

## DIVISION 3. UTILITIES IN PUBLIC ROADS AND STREETS\*

*Subdivision I. In General***Sec. 14-2251. Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Applicant* means any utility applying for or receiving a permit for the rights and privileges within the scope of this division.

*Bond* means the approved form of security furnished by the applicant and its surety, if required, as a guaranty of good faith, and the ability on the part of the applicant to execute the work and maintenance in accordance with the terms of the permit and the provisions of this division.

*Crown* means a vertical rise between the edge and the centerline of the base of the surface of a road.

*Engineer* means the county engineer or his designated representative.

*Equipment* means all machinery and equipment, together with the necessary supplies for upkeep and maintenance, and tools and apparatuses necessary for the proper construction and completion of the work permitted under this division.

*Materials* mean any substances specified, needed, useful or used in connection with the construction of a project under this division.

*Pavement* means the portion of the roadbed consisting of the base and surface course resting on the subgrade, or in some types such as concrete, the surface course only, considered as a single unit, specifically constructed for vehicular traffic.

*Permit* means the permission in written form issued by the county through its authorized engineer granting permission to the applicant to proceed with the project under the provisions of this division within a road right-of-way.

*Plan* means the proposal of the applicant for work within a road right-of-way, including working drawings or reproductions of such drawings, which show the location, character, dimensions and details of the work proposed to be done within a road right-of-way, and which are acted on by the engineer.

*Project* means the specific construction within a road right-of-way for which a permit under this division is sought by the applicant.

*Right-of-way* means the land conveyed, secured, reserved, dedicated or acquired to the public for road or street purposes, including all land conveyed to the county by deed, plat or

\***Cross reference**—Utilities, ch. 70.

other dedication and used for public roads and streets, and all land acquired by prescription, acquiescence, permission, adverse possession or otherwise used for public roads and streets. All land within any conveyance, any portion of which is used for road purposes, is considered to be within the right-of-way. Roads acquired by prescription, acquiescence, permission or adverse possession for which no deed or plat has been recorded, the right-of-way extends from one foot back of the top of each drainage ditch on each side of the road, but not less than 25 feet from the centerline of such road. This term shall also include any land proposed to be acquired for road purposes within the knowledge of the engineer for which plans are being prepared for construction. Fences are usually not on the right-of-way lines and may not be accepted as such lines.

*Roadbed* means the graded portion of a road, between the intersection of the top and side slopes, upon which the base course, surface course, shoulders and median are constructed.

*Shoulder* means that portion of a roadbed contiguous with the traveled way for accommodation of stopped vehicles, and for lateral support of the base and surface courses.

*Special provisions* mean specific directions and provisions additional to the provisions of this division which are made part of the granting of any permit setting forth conditions or requirements peculiar to the permit or project, and which will govern over the general specifications of this division.

*Subgrade* means the part of the roadbed prepared as a foundation for topping, base and surface courses.

*Surety* means the corporate body, qualified under the laws of the state, which is bound with and for the applicant for the acceptable performance of the project and maintenance of the project as required by this division.

*Work* means all of the work specified to be done, covered by a permit under this division, within the right-of-way of any road, and which is covered by the provisions of this division.

*Utility* means any public or private company, whether owned by a person, partnership, district, association or corporation, operating any electric, telephone, radio, telegraph, gas, oil, water or sewer transmission or distribution service proposing to construct lines within the right-of-way of any county road or street. This term shall include any contractor, subcontractor or other person performing work for the applicant in a road right-of-way. The utility shall be responsible for all acts of any contractor performing work under the provisions of this division. The engineer shall consider the foreman or superintendent in charge of the work actually on the location of the project as the direct representative of the utility who received the permit and who is authorized to act for it unless the utility notifies the engineer otherwise in writing, and designates its representative who is available at all times to consult with the engineer. The terms "applicant" and "utility" shall have the same meaning.

(Order of 12-4-1967, § 2)

**Cross reference**—Definitions generally, § 1-2.

**Sec. 14-2252. Purpose.**

This division shall control and govern all construction by any utility company within the right-of-way of any public road or street in the county outside of the boundaries of incorporated municipalities.

(Order of 12-4-1967, § 1.01)

**Sec. 14-2253. Perpetual or blanket permits in effect.**

The board of supervisors has granted certain utility blanket or perpetual permits to use the right-of-way of county roads. Such perpetual or blanket permits are not revoked by this division, but the future use of such permits shall be governed and controlled by this division. The holders of such permits shall be required to make application as provided by this division, and comply with the provisions of this division in every respect. Failure to comply with the provisions of this division shall be considered a violation of the perpetual or blanket permit previously issued, and shall be grounds to revoke such permit, to the extent permitted by law.

(Order of 12-4-1967, § 1.02)

**Sec. 14-2254. Grant of right.**

(a) Any public or private utility company, as defined in section 14-2321, is granted the right to use the right-of-way of any public road or street in the county under the jurisdiction of the board of supervisors, subject to compliance with the provisions of this division and any amendment to this division.

(b) Certain public utilities are authorized by the laws of the state to erect, place and maintain their facilities along, across and under the right-of-way of any public road or street in the county which is under the jurisdiction of the board of supervisors, and compliance with such laws by such utility shall not constitute a waiver or relinquishment of any right, privilege or power which such utility may possess under the laws of the state.

(Order of 12-4-1967, § 1.03)

**Sec. 14-2255. State and federal aid funded roads.**

The county engineer is the designated representative for all roads on the state aid road system and federal aid road system.

(Order of 11-19-1990)

**Secs. 14-2256—14-2285. Reserved.***Subdivision II. Permits\**

## Part 1. Generally

**Secs. 14-2286—14-2320. Reserved.**

\***Cross reference**—Laying or maintaining telephone and electric cables and wires, § 70-1.

Part 2. Application

**Sec. 14-2321. Forms.**

The applicant for a permit to construct utility lines within the right-of-way of county roads may secure application forms from the county engineer. Such forms may be duplicated by the applicant, but shall be in substantially the same form as the official application provided by the county. Nothing contained in the application as provided by the county shall be deleted, modified, amended or changed without permission of the board of supervisors.

(Order of 12-4-1967, § 3.01)

**Sec. 14-2322. Filing.**

(a) The permit application, in duplicate, must be filed by the applicant or his designated representative with the county engineer, either in person or by mail, or any other means of transmittal.

