's Signature

Date

Comments: