

**LINN COUNTY ENGINEERS OFFICE
1888 COUNTY HOME ROAD, MARION, IOWA 52302
892-6400**

**WORK WITHIN RIGHT-OF-WAY PERMIT
FOR PRIVATE VEGETATION CONTROL IN RIGHT-OF-WAY**

The purpose of this permit is to allow the adjacent landowner or tenant to establish an area within county right-of-way in which they control trees, shrubs and noxious weeds. This permit sets terms of the designation of No Spray/No Mow areas, including the responsibilities of the permittee to control vegetation.

ROAD NAME _____

SECTION _____ TOWNSHIP _____ RANGE _____

NAME OF APPLICANT _____

MAILING ADDRESS _____

SITE ADDRESS (if different) _____

TELEPHONE NUMBER _____ E-MAIL _____

IN SIGNING THIS AGREEMENT, THE APPLICANT AGREES TO ABIDE BY ALL CONDITIONS OF THE PERMIT CONTAINED HEREIN AS DEFINED WITHIN THE LINN COUNTY INTEGRATED ROADSIDE MANAGEMENT POLICY.

Date

Signature of Applicant

Permit Fee: \$50.00
(includes 2 No Spray/No Mow signs)

Linn County Engineer

CONDITIONS OF PERMIT

- 1) Additional No Spray/No Mow signs may be purchased at the County Engineers Office for \$15.00/each. Signs must conform to county standards. Signs are to be mounted at least 4 feet above the ground line and placed within 3 feet of the right of way line. Signs shall be mounted on steel or composite posts meeting county breakaway support requirements.
- 2) Linn County periodically mows the road surface shoulders along roadways. Linn County also mows new plantings to emphasize the establishment of the permanent, perennial seeding. Residents will be responsible for maintenance and installation of No Spray/No Mow signs, and control of noxious weeds, trees, and shrubs within designated No Spray/No Mow areas. If residents do not control trees, shrubs and noxious weeds within designated No Spray/No Mow areas, the county will send notice to the tenant or landowner by regular mail to cut, spray, or otherwise control said weeds, trees and shrubs. If control is not completed within 10 days of mailing the letter, the county may cut, spray, or otherwise control the noxious weeds, trees and shrubs according to county practice, revoke the permit and invoice the permittee for the cost.

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- 3) Permits from the County are required before any physical change can be made. Work performed shall be in conformance with county specifications. If work does not conform, the permittee shall be notified to make the conforming changes. The permittee will have 10 days to make the changes. After 10 days, the County may make the necessary changes and invoice the costs to the permittee.
- 4) Any person who places, or causes to be placed, any obstruction in a highway right-of way as prohibited is deemed to have created a public nuisance punishable as provided in Chapter 657.
- 5) Paved roads will not be open cut unless specific permission is received from the County Engineer.
- 6) All time loss encountered by county crews due to underground installations will be charged to the permit holder involved. All repair work performed by county crews, necessitated because of the installation of underground facilities, will be charged to the permit holder.
- 7) The County assumes no responsibility for damages to the permittee's property occasioned by any construction or maintenance operations on said highway, including new or additional right of way acquired in connection therewith, subsequent to the building of said facility.
- 8) The permittee shall take all reasonable precaution during the construction to protect and safeguard the lives and property of the traveling public and adjacent property owners and shall save the County harmless of any damages or losses that may be sustained by the traveling public or adjacent property owners of such construction operations. Proper warning signs and/or devices shall be used to alert the traveling public when men and/or machines are working on or near the roadbed. Such warning shall be in conformance with the Manual on Uniform Traffic Control Devices for Streets and Highways. (See Part 6 Temporary Traffic Control)
- 9) The permittee shall hold the County harmless from any damage that may result to said highway because of the construction or maintenance of said facility and shall reimburse the County for any expenditure that the County may make due to the permittee's installation.
- 10) The permittee agrees to give the County forty-eight (48) hours notice of work on highway right of way.