(b) Any manager, superintendent, foreman, agent, engineer or person with management responsibility with any utility may file the permit application on behalf of the utility. If any utility desires to limit persons authorized to make applications in its behalf, such utility must file with the county engineer a letter designating the persons authorized to act for it. Unless such a letter limiting the right to file applications to certain designated persons is filed with the county engineer, the engineer will be authorized to act on any application made in the name of any utility by persons with management or engineering responsibility.

(Order of 12-4-1967, §§ 3.02, 3.03)

**Sec. 14-2323. Content.**

(a) Both copies of a permit application shall be signed, dated and completely filled in. The application shall also contain a set of work plans showing the:

- (1) Location of the project sufficient so that the engineer can identify where the work will be done;
- (2) Nature of the work;
- (3) Materials to be used;
- (4) Depth of any trenching;
- (5) Method and details of backfilling;
- (6) Location of poles;
- (7) Approximate time construction will begin;
- (8) Encasement of pipe, exact location of underground crossings, lines and appurtenances; and
- (9) Any other matter requested by the engineer.

(b) The engineer may request any additional information, data or drawings of the proposed project at any time before or after the permit to construct utility lines within the right-of-way of county roads is granted.

(Order of 12-4-1967, §§ 3.04, 3.05)

**Sec. 14-2324. Approval; denial.**

The engineer shall grant or deny the application for a permit to construct utility lines within the right-of-way of county roads within seven days of the date of actual filing of such application. If the application is approved by the engineer, he, as the authorized representative of the board of supervisors, after consulting with the supervisor involved, shall sign and date the permit at the bottom of the application, and return one copy to the utility which shall constitute permission for the utility to begin the work described in the permit application. Neither the applicant nor the county, by the execution of an application or the obtaining or granting of a permit, waives or relinquishes any rights, privileges or powers conferred upon them by any laws of the state with reference to the subject matter of such application or permit.

(Order of 12-4-1967, § 3.06)

**Sec. 14-2325. Changes or alterations.**

(a) Any changes or alterations in the work permitted under this division pertaining to location or affecting the road must be approved by the engineer prior to commencing the change or alteration if the change or alteration exceeds the limits of change or alteration permitted by this division.

(b) An application for change or alteration in the work plans filed with the engineer may be set forth in a letter or other form, in duplicate, detailing the change or alteration requested, with plans sufficient to enable the engineer to understand the desired change. The application shall identify the permit sought to be amended. No work on the change or alteration shall begin without the engineer's approval. The engineer shall indicate his approval of such change or alteration by signing, dating and returning one copy of the application for change or alteration to the applicant.

(Order of 12-4-1967, §§ 3.07, 3.08)

**Sec. 14-2326. Copy of application to be filed.**

The engineer shall retain one copy of the permit application, and any amendment or alteration to such application in his office, with all plans, specifications, explanations and other data filed with the engineer.

(Order of 12-4-1967, § 3.09)

**Sec. 14-2327. Bond.**

No underground work within the county shall be permitted until the applicant for a permit to construct utility lines within the right-of-way of county roads shall first file a bond as a

guaranty of good faith and ability on the part of the applicant to execute the work and maintenance required by this division. Utilities which hold a certificate as self-insurers from the state department of public safety shall not be required to have a surety on the bond unless the board of supervisors, in its discretion, orders otherwise. All other utilities must file a bond with corporate surety. The engineer shall determine the amount of bond to be required, which shall be the estimated cost of repairing all damage caused by the project, and the cost of maintaining the work for a period one year after completion. The bond must be made payable to the county, approved by the chancery clerk, and be filed in the chancery clerk's office before work begins, and shall be conditioned that the applicant will perform the work according to the provisions set forth in this division, and any special provisions required by the engineer, and shall maintain the work for a period one year after completion of such work, as required by this division. At the option of the applicant, an annual performance and maintenance bond may be filed covering all construction to be performed by the applicant within the ensuing year in an amount estimated by the engineer to be adequate to protect the county. If the actual construction exceeds the estimate, and in the opinion of the engineer, the bond becomes inadequate to protect the county, the engineer may require the applicant to furnish an additional or supplemental bond.

(Order of 12-4-1967, § 3.10)

**Sec. 14-2328. County engineer to determine and decide.**

The county engineer is designated as the representative of the board of supervisors and the county in all matters pertaining to this division. His interpretation and decision shall be final and conclusive unless an appeal to the board of supervisors is made as provided in this division. The designated representative of the engineer may act in his absence on all matters pertaining to this division.

(Order of 12-4-1967, § 3.11)

**Sec. 14-2329. Time limits.**

Work which is permitted under this division shall begin within one year from the date of such permit. If the work is not begun within such one-year period, the permit shall be automatically voided and of no effect, and a new permit application may then be filed.

(Order of 12-4-1967, § 3.12)

**Sec. 14-2330. Refusal to issue permit; amendment of application.**

If the engineer refuses to issue a work permit under this division, he shall give his reason for such refusal to the applicant, and at the request of the applicant, the engineer shall give his reasons for such refusal in writing. If the applicant amends the permit application to comply with the objections of the engineer, and the application conforms with the requirements of this part, the permit may be granted. At the option of the applicant, the application may be withdrawn and a new application, conforming with the specifications of this part and the requirements of the engineer, may be filed.

(Order of 12-4-1967, § 3.13)

**Sec. 14-2331. Alteration of application.**

The engineer, at his option, after consultation with the permit applicant's representative, may alter, change, modify, add to or otherwise amend the application by special provisions he deems suitable, necessary and in the interest of the public. Such special provisions of the engineer shall be deemed part of the application, when made, and shall be complied with, followed and performed by the applicant if work proceeds under the permit. The permit, as issued by the engineer, may not be modified, changed or altered in its scope and content by the applicant.

(Order of 12-4-1967, § 3.14)

**Secs. 14-2332—14-2365. Reserved.**

## Part 3. Appeals

**Sec. 14-2366. Appeal to board of supervisors.**

Any applicant or permit holder under this division who feels aggrieved by a decision of the engineer on such application may appeal such decision to the board of supervisors.

(Order of 12-4-1967, § 4.01)

**Sec. 14-2367. Time limitation.**

An appeal to a decision of the engineer must be filed with the board of supervisors within 30 days after the decision of the engineer is delivered to the applicant on the permit application.

(Order of 12-4-1967, § 4.02)

**Sec. 14-2368. How filed.**

An appeal may be taken by filing with the clerk of the board of supervisors duplicate copies of the application and decision of the engineer appealed from, and a statement in writing as to why the applicant believes the engineer was incorrect in his decision.

