

Construction Specifications for work in a Dakota County Right of way

County / Public Right of Way

The area on, below, or above a public roadway, highway, street, trail, bicycle lane, public sidewalk, boulevard or area in which the County has an interest, including other dedicated rights of way and easements for transportation purposes. A public right of way does not include the airwaves above a right of way with regard to cellular or other non-wire telecommunications or broadcast service. The lands described by an easement, deed, dedication, title, law or occupation of a road, highway, street, trail, bicycle lane, sidewalk or boulevard are included as right of way.

General

1. To obtain a permit to work in a Dakota County Road right of way, the owner(s) of facilities placed in the right of way and the contractor(s) working on those facilities must be registered with and have a current certificate of insurance on file with Dakota County.
2. Conduct the work in a manner to ensure the least obstruction to the roadway and traffic.
3. If possible, provide space in the installation area for other right-of-way users and companies which install facilities in public rights-of-way.
4. Maintain alignment and grade unless otherwise authorized by the County.
5. Except as otherwise permitted, construction work on County highway right of way shall not commence until an application for a Permit has been made and such Permit granted. The Permit sketch must show the location of the proposed construction work with reference to County highway centerline and highway right of way line. The proper right of way width should be indicated. A copy of the sketch shall be provided with each permit request.
6. The permittee shall notify abutting property owners prior to commencement of any project work. If the use and access to the abutting property is disrupted, the disruption shall be the least disruption as is reasonably practicable for the project, or an alternative shall be provided.
7. Burning or disking operations and/or the use of chemicals to control or kill trees, brush and other vegetation is prohibited without prior approval from the County permit office.
8. Waterways and drainage lines shall remain operative at all times.
9. If required, all earth disturbing projects in a County Road right of way, must perform erosion and sediment control and turf establishment activities listed below. All work shall be in compliance with local, state and federal regulations.
 - a. Inlet protection: When earth disturbing activities are occurring adjacent to Culverts or Catch basins, inlet protection should be placed if earth or debris could readily enter. Unattended placement of inlet protection should be communicated to the local municipality in order to obtain permission and address roadway flooding concerns.
 - b. Work near waters: Any earth disturbing work adjacent to waterbodies – including lakes, streams, rivers, wetlands, or constructed storm water ponds – should employ an

acceptable form of perimeter control including but not limited to: silt fence, sediment control logs, or topsoil berms.

- c. Turf establishment: Wherever topsoil and turf or other vegetation is disturbed, they shall be replaced as soon as is practicable and no more than seven (7) days after disturbance is completed or in accordance with a NPDES Permit – if applicable. Satisfactory maintenance for up to one year shall occur until the turf or vegetation is established. Methods for establishment include, but are not limited to: hydro-seeding, application of seed and blanket, application of seed and mulch, and placement of sod. When seeding, some type of mulch must be applied.
- d. Erosion control blanket: Should be used on all steep slopes and staked in place. If an erosion control blanket is utilized, the product must be a “natural netting” or “no net” product that is completely biodegradable in areas that are maintained.
- e. Stock piling of excavated material: Shall not occur within the road right of way without proper traffic control. Stock piles left unattended must also have sediment control devices placed, if required.
- f. Street sweeping: May be required as directed by County staff. No foreign material such as dirt, gravel or bituminous material shall be deposited or left on the road. The Roadway surface must be cleaned up daily if material is on the road.

10. Construction projects that involve County road right of way and have more than one (1) acre of earth disturbance, must be covered under a General NPDES Permit for Construction Activities through the Minnesota Pollution Control Agency (MPCA). Disturbances from linear activities may be counted together as one project, provided the above ground disturbance is continual. Those construction projects located in the Dakota County Municipal Separate Storm Sewer System (MS4) must also ensure that the requirements, if applicable, of the Dakota County Ordinance No. 132 are met. The Dakota County MS4 encompasses the majority of the County highway system in developed cities where curb and gutter are present. A map displaying the MS4 area is provided within the ordinance. Local city or township permits for storm water and natural resources management may also be required.

11. The installation of a new utility facility shall not interfere with any existing utility facilities in the County highway right of way.

12. When necessary, barricades, warning devices and flagmen shall be provided by the Permittee during all phases of their construction and maintenance operations on County highway right of way. The design and placement of all signs, barricades, and other warning devices shall conform to the current Minnesota Manual on Uniform Traffic Control Devices.

