

ORDINANCE NO. 7

AN ORDINANCE REGULATING THE LOCATION OF THE ELECTRIC TRANSMISSION LINES, TELEPHONE LINES, GAS TRANSMISSION LINES, GAS DISTRIBUTION LINES, WATER LINES, SEWER SYSTEM LINES, AND ALL SUCH ESSENTIAL PUBLIC SERVICES.

The Board of Commissioners of Roseau County, Minnesota, being cognizant of the effect which essential services may have upon county highway locations and desiring to protect the interest of the general public with respect to said essential services does ordain as follows:

SECTION I.

Essential services shall include all electric transmission lines, telephone lines, gas transmission lines, gas distribution lines, water lines, sewer system lines, and telegraph lines.

SECTION II.

A permit shall be required prior to the location of any essential services lines within sixty (60) feet on either side of the center line of any highways or roads coming within the jurisdiction of the County of Roseau, Minnesota.

SECTION III.

An application for a permit for essential services as required pursuant to Section II shall follow the following procedure:

- Subd. A. The applicant shall file with the County Engineer, on forms supplied by the County, an application for such permit accompanied by maps indicating the locations, alignments and type of service proposed.
- Subd. B. The application and accompanying data shall be reviewed by the County Engineer, and the County Engineer may issue the permit after determining that the application is acceptable and in the best interest of the County.
- Subd. C. The County Engineer may require in conjunction with the issuance of such permit that:
1. Before any underground or aboveground utility such as power lines, telephone lines, telegraph lines, sanitary or

storm sewer lines, water lines, gas lines, fire lines, etc. is installed in any County highway, or County State Aid highway, a permit shall be obtained from the County Engineer. The application for the utility permit shall be accompanied by such plans, drawings and as-built drawings as deemed necessary by the County Engineer.

2. The applicant submit as built drawings of essential service after construction.
3. The applicant construct the essential service to take into consideration contemplated widening, regrading, or location of a County or County State Aid highway.
4. The County will furnish to the Utility or Owner of the essential services the minimum distance of contemplated widening, regrading, or location of a County or County State Aid highway as provided in part (2) of this subsection.
5. Where such utility lines are along County State Aid highways and County roads, the minimum width of right-of-way for such highways and roads being established by the Roseau County Thoroughfares Plan is 120 feet in width (60 feet on either side of center line).
6. Except that such utility shall not be required for minor repair on existing lines.

SECTION IV.

Recognizing the need for adequate and timely service by owners of essential services, the County Engineer shall act upon all information filings or permit applications of Section III within fifteen (15) days. Failure to act within fifteen (15) days shall constitute approval.

SECTION V.

Data concerning the location of underground essential services upon the request of the County Highway Engineer will be the responsibility of the Utility or Owner who shall provide the same within fifteen (15) days from the date of such request as follows:

- Subd. A. Each Utility or Owner must file with the County Engineer a plat book showing the Sections and Townships within which service is rendered or planned for future installation.

Subd. B. Each Utility, Contractor or Owner doing work in Roseau County shall be responsible for contacting the supplier of essential service to have such service facilities properly located before any work is begun.

SECTION VI.

A denial of a permit by the County Engineer may be appealed to the County Board of Commissioners by the denied party by serving written notice upon the County Auditor within fifteen (15) days of the denial of said permit.

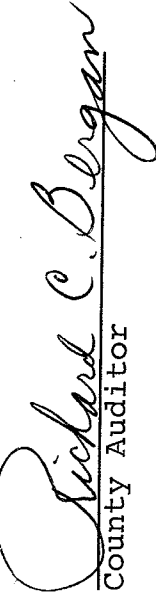
SECTION VII.

Violation of any provisions of this Ordinance shall constitute a misdemeanor.

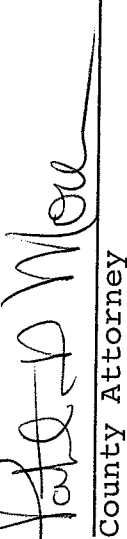
Passed by the Roseau County Board this 14th day of July, 1975.


Chairman of the County Board

ATTEST:


County Auditor

Approved as to form and execution


County Attorney