(Order of 12-4-1967, § 4.03)

**Sec. 14-2369. Hearing.**

The board of supervisors will conduct a hearing of an appeal at a time and place to be designated by the board of supervisors. Such hearings will ordinarily be conducted on the Wednesday after the first Monday of each month at 10:00 a.m., but the board of supervisors, in its discretion, may designate other times for such hearings.

(Order of 12-4-1967, § 4.04)

**Sec. 14-2370. Record.**

No record shall be made of an appeal hearing before the board of supervisors unless requested in advance by the appealing utility. If the utility desires a stenographic record of the hearing, it shall make all arrangements for such stenographic record and shall pay the stenographer.

(Order of 12-4-1967, § 4.05)

**Sec. 14-2371. Attorneys.**

Any appealing utility may be represented by an attorney of its choice at the appeal hearing. The attorney for the board of supervisors shall attend the hearing and advise the board of supervisors, and may examine witnesses at the request of the board of supervisors.

(Order of 12-4-1967, § 4.06)

**Sec. 14-2372. Decision.**

The board of supervisors shall, without undue delay, affirm, modify, amend, change, replace, cancel or rescind the decision of the engineer appealed from. The board of supervisors shall enter such order as it determines in its judgment to be just and in the interest of the public.

(Order of 12-4-1967, § 4.07)

**Sec. 14-2373. Appeal by a utility.**

A utility may appeal from the decision of the board of supervisors, as set forth in section 14-2372, in the manner provided by law.

(Order of 12-4-1967, § 4.08)

**Secs. 14-2374—14-2405. Reserved.**

Part 4. Exceptions

**Sec. 14-2406. Emergencies.**

Emergency work to repair breaks and interruption in service occurring within a right-of-way of any public road within the county may be performed without first securing a permit; however, if such work requires the traveling surface of the road to be broken, the engineer shall be notified within five days, and the repairs to the road shall be constructed as required by subdivision VIII of this division.

(Order of 12-4-1967, § 10.01)

**Sec. 14-2407. Overhead service and supply lines.**

Overhead service and supply lines not necessitating digging or erecting poles or structures on the county road right-of-way may be installed by utilities without a permit, provided the utility must furnish to the engineer, at least monthly, a list of such installations, with sketches showing the location of each installation.

(Order of 12-4-1967, § 10.02)

**Secs. 14-2408—14-2440. Reserved.***Subdivision III. Control of Roads***Sec. 14-2441. Authority.**

Sole authority over construction and maintenance of the roads of the county shall, at all times, be vested in the board of supervisors, and nothing in this subdivision shall limit such authority.

(Order of 12-4-1967, § 5.01)

**Sec. 14-2442. Representative designated.**

The board of supervisors has designated its duly appointed county engineer as its representative in the administration of this subdivision. The engineer's decisions under this subdivision shall be final and conclusive, unless and until an appeal is taken to the board of supervisors as provided in this division.

(Order of 12-4-1967, § 5.02)

**Sec. 14-2443. Permit limits.**

No permit under this division shall be construed to grant to the permit applicant any right, title or claim in or upon any county road.

(Order of 12-4-1967, § 5.03)

**Sec. 14-2444. Reconstruction and relocation.**

The board of supervisors may at any time require and compel the reconstruction or relocation of any line, pole or appurtenance within the right-of-way of any county road when the board of supervisors deems it necessary for the repair, maintenance, widening and reconstruction of such road. All such reconstruction or relocation shall be at the expense of the applicant and the county, board of supervisors, engineer and their employees shall in no way be liable for such expense.

(Order of 12-4-1967, § 5.04)

**Sec. 14-2445. Time for relocation or reconstruction.**

All permits under this division are granted on the express condition and requirement that, on request of the board of supervisors, the utility will, without delay, either reconstruct or move any facility constructed pursuant to the permit to another location, all in accordance with the terms of the request made by the board of supervisors. The board of supervisors shall use all reasonable effort to avoid the necessity of requesting that the facility be moved, altered or reconstructed.

(Order of 12-4-1967, § 5.05)

**Secs. 14-2446—14-2480. Reserved.**

*Subdivision IV. Regulation of Work*

**Sec. 14-2481. General authority of engineer.**

The engineer shall have general authority to regulate the work on a project under this division to promote safety and convenience to the traveling public, protection of the public roads and rights-of-way, and property of the county within the right-of-way.  
(Order of 12-4-1967, § 6.01)

**Sec. 14-2482. Plans and working drawings to be available at worksite.**

The utility shall at all times have available on the worksite one copy of the plans, specifications and proposed assemblies for such work. Such plans and specifications may be inspected by the engineer at any time. The plans, in general, shall show such details as are necessary to give a comprehensive idea of the construction contemplated, and shall be supplemented by such working drawings as are necessary for the engineer to determine the location of proposed lines and assemblies.  
(Order of 12-4-1967, § 6.02)

**Sec. 14-2483. Cooperation of utility.**

The utility shall cooperate with the engineer in every possible way.  
(Order of 12-4-1967, § 6.03)

**Sec. 14-2484. Inspection.**

The engineer or his representative shall have the right at any time to make inspections of the work performed and the materials used for such work under this division.  
(Order of 12-4-1967, § 6.04)

**Sec. 14-2485. Correction of defective or unauthorized work or material.**

Any work not conforming to the permit application or the specifications set forth in this division shall be considered defective work, and when found, before or after completion of such work, shall be immediately corrected and replaced by work and materials which shall conform to the provisions of this division, or shall be otherwise remedied in an acceptable manner authorized by the engineer.  
(Order of 12-4-1967, § 6.05)

**Sec. 14-2486. Maintenance.**

(a) The utility shall be responsible for maintaining all work permitted under this division for a period of one year after completion of the project. It is advisable for the utility to notify the engineer within ten days after a project is completed if the project extends over a period of several weeks. If no such notification is given, the decision of the engineer as to the date of completion shall be final.

(b) Maintenance shall be performed, when necessary, with adequate equipment and forces to ensure that the roadway or structures are kept in a satisfactory condition at all times.

(c) If the project is shut down for any reason before it is completed, the utility shall maintain the roadway and structures affected by the project, and provide ingress and egress for local residents during the period of suspended work.