13. At the time of construction and at the times of subsequent maintenance, prior approval must be obtained from the County permit office for the cutting and trimming of trees within the County highway right of way. Wherever trees are cut the resulting stumps shall be removed unless otherwise provided in the Special Provisions of the Permit. Any holes caused by stump removal shall be backfilled, leveled and all materials associated therewith disposed of outside the County highway right of way. The permittee shall advise the County permit office at least 48 hours in advance of its intent to start clearing and grubbing operations.

14. If it appears that a project will require work within the traveled portion of the roadway or shoulder, the Permittee must submit a traffic management plan along with the permit application. This plan should incorporate whatever signs and/or flagman the Contractor will be required to utilize and the Contractor's proposed work operation as it affects traffic on the County Road. This plan must be approved at least 24 hours in advance of any work in the roadway. A minimum of a seven day prior notification is required if a detour is needed. The permittee must also notify and coordinate this work with local police and fire departments. No lane closures are permitted during rush hour time from: 6:00 a.m. to 8:30 a.m. and from 3:30 p.m. to 6:00 p.m. without prior approval in the following cities: Apple Valley, Burnsville, Eagan, Farmington, Hastings, Inver Grove Heights, Lakeville, Mendota, Mendota Heights, Rosemount, South St. Paul, Sunfish Lake and West St. Paul.
15. Working Hours-7 a.m. to 7 p.m. Monday through Saturday. No work is permitted on Sundays. These restrictions do not apply to emergency work.
16. After all construction work is completed, the permittee shall notify the County Permit office within 5 business days for a final inspection.
17. The County shall not be responsible for damages to an irrigation system from highway maintenance or signing activities or any other cause. The applicant agrees not to operate the sprinkling system during frost or freezing conditions when over spray would cause ice conditions on the roadways or sidewalks and will suspend sprinkling when pedestrian activity is present.
18. Winter season requirements for working on Dakota County highway right of ways start in the fall once the ambient temperature drops below freezing, and continues until the temperature warms and stays above freezing in the spring. This is typically between November 1st and April 15th, although the actual dates may vary based on weather conditions.

During the winter season, no excavations will be allowed in paved road surfaces unless a permanent hot bituminous repair or a temporary patch using concrete or other hot asphalt product, can be made. Temporary patches must be replaced with a permanent hot bituminous repair in the spring. Cold mix patches are not approved, except for emergency repairs. Emergency repairs include: water main or gas main leaks, faulty telecommunication or power cables, sewer line repairs, etc... Cold mix patches are the responsibility of the permittee and must be monitored and maintained by someone 24 hours a day until a permanent or approved temporary patch is made.

Snow removal may be required for work off the roadway. Snow can be relocated back away from the road to other areas of the right of way, but can't be pushed or blown onto private property without the property owner's permission. Snow may be trucked off site, provided the proper traffic control is set up. Any snow and ice dropped onto the roadway must be scraped off and road salt applied. Sidewalks and trails must be closed during any snow removal or construction activity in the Blvd and then cleared and reopened once the work is completed.

Except for emergency repairs, no construction activity, parked vehicles or equipment will be allowed within the roadway including the shoulder up to the curb during periods of inclement weather, or if inclement weather is imminent. Freezing rain, sleet and snow create slipper road conditions and poor visibility. These conditions make work zones dangerous for both the traveling public and contractor personal.

Any construction work during the winter season must be approved by the County permit office prior to the start of a project. The decision on whether or not a project can commence shall be at the discretion of the County Right-of-way Manager. During the winter season, daily permission may be needed from the County Permit Office prior to working in the County right-of-way as weather conditions change. At the time of inspection the County right-of-way manager may order the immediate cessation and possible correction of any work which poses a threat to the life, health, safety or well being of the public and/or the people performing the work. As always, the correct traffic control device layout is required when anyone is working in the right of way.

All restoration, including turf and trail damage, must be promptly restored in the spring. All turf restoration shall be made with sod or black dirt, seed and mulch of some type covering the seed. By state statute, the excavator is responsible for plantings and turf establishment for up to one year.

AERIAL

1. There shall only be one single pole line in the County highway right of way on either side of the center line thereof. All aerial wire installations must comply with the National Electric Code.
2. Longitudinal installations on County highways shall normally be located in the outer five feet of the right of way. At crossings of the County highway, poles shall be placed at a minimum of thirty feet from the shoulder lines of the through roadbeds unless right of way widths are prohibitive to such location.
3. The location of all brace poles, anchors and anchor poles within the limits of the County highway right of way shall be approved by the County permit office.
4. In those instances in which a Utility is issued a Permit or Permits for construction on both sides of the County highway right of way in a given area, such Permit is conditioned upon the Utility subsequently providing joint use to other Utilities upon reasonable terms mutually agreeable to the Utilities.

