

**Denton County Development Services**  
**3900 Morse Street, 2<sup>nd</sup> Floor**  
**Denton, TX 76208**  
**940-349-2990 - Main**  
**940-349-2991 - Fax**

## **Utility Installation Requirements**

Utilities generally are discussed elsewhere in this work. However, as to County roads public utility companies generally have the right to lay their lines on or across the public rights-of-ways and their relocation necessitated by road improvement must be made at their own expense unless the line was previously located in a private easement later acquired by the County. Also, generally speaking, the utility must notify the Commissioner's Court of its intention to place a line within a County road right-of-way and the court has the authority to designate its placement. In any event, the placement of utility lines either on, over, or under a public road right-of-way may not interfere with the public's use of that property for road purpose.

Authorization for this installation is also based on adhering to the policies states in the Denton County Subdivision Rules and Regulations, "Utility Installation Specifications" and also as outlined below:

1. Authority

The Denton County Commissioners Court hereby authorizes the Denton County Director of Development Services to review and approve utility requests.

2. An application for a development permit must be completed with Denton County Development Services. With this application, a written request detailing the utility installation and specific location must be submitted to Denton County Development Services. A schematic of the proposed installation is required along with a profile view of the bore if applicable to your request. Please include with your request, a map outlining the County road in which the utility will be located.
3. Specifications for utility installations within County ROW are set forth from the Texas Practice, County and Special District Law Section 40.14 Utility lines.
4. Authorization for utility installation is also based on the requesting company adhering to the policies stated in the Denton County Subdivision Rules and Regulations, " Utility Installation Specifications."

5. Traffic control devices i.e. signs, cones, etc. must be used when work is being performed in the County ROW.
6. All utility lines shall be installed as near as practical to the outside limits of the County road ROW. This is also to include above ground installation and the setting of utility poles. No ditching machinery shall be operated upon the crown of any roadway unless specifically permitted.
7. All utility lines shall be buried at a depth of not less than forty two (42) inches from the lowest point of a minimum design barrow ditch depth of thirty (30) inches at top of conduit below the existing grade line of the area of installation.
8. All utility lines crossing a County road **shall be bored and encased with a minimum schedule 40 steel and the ends shall be sealed with end caps.** On gravel roads an open cut trench will be permitted, the utility line **shall be encased with minimum schedule 40 steel.** All boring shall be inspected by the assigned Denton County Inspector prior to being back filled/covered.
9. At all points where excavations and boring are made in public ROW, the applicant will replace and re-compact the subgrade and will restore the road way section to the same or better condition as existed prior to the excavation and bore.
10. The applicant will remove and relocate its utility lines should it become necessary in order to accommodate widening, realigning, and/or improving County roads at no cost to Denton County.
11. The applicant shall, from the commencement of the installation of utility lines and thereafter for a period of twelve (12) months from the date the installation is completed and accepted, assume all responsibility for damages resulting to the landowner to any other person caused by the installation of the utility lines and shall hold Denton County harmless from any obligation or claim or damages that may be alleged or result from such utility construction or operation. Applicant agrees to indemnify Denton County for any costs or expenses including, but not limited to, reasonable attorney's fees, which Denton County may be legally required to pay, resulting from damages caused by the installation. The indemnity by the applicant shall cover claims occurring during the twelve (12) month period. The applicant shall also reimburse Denton County for its costs and expenses in repairing a cut bore during the twelve (12) month period, when the applicant cannot repair same, and, in the judgment of the Commissioner of the Precinct wherein the road is located, the cut or bore must be immediately repaired, or when the applicant has been requested to repair same and either refuses or fails to repair same within three days from the date of the requested repair.

12. A copy of the applicant's Letter of Approval must be on location at each job site at all times.
13. Before commencing any work on County roads or County ROW under the authority of this Letter of Approval or by any other claimed authority (including such work as trimming and/or cutting trees, and/or ROW, etc.), the applicant Company shall notify Denton County Development Services of the approximate time that work will commence, which notice shall be at least forty- eight (48) hours prior to commencing said work.
14. Should Commissioners Court find it necessary to employ an inspector or inspectors to enforce these provisions; a charge will be made by the County to the applicant to pay the costs of or a portion of the costs of, employing said inspector or inspectors.  
  
15. The contractor is required to coordinate the subject installation with Denton County Development Services (940-349-2990), at least forty-eight (48) hours prior to beginning any construction. All boring shall be inspected by the County prior to being back filled/covered. Also, after completion of installation, notification must be given to Denton County Development Services for final inspection.
16. Upon the request of any utility company, Denton County Development Services will provide the utility requirements outlined in this section of the Road Policy in the form of the "Utility Request Specifications" document attached to this policy as exhibit "B." This document will be updated as necessary to reflect future changes in the Road Policy.