(Order of 12-4-1967, § 6.06)

**Sec. 14-2487. Failure to maintain.**

Failure at any time on the part of the utility to comply with the requirements of section 14-2486 shall result in the engineer immediately notifying the utility to comply with the required maintenance provisions, and, if the utility fails to remedy unsatisfactory maintenance within 24 hours after receipt of such notice, the permit may be revoked by the engineer, and the board of supervisors may immediately proceed with adequate forces and equipment to maintain the roadway or structures in a satisfactory and acceptable manner, and the entire cost of such maintenance shall be promptly paid by the utility.

(Order of 12-4-1967, § 6.07)

**Sec. 14-2488. Failure to pay maintenance costs.**

If the utility fails to pay the costs of maintaining a project site by the board of supervisors as set forth in section 14-2487 within 30 days after receipt of a statement for such costs, it shall be considered a default to the county.

(Order of 12-4-1967, § 6.08)

**Secs. 14-2489—14-2520. Reserved.**

*Subdivision V. Materials*

**Sec. 14-2521. Defective materials.**

The utility, in the construction of its work on a right-of-way, shall, at all times, use sound and satisfactory materials. If such materials are found to be defective, unsound or unsatisfactory, the engineer may require replacement or removal of such materials. The engineer shall have the authority to inspect any materials being used on the project of a utility. If the engineer determines that the materials being used will unreasonably endanger the roads, rights-of-way, or any part thereof, or the traveling public, such materials shall be considered unsound, defective and unsatisfactory.

(Order of 12-4-1967, § 7.01)

**Sec. 14-2522. Material storage.**

The engineer may require materials to be used on a project permitted under this division to be stored off of the right-of-way of county roads.

(Order of 12-4-1967, § 7.02)

**Secs. 14-2523—14-2555. Reserved.**

*Subdivision VI. Responsibility to Public*

**Sec. 14-2556. Laws to be observed.**

A permit applicant under this division shall at all times observe and comply with all state and local laws, ordinances and regulations which may affect those persons engaged or employed in the work. Nothing contained in this section shall have the effect of enlarging the legal liability of any utility to third persons beyond that now imposed by law.

(Order of 12-4-1967, § 8.01)

**Sec. 14-2557. Public convenience.**

(a) A permit applicant under this division shall conduct its operations in a manner so as to offer the least possible obstruction and inconvenience to public traffic. Materials stored on the right-of-way of county roads shall be so placed and the work at all times so conducted as to cause as little obstruction to the traveling public as is considered necessary by the engineer. In order that all unnecessary delay to the traveling public may be avoided, when so ordered by the engineer, the utility shall provide, station and maintain for 24 hours daily, if required, competent flagmen, whose sole duty shall consist of directing and controlling the movement of traffic either through or around the work, as the case may be.

(b) Flagging is important in handling traffic and the person assigned to such duty should be selected for his personality, willingness to talk and intellectual ability. He should be informed at all times of sufficient details of the work underway and as such work progresses, to enable him to intelligently advise the public, in a courteous manner, of the reasons for the delay and the probable length of time for such delay.

(c) No road shall be closed to traffic for longer than one hour without permission of the engineer.

(d) The utility shall provide and maintain, as far as practicable, convenient access to driveways, houses and buildings along the right-of-way under construction.

(Order of 12-4-1967, § 8.02)

**Sec. 14-2558. Roads to be open.**

(a) The utility is expected to keep the road on which a project under this division is being constructed open to traffic. No road shall be closed to traffic for longer than a period of one hour without the permission of the engineer.

(b) Road maintenance shall be of such character that the public may travel in safety and as much comfort as practicable. If the crown of the road is obstructed to traffic for longer than one hour, the engineer may require turnarounds or bypasses to be constructed by the utility for use by the traveling public during such period of obstruction.

(Order of 12-4-1967, § 8.03)

**Sec. 14-2559. Barricades and warning signs.**

(a) The utility shall furnish, erect and maintain barricades, lights and signs, as necessary, to give adequate warning to the public at all times that construction is underway on the road, and of any dangerous conditions to be encountered as a result of such road construction. The utility shall erect warning and directional signs as may be required by the engineer.

(b) Barricades shall be kept well painted. Suitable warning signs shall be illuminated at night, and all lights or devices for lighting shall be kept burning from sunset to sunrise.

(c) Along points of such work where the nature of construction operations in progress, and the equipment and machinery in use, is of such a character as to endanger passing traffic, the utility shall, regardless of the time of day, provide such lights and signs and station such watchmen as may be necessary to ensure against accidents and avoid damage or injury to passing traffic.

(Order of 12-4-1967, § 8.04)

**Sec. 14-2560. Use of explosives.**

When the use of explosives is necessary for the prosecution of work permitted under this division, the utility shall use the utmost care so as not to endanger life or property.

(Order of 12-4-1967, § 8.05)

**Sec. 14-2561. Protection and restoration of property.**

(a) The utility shall be responsible for the preservation from injury or damage, resulting directly or indirectly from execution of work permitted under this division, of all public and private property adjacent to such work. The utility shall use every precaution to prevent damage or destruction of buildings, poles, trees, shrubbery and crops; property of other utilities already located in the right-of-way; all overhead structures such as wires, cables, etc., and all underground structures such as pipes, conducts, meters, etc., within or outside of the right-of-way. The utility shall protect and carefully preserve all official survey monuments, properties and section markers or other similar markers, and shall not remove them except with the permission of the engineer, and the utility shall carefully mark and reference their location.

(b) When any direct or indirect damage or injury is done to public or private property by or on account of any act, omission, neglect or misconduct in the execution of work permitted under this division, or in consequence of nonexecution on the part of the utility, and it has been legally determined that the utility is responsible or liable for such damage or injury, such property shall be restored, at the utility's expense, to a condition similar or equal to that existing before such damage or injury was done, by repairing, rebuilding or otherwise restoring such damaged property, or the utility shall make good such damage or injury as may be required by law. Nothing in this subsection shall impair the right of a utility to do such clearing as may be reasonably necessary for the proper protection, operation and maintenance of their facilities, as now provided by law.

(c) If the utility fails to restore damaged property, or make good such damage or injury, after the utility's responsibility or liability for such damage has been determined, the engineer may, upon 48 hours' written notice, suspend the permit under this division for which the project was approved, and all work shall immediately stop until the permit is restored.