UNDERGROUND

1. All crossings made in the roadbeds of the County highways shall be made by boring, jacking, or by directional drilling with the use of a casing unless this requirement is waved by the County permit office. The auger of a boring machine shall not lead the casing or carrier pipe in a way that removes more earth than what's required. The bore pits shall be restricted to the area from 5 feet beyond the shoulder of the road except as modified in the Special Provisions of the Permit.
2. When utilizing trenchless installation methods to cross an area in which existing utilities are located, the permittee shall excavate an observation hole to expose the utilities prior to crossing them to ensure that the existing utilities are not damaged. When an observation hole must be excavated in an existing pavement section the pavement must be cut using the keyhole coring method. The hole must be compacted to the surface and paved with a hot mix. Saw cutting, jack hammering or any other means is strictly prohibited without the prior approval of the County permit office.
3. All voids caused by jacking or boring shall be filled by pressure grouting. The grout material can be a Bentonite or a sand-cement slurry of at least two sacks of cement per cubic yard and a minimum of water to assure satisfactory placement.

4. The underground utilities shall be so installed to preclude any necessity for disturbing the roadbeds to perform maintenance operations.
5. Underground installations shall be accomplished without damaging or destroying the principal root structure of trees.
6. Underground facilities shall not be installed between a hydrant and an auxiliary valve.

SMALL CELL WIRELESS FACILITIES

1. Utility facilities of any type will not be allowed on any break-away type pole.
2. Utility facilities are not allowed in any area where the installation or operation of the facility will interfere with any existing or planned County, state or federal communications system.
3. All facilities must be located in areas that do not interfere with existing and/or potential future traffic signals and signs.
4. Where there are existing poles for overhead utility facilities, new overhead utility facilities will be required to co-locate on those poles unless the new facilities cannot be reasonably accommodated. Written documentation of those reasons must be supplied.
5. Subject to the colocation requirement, new wireless support structures are allowed to be placed every 400 feet or closer upon approval of the engineer after concerning the aesthetics, use and safety of the right of way corridor.
6. New overhead facilities shall be located on a uniform alignment as far from the roadway as possible, preferably near the right of way line. Guy wires placed within the right of way shall be held to a minimum and shall not be located within a clear zone.
7. New above ground facilities shall be located outside the clear zone. If the clear zone extends to the right of way line, then the installation will not be permitted unless there is no feasible alternative.
8. Unless approved by the engineer, all above ground appurtenances must be located no closer than ten feet front any hydrants, waterline valves, manholes, lift stations and catch basins; not obstruct the view of any public or private sign, monument or amenity for facilities or parks; and no closer than two feet from sidewalks and trails.
9. A radio frequency interference study must be carried out by an independent professional radio frequency engineer ("RF Engineer") showing that the intended use will not harmfully interfere with any existing, licensed communications facilities, as well as the county's licensed and unlicensed communications facilities, which are located on or near the structure. The new wireless system shall not transmit or receive radio waves at the wireless support structure until such evaluation has been satisfactorily completed. All costs for the survey, testing and full report shall be responsible of the Permittee. Options must be made to correct and/or eliminate future interference at any time, including but not limited to the County's option of having the power shut off to the equipment.
10. Wireless facilities installed in the right-of-way shall not exceeding RF emissions standards set by the Federal Communications Commission (FCC). Permittee shall provide a RF emissions study for each facility installed.

11. All Antenna Facilities which have exterior exposure shall match the color of the wireless support structure. All exposed cables, wires, or appurtenances, must be placed in conduit which shall match the color of the wireless support structure. If new poles or structures are used, they shall match the existing poles in general design.
12. For wireless communication facilities, the utility owner, upon request, must supply written proof of compliance with all requirements of the local unit of government in which the facility will be installed.
13. Wireless providers must install their own electrical service, limited to 240 VAC. All installations shall meet the requirements of the National Electric Safety Code if applicable.
14. All engineering must be done by a licensed structural engineer before any structure is placed in the right-of-way.
15. Small Cell Wireless equipment, including poles must not interfere with a sight triangle or interfere with visibility at any intersection. All facilities must be a minimum of 50 feet from the nearest intersecting right-of-way line.

