ASSOCIATED HIGHWAY DISTRICTS

of Kootenai County

Right-of-Way Encroachment & Private (Regulated) Utility Permit Application

AHD USE ONLY

Permit #	*Assigned by district*
Received	*MM/DD/YYYY*
District	*HD*

1	2	3
APPLICATION SUBMITTAL Owner, agent, utility, or engineer submits location, plans, methods, restoration, and required documents.	**DISTRICT REVIEW & APPROVAL** District reviews the site/design, utility impacts, restoration, and conditions before permit authorization.	**FIELD EXECUTION** Work proceeds only after approval and required start notice; notification, inspection, restoration, and warranty apply.

APPLICABILITY AND REVIEW BASIS	Use this form for **private or non-regulated improvements occupying public right-of-way, property-owner utility service laterals, within AHD right-of-way (ROW).** Examples include landscaping, retaining walls, fences, irrigation, private water/sewer/power service connections and/or roadway crossings, and related repair or maintenance work. Incomplete applications will delay review. Permit approval does not create ownership, easement, franchise, or permanent occupancy rights in the right-of-way.

SECTION 1 Applicant, Property, Utility & District Information

Highway District	☐ East Side HD ☐ Lakes HD ☐ Post Falls HD ☐ Worley HD	**Submittal Type**	☐ Standard ☐ Emergency ☐ Revision / Resubmittal
Owner Name	*Owner name*	**Applicant Name**	*Name and title*
Applicant Email	*name@example.com*	**Applicant Phone**	*Primary phone*
Mailing Address	*Street or mailing address*	**City / State / ZIP**	*City, State ZIP*
Site Address / Parcel	*Site address or parcel no.*	**24-Hour Contact**	*Name and after-hours phone*
Design Engineer / Preparer	*Name and firm, if different*	**Engineer Contact**	*Phone and email*

SECTION 2 Permit Scope, Encroachment & Utility Details

Permit Category	☐ Private Encroachment / Feature ☐ Private Utility Service Lateral ☐ Removal / Abandonment ☐ Other	**Work Type**	☐ New Installation ☐ Modify / Upgrade ☐ Relocation ☐ Emergency Repair ☐ Maintenance ☐ Other
Encroachment / Feature Type *Check all that Apply*	☐ Landscaping ☐ Retaining Wall ☐ Fence / Gate ☐ Irrigation / Drainage Feature ☐ Other / N/A	**Utility Type** *Check all that Apply*	☐ Water ☐ Sewer ☐ Electric ☐ Gas ☐ Fiber / Telecom ☐ Cable ☐ Irrigation ☐ Other ☐ N/A
Encroachment Configuration *Check all that Apply*	☐ Overhead ☐ Underground ☐ Within Area of City Impact (ACI) ☐ Utility Roadway Crossing(s) ☐ Earth / Roadway Disturbing Work	**Installation Method** *Check all that Apply*	☐ No Excavation ☐ Hand Excavation ☐ Bore / Jack ☐ HDD ☐ Open Trench ☐ Pavement Cut ☐ Plow ☐ Aerial / Pole Work ☐ Structure / Pole Attachment ☐ Equipment in ROW
Feature Size / Dimensions	*Height, length, width, pipe/conduit size*	**Depth / Clearance**	*Depth of cover or vertical clearance*
Material / Finish	*Wall material, plantings, surfacing, pipe material*	**Pressure / Voltage**	*PSI, V, or kV if applicable*
Casing / Encasement	*Describe if required*	**Design Deviations**	*Requested exception or N/A*

SECTION 3 Work Location & Site / Utility Placement Information

Road Name(s)	*Road or street where work is located*	**Nearest Address / Parcel**	*Site address, parcel no., or owner property*
Nearest Cross Street / Landmark	*Nearest intersection, driveway, or landmark*	**City / Area**	*City, area, or neighborhood*
Work Side of Road	*N / S / E / W side, left / right, or describe*	**Section / Township / Range**	*STR, if known*
Approx. Distance from Roadway	*Feet from edge of pavement, shoulder, or ditch*		

Site, Design & Utility Placement Checklist

	Location information and attached site plan show where the proposed work will be placed relative to the road, property, and right-of-way.
	Known nearby features are shown or described, including driveways, ditches, culverts, sidewalks/pathways, signs, mailboxes, and visible or known existing utilities.
	For utility work: roadway crossings are generally perpendicular to the road, and trenchless methods are proposed for roadway and approach crossings unless infeasibility is documented.