(Order of 12-4-1967, § 8.06)

**Sec. 14-2562. Responsibility for damage claims.**

The utility shall indemnify and save harmless the county, its officers and employees, from all suits, actions or claims of any character brought because of any injuries or damages received or sustained by any person or property on account of the operations of the utility; or on account of or in consequence of any neglect of the utility in safeguarding the permitted work; or through use of defective materials as set forth in section 14-2521 in constructing the work; or because of any act or omission, neglect or misconduct of the utility; or because of any claims or amounts recovered for any claim under any law, ordinance, order or decree because of violation by the utility.

(Order of 12-4-1967, § 8.07)

**Sec. 14-2563. Utility's responsibility for work.**

Work permitted under this division shall at all times be under the charge and care of the utility. The utility shall take every necessary precaution against injury or damage by action of the elements, or from any other cause, whether arising from the execution or the nonexecution of such work. The utility shall rebuild, repair, restore and make good any damage to a road caused by the elements which is aggravated, caused, aided or increased by the project.

(Order of 12-4-1967, § 8.08)

**Sec. 14-2564. Other utilities.**

The permit applicant shall take into consideration other utilities having construction or property within a right-of-way, and shall not damage, injure or interfere with such property or the use of such property. The utility first installing lines, poles, pipes or assemblies in the right-of-way shall have priority over the use of the right-of-way occupied by it, and the second utility shall not interfere with such priority without the permission of the first utility.

(Order of 12-4-1967, § 8.09)

**Sec. 14-2565. Personal liability of public officials.**

In carrying out any of the provisions of this division, or in exercising any power or authority granted to the county, board of supervisors, engineer or their agents or employees, there shall be no liability, either personally or as officials or representatives of the county or board of supervisors, it being understood that they act as the agent or representative of a lawful subdivision of the state.

(Order of 12-4-1967, § 8.10)

**Sec. 14-2566. No waiver of legal rights.**

(a) Inspection by the engineer or his duly authorized representative, and any order or decision of the engineer or board of supervisors, shall not be a waiver of any provisions of this division, except as specifically permitted in this division, or any power in this division preserved to the board of supervisors, or of any right to damages provided in this division. Any waiver or any breach of this division shall not be held to be a waiver of any other or subsequent breach.

(b) The board of supervisors reserves the right to require the utility to correct any error that may be discovered on work that has been performed, and to adjust such work to meet the requirements of this division.

(Order of 12-4-1967, § 8.11)

**Sec. 14-2567. Utility's responsibility for public or private utility properties and services.**

When any public or private utilities, including telephone, telegraph, electric power and lights, water and sewer lines, oil and gas lines or any other service of a like nature are within the limits of the right-of-way on which construction by the permit applicant under this division will occur, the utility applicant shall, as a responsibility to the public, be governed by the following:

- (1) The schedule of operations and the sequence of each phase of the work shall be arranged so traffic is closed for a minimum of time, and the engineer may require particular sections to be completed and opened to traffic before disturbing adjacent sections of the work.
- (2) No operations shall begin which may interfere with or impair the normal service being rendered by public or private utility operators. The applicant utility shall be held responsible for the protection of the property or service of the public and private utilities within the limits of the work on the right-of-way. If such physical properties conflict with the performance of the work under the permit, it shall be the applicant utility's responsibility to anticipate such conflicts and to give advance notice to the property owners. The county shall pay no part of the cost of any relocation of property of public or private utilities.

(Order of 12-4-1967, § 8.12)

**Sec. 14-2568. Protection of pipes, fire hydrants and underground utilities.**

(a) No excavation shall be made below subgrade to such depth as will undermine existing and operating water, drain, sewer and utility service pipes or connections, without the express authority or instruction from the owner of such pipes or connections. Pipes or other constructions shall be maintained in continuous service, and shall be properly protected and supported. In no case shall interruption to water service be allowed to exist outside of working hours. Fire hydrants shall be kept accessible to the fire department at all times, and no materials shall be kept or stockpiled within 15 feet of any fire hydrant.

(b) If interruption to water or utility services as a result of accidental breakage occurs, the applicant utility shall promptly notify the proper authority, and shall cooperate with such authority in the restoration of services, as promptly as possible.

(c) If any such pipes or facilities are broken by the applicant utility, or as a result of being exposed or unsupported, the applicant utility shall be held responsible for the complete and prompt restoration of such pipes or facilities in a substantial and workmanlike manner, and for any damage which may arise as a result of interruption of service from any person.

(Order of 12-4-1967, § 8.13)

**Secs. 14-2569—14-2600. Reserved.**

*Subdivision VII. Prosecution and Progress*

**Sec. 14-2601. Contracting and subcontracting.**

The county, board of supervisors and engineer shall not recognize any contract, subcontract, agent or employee on a project permitted under this division, except as the direct representative of the utility. The utility shall be held responsible at all times for performing the work under this division, and nothing shall relieve the utility from any responsibility for the fulfillment of such work.

(Order of 12-4-1967, § 9.01)

**Sec. 14-2602. Prosecution of work.**

(a) The utility shall not begin construction of any work permitted under this division within the right-of-way of any county road until a permit for such work has been signed by the engineer and delivered to the utility. Utilities violating this section may be rendered ineligible to apply for or use the right-of-way of any county road for future work. Any work within a county road right-of-way which is performed after the adoption of the order from which this division is derived without a permit being issued for such work may be removed from the right-of-way without any liability on the part of the county, its officials or employees.

(b) The utility shall be expected to begin work authorized by a permit under this division within a reasonable time. Where work has not begun within one year from the date the permit was issued, the permit shall be void, and another permit must be secured before the work is begun.

(c) Once work has begun under a permit under this division, it shall be prosecuted to completion without unreasonable delay.

(Order of 12-4-1967, § 9.02)

**Sec. 14-2603. Engineer may limit operations.**

The engineer may require certain phases of work permitted under this division to be done and completed first, may stop operations when in the public interest for limited periods of time, and shall at all times have authority to regulate progress of the work within the right-of-way when he deems it to be in the public's interest, welfare and safety.

(Order of 12-4-1967, § 9.03)

**Secs. 14-2604—14-2625. Reserved.***Subdivision VIII. Construction Details*

## Part 1. Generally

**Secs. 14-2626—14-2635. Reserved.**

## Part 2. Pole and Wire Lines

**Sec. 14-2636. Location.**

On streets with curbs within the county utility poles must be placed behind the curb. On roads without curbs, the poles must be placed as close to the edge of the right-of-way as practical. No poles may be set in ditches or side drains, or located so as to block culverts or bridges.