OPEN TRENCH

1. Open trenching in roadbeds maybe allowed only after adequate justification. Bell holes and/or trenches in roadbeds will not be allowed to remain open overnight without prior approval. Excavations shall be tamped for compaction, backfilled and restored to MN/DOT specifications.
2. Trenches and jacking pits shall be protected when unattended to prevent entrance of surface drainage, pets or people.
3. All replaced bituminous surfaces must be the same thickness as the bituminous removed; a minimum of six inches (6") shall be placed if the existing bituminous was less than six inches (6"). Bituminous surfacing shall be replaced in accordance with MN/DOT's Specifications for Plant Mixed Asphalt Pavement (latest edition). New surfaces must match into existing roads or trails. Paved surfaces must be permanently replaced within 48 hours after completion of backfill operations. Temporary fill material shall be placed flush with adjacent surface elevations, and appropriate temporary traffic control shall be implemented immediately upon the completion of backfill operations. Bituminous material used at a minimum shall be as follows: 2" of Base – SPNWB330B, 2" of Binder – SPWEB340C and 2" of Wear – SPWEB340C. A minimum of 2" lifts must be placed. Replacement of class 5 aggregate base with same thickness as removed; a minimum of nine inches (9") shall be placed if the existing aggregate base is less than nine inches (9"). Subgrade shall be of good material or replaced with Twenty four inches (24") of sand or granular material. All excavations shall be compacted in accordance with the Specified Density Method for compacting, Specification 2105 of Mn/DOT Standard Specifications for Highway Construction, Current Edition.

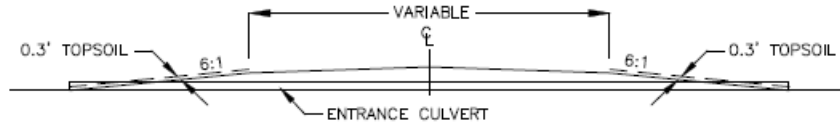
ACCESS

1. All driveway maintenance and repairs is the responsibility of the permittee.
2. No changes in the proposed intended use or any alterations of the access may be made at any time without written permission from the County Permit office.
3. Culverts are the responsibility of the permittee and shall be placed at the bottom of the ditch at the lowest point. Culvert size must be approved first by County Permit Office. Culverts can be

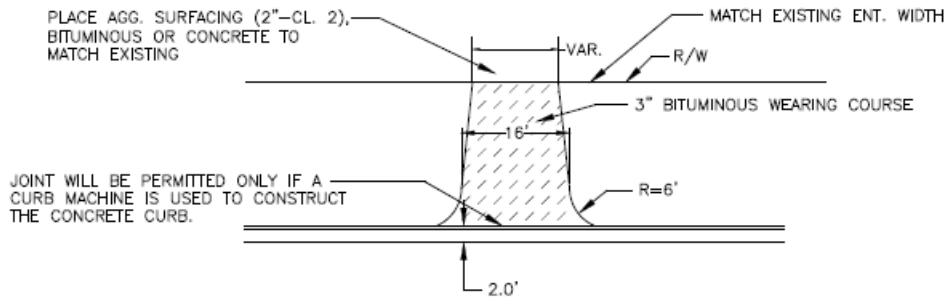
made of plastic or metal and must not be smaller than 15 inches inside diameter. Culverts can be purchased from Dakota County or permittee supplied.

4. Typically, concrete aprons are not required. If installed, all maintenance and repairs are the responsibility of the permittee.

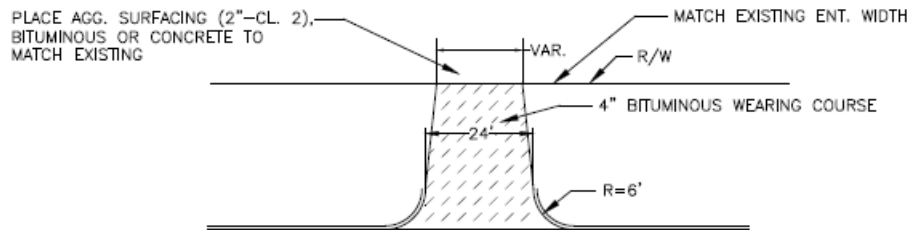
AGRICULTURAL (MAX. 24')
RESIDENTIAL ENTRANCE (MAX. 16')
 RURAL SECTION



RESIDENTIAL ENTRANCE
 URBAN SECTION



COMMERCIAL ENTRANCE
 URBAN SECTION



NOTE: ENTRANCES TO BE CONSTRUCTED WITH 8" CL. 5 AGG BASE AND 3" BITUMINOUS WEARING COURSE, UNLESS OTHERWISE SPECIFIED.