

## UNDERGROUND UTILITY INSTALLATION POLICY

1. All underground utilities must be placed on the back 5 feet of the rights-of-way of the declared county road except when written permission is granted by the chief administrative office of the county highway department.
2. All utilities placed in the county rights-of-way are to be placed at a 30" minimum cover and installed with tracer product. Gas and electrical to follow federal code 42" deep.
3. Utilities placed under paved county maintained roads will be placed by boring methods at a minimum 30" cover, cased 2" and larger (including new development) with location device.
4. Asphalt pavement shall not be cut or bored under for at least three (3) years from date of final plat.
5. Asphalt Cuts: All cuts must be approved by the CAO in writing on permit; installed at a 30" minimum cover, cased and location device.
6. Repair of Asphalt Cuts: backfill with #57 stone placed in not more than 6" lifts and compacted or back filled with flowable fill. The road cut shall be topped with the proper thicknesses of binder and top mix detail in the Montgomery County Highway Department Specifications. All repairs shall be warrantied for one year from date of approved inspection.
7. Utilities lines shall not be placed within 5 feet of culverts, catch basins, or other road structures, and ditches shall be returned to original depth and condition. Utility lines shall placed in drainage ditches by written permission only. Utilities attached to bridges must be designed by an engineer. Must have 30" minimum cover and a minimum of 12" from bottom and/or top of drainage structure.
8. Natural Gas Utilities: All installation shall be outside the county declared rights-of-way. Written permission from the CAO must be obtained prior to installation of natural gas lines in the county rights-of-way. If approved by the CAO installation shall meet all federal standards, all road crossing to be cased with tracer wire.

## ABOVE GROUND UTILITIES

1. Permitting not required for over-head utility installation and maintenance; however, if excavation is required a county permit must be obtained.
2. All utility markers, location and advertising signage located in the county rights-of way must be maintained free of weed and brush within a 4 foot radius so said facility is easily visible. The county assumes no responsibility for any damage to any facility that is not properly maintained by the utility provider.

**RESOLUTION ADOPTING REGULATIONS GOVERNING THE  
USE OF THE COUNTY RIGHT-OF-WAY**

**WHEREAS**, the Tennessee Code allows utilities to be placed within the county right-of-way; and

**WHEREAS**, the Tennessee Code, although varying in particulars concerning specific types of utilities, generally requires that permission be obtained from the county legislative body or the chief administrative officer of the highway department prior to entering upon the county right-of-way to perform work, and

**WHEREAS**, the Tennessee Code also generally requires that work performed within the county right-of-way be performed under the direction and control of the chief administrative officer of the county highway department, and

**WHEREAS**, it is impractical for permission to be granted on a case-by-case basis by the county legislative body, and

**WHEREAS**, it is necessary to establish clear procedures and rules, to be administered and enforced by the chief administrative officer of the highway department, for the use of the county right-of-way by utilities, so as to minimize interference with vehicular traffic, minimize damage to the county right-of-way, minimize risks to the public safety and convenience, and minimize damage to utilities.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of County Commissioners of Montgomery County, Tennessee, meeting in regular session on this day 11<sup>th</sup> of September 2023, that the chief administrative officer of the highway department shall have the authority to establish and enforce a permitting process in conjunction with applicable state and local requirements/regulations that shall apply to the use of county rights-of-way by utilities in Montgomery County.

**Duly passed and approved this 11<sup>th</sup> day of September 2023.**



Sponsor: Jeff Bryant  
Jeff Bryant

Commissioner: Rashidah Leverett  
Rashidah Leverett

Approved: Wes Golden  
Wes Golden, County Mayor

Attested Teresa Cottrell  
Teresa Cottrell, County Clerk