(Order of 12-4-1967, § 20.01)

**Sec. 14-2637. Installation.**

Poles within the county shall be set using good workmanship. Any poles found to be in danger of falling must be replaced or the condition otherwise immediately corrected.

(Order of 12-4-1967, § 20.02)

**Sec. 14-2638. Height of wires.**

Wires aboveground level within the county must not be at less than the minimum height permitted by the National Electrical Safety Code.

(Order of 12-4-1967, § 20.03)

**Sec. 14-2639. Type of construction.**

The National Electrical Safety Code, as amended, is adopted as the standard of construction required within road rights-of-way within the county.

(Order of 12-4-1967, § 20.04)

**Sec. 14-2640. Trees.**

An application for a permit under this division shall indicate on such application any trees more than 20 feet in height to be cut by the proposed construction if such trees are within 100

feet of any dwelling house. All utilities shall use special care not to cut ornamental and shade trees in front yards without securing permission from the landowner regardless of whether or not the tree is within the right-of-way.

(Order of 12-4-1967, § 20.05)

**Sec. 14-2641. Guy wires.**

Guy wires must not extend over the curbline on streets with curbs within the county. On roads without curbs, guy wires must not extend over ditches and side drains, and must be located so as not to interfere with ditch maintenance by road patrols. No guy wire may be located closer than ten feet to the pavement without special permission of the engineer. Guy wires must not obstruct culverts or bridges.

(Order of 12-4-1967, § 20.05)

**Sec. 14-2642. Assemblies.**

All aboveground assemblies, including meters, underground entrances, boxes, connectors and other devices within the county must be located behind the curb on streets having curbs. On roads without curbs, such devices shall be placed as near to the edge of the right-of-way as practical. Such devices must not be placed in ditches or side drains, or so as to block culverts or bridges, or interfere with customary maintenance of the ditches and drains. Where installation requires cutting the sod, such sod shall be replaced and maintained for a period of one year.

(Order of 12-4-1967, § 20.06)

**Sec. 14-2643. Cleaning up.**

An applicant for a permit under this division shall clean up and remove all temporary works, embankments, plants and equipment. All rubbish, trash and left over materials shall be disposed of. The right-of-way shall be restored to at least as good of a condition as at the beginning of the permitted work.

(Order of 12-4-1967, § 20.07)

**Secs. 14-2644—14-2675. Reserved.**

Part 3. Underground Lines and Conduits

**Sec. 14-2676. No crown location.**

No underground utility line, pipe or conduit within the county shall be permitted to run under and parallel with the crown of the road, except by special permission of the engineer. Crossings shall be permitted underground. Water and sewer lines shall be laid out and constructed behind curb lines where curbs exist, or as permitted under section 14-2677 where no curbs exist. This shall apply to construction under contract at the time of adoption of the

order from which this division is derived. Where mains are laid before construction of a street, all lateral service, distribution and connecting lines from the main must be installed before gravel base is constructed.

(Order of 12-4-1967, § 21.01)

**Sec. 14-2677. Permitted locations.**

(a) *Curbs.* Any line, pipe or conduit within the county may be located behind the curb on any street where curbs exist, or when construction of the subbase and surface course is incomplete, it is permissible to place water and/or sanitary sewer and other conduits between curbs. All water and/or sewer service lines shall be run behind curbs at such time.

(b) *Gravel.* Any line, pipe or conduit may be located and laid along the shoulders of gravel roads, or as permitted on paved roads.

(c) *Paved roads.* Any line or pipe on paved or hard surfaced roads shall be located more than ten feet from the edge of the pavement, except by special permission of the engineer.

(Order of 12-4-1967, § 21.02)

**Sec. 14-2678. Trenching width.**

Trenching shall not be permitted across paved roads within the county, except by special permission of the engineer. The minimum width of ditches, according to the size of pipe being installed, shall be as follows:

<i>Size of Pipe (In inches)</i>	<i>Minimum Width of Ditch (In inches)</i>
1 or less	4
2	4
4	6
6	12
8	12
10	16
12 or larger	At least 6 inches larger than pipe installed

By permission of the engineer, deviations may be permitted.

(Order of 12-4-1967, § 21.03)

**Sec. 14-2679. Trench depth.**

All trenches for electric and communication services within the county shall comply with depths required by the National Electrical Safety Code. All other trenches shall be of sufficient depth to permit the following minimum cover over the pipe or conduit, measured from the top of the pipe or conduit to ground level:

Any pipe or conduit in ditches ..... 4 feet

On shoulder of road.....	3 feet
Under roadway.....	4 feet
On outside of ditches .....	30 inches

(Order of 12-4-1967, § 21.04)

**Sec. 14-2680. Trench backfilling.**

Backfilling of trenches parallel with the road within the county shall be done in such a manner that all of the material excavated will be either placed in the ditch or neatly bermed over the ditch. Trenches crossing gravel roadways shall be backfilled and tamped in 6-inch lifts, to within one foot of the top. The top one foot of the trench shall be filled with clay gravel tamped thoroughly, keeping the surface of the backfill smooth and flush with the original surface on each side of the trench.  
 (Order of 12-4-1967, § 21.05)

**Sec. 14-2681. Paving replacement.**

No paving within the county shall be cut without the permission of the engineer. Where permission is given, the paving shall be replaced with material at least equal to that removed. On roads paved with asphalt or bituminous covering over gravel, a 6-inch layer of concrete shall be installed over this foundation, finishing the surface flush with existing pavement. On concrete surfaces or concrete and blacktop materials, replacement shall be with materials of like kind and to the same degree as the original surfacing was installed. The engineer may modify, add to, change or alter such specifications if, in his opinion, circumstances require another type of construction in the interest of the public.  
 (Order of 12-4-1967, § 21.06)

**Sec. 14-2682. Encasing.**

All water and oil pipes crossing paved or asphalt roads within the county shall be encased if they are over two inches in diameter. Encasements are to be installed by jacking through, dry-boring or any other method approved by the engineer of the hole that shall receive the casing, with a snug fit. Such lines smaller than two inches may be placed under the road without encasement with the permission of the engineer. All encasements across roads shall not be less than four feet under the top of the crown, and the casing shall be continuous for not less than two feet on both sides of the road crown; however, in fills, encasements shall be continuous all of the way through the fill. All sewer force mains shall be encased, and the engineer may require gravity fall sewer lines to be encased if required by the interest of the public and protection of the roads.  
 (Order of 12-4-1967, § 21.07)

**Sec. 14-2683. Sodding.**

All sod disturbed by work permitted under this division shall be replaced by the permit applicant, and shall be maintained for a sufficient length of time to ensure that the sod is living and growing. If a pipe is laid in a ditch, spot sod shall be placed every 100 feet up and down the grades with a minimum of 50 square feet per spot.

(Order of 12-4-1967, § 21.08)

**Sec. 14-2684. Maintenance.**

The utility shall maintain all work permitted under this division within the right-of-way for a period of one year from the date of completion of the project. Any defects that appear within such one-year period shall be promptly repaired as required by the engineer.

(Order of 12-4-1967, § 21.09)

**Sec. 14-2685. Leaks.**

The applicant for a permit under this division shall promptly repair any leaks or breaks in a line. All repairs shall be constructed under the same specifications as original construction insofar as possible. It shall not be necessary to secure a permit to make emergency repairs or replacements of an urgent nature. If the location of any line is moved, or the size of a line is changed or material change made in the work, the engineer shall be notified and a set of as-constructed plans shall be filed with the engineer. The utility shall be responsible for any damage caused to a road by any leak, and the provisions of subdivision V of this division shall be invoked.

(Order of 12-4-1967, § 21.10)

**Sec. 14-2686. Alterations and changes.**

Deviations of any lines by more than ten percent or three feet from the requirements set forth in this part shall be considered material changes and alterations, and permission shall first be secured from the engineer for such deviations. Such deviation permission does not apply to the minimum specifications set forth in this part, but to deviations from locations as shown on the plans filed with the permit application. In the interest of the public, the engineer shall have in his files, accurate plans showing the location of utility lines within the road right-of-way.

(Order of 12-4-1967, § 21.11)

**Sec. 14-2687. Damages.**

The applicant for a permit under this division shall be responsible for all damage caused to a road, crown, pavement, roadbed, subgrade, ditches, culverts, bridges or other parts of a road by the permitted work. Such damage shall be promptly repaired or replaced by the applicant to the satisfaction of the engineer. If the damage is not promptly repaired, the provisions of subdivision V of this division shall be invoked.

(Order of 12-4-1967, § 21.12)

**Sec. 14-2688. Cleaning up.**

The applicant for a permit under this division shall remove all temporary works, embankments, plants and equipment from the worksite. All rubbish, trash and left over materials shall be disposed of, and the right-of-way shall be restored to at least as good of a condition as it was at the beginning of the work.

(Order of 12-4-1967, § 21.13)

**Secs. 14-2689—14-2720. Reserved.**

Part 4. Minimum Standards For Construction of Lines\*

**Sec. 14-2721. Water lines.**

The construction standards adopted and promulgated from time to time by the American Water Works Association (AWWA) shall be used in the construction of all water lines located within the right-of-way of any county road or street, where not in conflict with this division.

(Order of 12-4-1967, § 22.01)

**Sec. 14-2722. Gas lines.**

The construction standards adopted and promulgated from time to time by USAS B 31.8-1967, USA Standard Code for Pressure Pipe, shall be used in the construction of all natural gas lines, mains, transmission lines or distribution lines within the right-of-way of any county road or street, where not in conflict with this division.

(Order of 12-4-1967, § 22.02)

**Sec. 14-2723. Electric and communication lines.**

The construction standards adopted and promulgated from time to time by the National Electrical Safety Code shall be used in the construction of all electric and communication lines located within the right-of-way of any county road or street, where not in conflict with this division.

(Order of 12-4-1967, § 22.03)

**Sec. 14-2724. Sewer lines.**

All sewer lines within the county shall be constructed using minimum specifications adopted and promulgated from time to time by the American Society for Testing Materials (ASTM), where not in conflict with this division. Any force main pipe crossing a county road shall be of cast iron or steel construction, and shall be encased as set forth in section 14-2682.

(Order of 12-4-1967, § 22.04)

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\***Cross reference**—Buildings and building regulations, § 14-51 et seq.

**Sec. 14-2725. Alteration of standards.**

The engineer may alter, modify, change or adopt other standards for any construction within the county, where it is in the interest of the public, but not less than the minimum requirements of the code in effect.

(Order of 12-4-1967, § 22.05)

**Secs. 14-2726—14-2760. Reserved.**

*Subdivision IX. Forms*

**Sec. 14-2761. Application.**

The applicant for a permit under this division shall file, in duplicate, an application for the permit, to which shall be attached drawings and plans for the construction, which shall not be varied without permission of the engineer. The application shall be in substantially the following form:

1967 Utility—Form 1

*Note.* Submit two copies—one will be signed and returned if the permit is granted.

APPLICATION FOR PERMIT TO CONSTRUCT UTILITY LINES ALONG OR ACROSS  
DESOTO COUNTY ROADS

NAME: \_\_\_\_\_

BY: \_\_\_\_\_

(Print Name)

ADDRESS \_\_\_\_\_

herein called APPLICANT, proposes, at the present time, to construct a \_\_\_\_\_ utility line along or across County Road \_\_\_\_\_ between \_\_\_\_\_ and \_\_\_\_\_, DeSoto County, Mississippi, and makes application to the County Road Department of DeSoto County to construct the utility line. Attached hereto are drawings and plans for the construction, which will not be varied without permission of the county engineer. Applicant agrees to the following:

- (a) DeSoto County does not purport, by issuing the permit, to grant the applicant any right, title, claim or easement on such road.
- (b) DeSoto County, through its engineer, may at any time require and compel the reconstruction or relocation of the utility line or any appurtenance thereto when the board of supervisors deems it necessary for the repair, maintenance, widening or reconstruction thereof, and all expense of such reconstruction or relocation is to be borne exclusively by the applicant and DeSoto County is in no way liable. It is further understood and agreed that, if this permit is granted and acted upon by the applicant, the county will use all reasonable effort to avoid the necessity of requesting that the facility be moved, altered or reconstructed.

- (c) All construction shall be done in full compliance with all regulations of the board of supervisors in effect at the time this permit is granted.
- (d) If all work shown on the plan is not completed within one year after issuance of the permit, the permit shall be void.
- (e) Applicant will furnish a bond in such amount as required by the county engineer, payable to DeSoto County, for all underground work, to be approved by the chancery clerk before work begins for assurance that all damages to the county road will be repaired and kept repaired for one year.
- (f) Applicant shall not release the contractor until final inspection has been made by the county engineer, and notice has been given that work is satisfactory.
- (g) Applicant agrees to take all necessary precautions and to assume full responsibility for safeguarding and directing traffic during construction.
- (h) Applicant is responsible for any conflict with other utilities on the road right-of-way, and is to secure permission from other utilities for any conflicts and any necessary alterations.
- (i) A copy of the approved plan is to be kept at the site of the work at all times during construction.
- (j) It is agreed that no trees or shrubs on the right-of-way shall be cut, trimmed or damaged, except as shown on the plans, provided, wire using utilities may cut and trim trees to the extent necessary for proper operation of the lines; encasements on paved roads shall be installed by jacking through or by dry-boring that will receive a casing with a snug fit, all sod disturbed shall be replaced and maintained to ensure growing sod; and all trenches shall be of a minimum width and be backfilled and tamped in lifts not exceeding six inches.

Witness the signature of the applicant this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
BY: \_\_\_\_\_

Name and Title

PERMIT

By direction of the Board of Supervisors of DeSoto County, Mississippi, the permit applied for above is granted and the applicant shall file a bond in the amount of \$\_\_\_\_\_ before work begins this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
County Engineer  
Hernando, Mississippi

(Order of 12-4-1967, § 30.01)

PROJECT PERFORMANCE BOND

STATE OF MISSISSIPPI

COUNTY OF DESOTO

KNOW ALL MEN BY THESE PRESENTS, THAT \_\_\_\_\_ OF \_\_\_\_\_, herein called the UTILITY, as principal and \_\_\_\_\_, as SURETY, do hereby acknowledge ourselves indebted and firmly bound and held unto DeSoto County, Mississippi in the sum of \$\_\_\_\_\_ for the payment of which well and truly be made in lawful money of the United States, we do hereby bind ourselves, successors, assigns, heirs and personal representatives.

But, the condition of the foregoing obligation is such that the utility has applied for and received a permit from DeSoto County, Mississippi, to construct certain utility lines and assemblies within the right-of-way of a county road, and has agreed to comply with certain specifications pertaining thereto, and to maintain the work for one year from completion, which application, permit and specifications are incorporated herein by reference.

Now, therefor, if the utility shall fully and faithfully perform all undertakings and obligations under the application for one year from completion, and shall fully indemnify and save harmless the county from all costs and damage whatsoever it might suffer by reason of such construction, and shall fully reimburse and repay the county any and all outlay and expense which it may incur by reason of granting the permit as such outlay and expense shall become due, then this obligation shall be null and void; otherwise to remain in full force and effect.

And it is expressly agreed that this bond shall be deemed automatically and immediately amended, without formal and separate amendment hereto, upon any amendment to the application, permit or specifications so as to bind the utility and surety to the changes or amendments thereof.

In witness whereof, the utility and surety have hereunto affixed their signatures by duly authorized officers on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
BY: \_\_\_\_\_  
Surety

This bond is approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Chancery Clerk, DeSoto County, Mississippi

ANNUAL PERFORMANCE BOND

STATE OF MISSISSIPPI

COUNTY OF DESOTO

KNOW ALL MEN BY THESE PRESENTS, that \_\_\_\_\_ of \_\_\_\_\_, herein called the UTILITY, as principal and \_\_\_\_\_, as SURETY, do hereby acknowledge ourselves indebted and firmly bound and held unto DeSoto County, Mississippi in the sum of \$\_\_\_\_\_ for the payment of which well and truly be made in lawful money of the United States, we do hereby bind ourselves, successors, assigns, heirs and personal representatives.

But, the condition of the foregoing obligation is such that the utility intends to apply for and receive permits from DeSoto County, Mississippi, to construct certain underground utility lines and assemblies within the right-of-way of a public road and has agreed to comply with certain specifications pertaining thereto and to maintain the work for one year from completion, during the year beginning \_\_\_\_\_, 20\_\_\_\_, and ending \_\_\_\_\_, 20\_\_\_\_, which applications, permits and specifications are incorporated herein by reference.

Now, therefor, if the utility shall fully and faithfully perform all undertakings and obligations under the applications, permits and specifications, including maintenance of the work for one year from completion, and shall fully indemnify and save harmless the county from all costs and damage whatsoever it might suffer by reason of such construction, and shall fully reimburse and repay the county any and all outlays and expense which it may incur by reason of granting the permits during the period of time specified, as such outlays and expense shall become due, then this obligation shall be null and void; otherwise to remain in full force and effect.

And it is expressly agreed that this bond shall be deemed automatically and immediately amended, without formal and separate amendment hereto, upon any amendment to the applications, permits or specifications so as to bind the utility and surety to the changes or amendments thereof.

IN WITNESS WHEREOF, the utility and surety have hereunto affixed their signatures by duly authorized officers on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
BY: \_\_\_\_\_  
Principal-Utility

\_\_\_\_\_  
BY: \_\_\_\_\_  
Surety

This bond is approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Chancery Clerk, DeSoto County, Mississippi

(Order of 12-4-1967, § 31.01)

**Secs. 14-2763—14-2795. Reserved.**

DIVISION 4. TRAFFIC SCHEDULES\*

*Subdivision I. In General*

**Secs. 14-2796—14-2830. Reserved.**

*Subdivision II. Parking*

**Sec. 14-2831. Vehicles parked over 24 hours on public roads.**

Any vehicle left parked on the right-of-way of any public road or street in the county for more than 24 hours shall be caused to be removed by the road supervisor of the district in which the vehicle is located, and the owner of such vehicle shall forfeit and pay all expense of removing such vehicle to be recovered in the name of the county, and the owner of such vehicle shall be liable for all damages occasioned to another by such obstruction.

(Order of 4-7-1965)

**Sec. 14-2832. Parking of vehicles on Love Road.**

No vehicle within the county shall be parked on Love Road from Highway 51 eastward on the north and south forks of the road to Interstate Highway 55, except in an emergency. This section shall be enforced by any officer of the county after notice has been posted on the road that no parking is permitted.

(Order of 5-5-1971)

**Secs. 14-2833—14-2865. Reserved.**

*Subdivision III. Weight Limits*

**Sec. 14-2866. Legislative intent.**

(a) It is the intent of the board of supervisors and of this subdivision to exercise the police powers of the county to regulate the maximum load capacities of vehicles on the county's roadways for the protection and promotion of the public health, safety and welfare.

\***Cross reference**—Roads, bridges and traffic, ch. 66.