SECTION 4 Project Description & Schedule

Describe Proposed Work	*Summarize the proposed encroachment or utility work, purpose, location, dimensions, construction limits, affected ROW features, and major work activities.*		
Planned Start Date	*MM/DD/YYYY*	**Estimated Duration**	*Calendar days*
Working Hours / Closure Window	*Work hours, lane restriction hours, or closure window*	**Restoration Completion**	*Planned restoration completion date*
Traffic Control Need	*Lane/shoulder/sidewalk closure? Describe or N/A*	**District Inspection Request**	*Requested inspection timing*

SECTION 5 Required Submittals

	Site Plan: Show the proposed work relative to the road, right-of-way, property lines, driveways, ditches, culverts, signs, sidewalks/pathways, and other nearby features. Public GIS information may be used as a base when sufficient for review.
	Utility Plans and Profiles: Show facility type, horizontal location, ROW limits, offsets from road centerline or edge of pavement, depth of cover, crossings, trench/bore limits, pits, and any standard details. This is applicable to utility companies installing mains or trunk lines in the right of way or at the discretion of the district.
	Construction Method and Sequencing: Describe proposed work methods, construction sequencing, open cut/trenchless methods, excavation limits, and requested deviations from District standards or policies.
	Traffic Control Plan: Provide a traffic control plan meeting MUTCD requirements for any work affecting traffic
	Utility / Agency Coordination: For private service laterals, provide coordination or approval from the owner/operator of the receiving utility. For public utilities, provide utility owner authorization, franchise/statutory authority if requested, and applicable city/ACI coordination.
	Bonding, Insurance, Fees, and Other Documents: Provide evidence of bond/surety, insurance, additional insured endorsement, permit fee receipt, photos, 811 information, easements, or other documents requested by the District.

SECTION 6 Applicant Acknowledgement & District Permit Approval

Applicant Acknowledgement

By signing below, the Applicant/Permittee certifies that the submitted information is accurate to the best of their knowledge; that the proposed encroachment or utility work is shown on the submitted plans or site sketch; that no work in Highway District right-of-way will begin until written permit approval is issued and required start notice, insurance, bond, traffic control, or District conditions are satisfied; that all work will comply with approved plans, District standards, special provisions, and applicable ISPWC requirements; that the permit does not create property, easement, franchise, or permanent occupancy rights in the public ROW; and that the Permittee is responsible for maintenance, repair, relocation, removal, restoration, inspection, bonding, insurance, indemnification, and warranty obligations required by the District. The District may require modification, relocation, or removal when needed for safety, drainage, maintenance, utility conflicts, or future roadway needs.

Applicant Authorized Signature	*Signature*	**Date**	*MM/DD/YYYY*
Printed Name / Title	*Printed name and title*	**Applicant / Utility Company**	*Owner / company name*

SECTION 7	Highway District Permit Review & Final Disposition (AHD Use Only)		
Final Permit Disposition	☐ Approved - ROW Work Authorized ☐ Approved with Conditions ☐ Denied ☐ Revisions Required ☐ Approved - Start Notice Required		
Special Conditions / Notes	*District conditions, location limitations, utility requirements, traffic control requirements, restoration requirements, or denial/revision reason.*		
Permit Number	*Assigned by District*	**Fee / Bond / Insurance Status**	*Initials / date / notes*
District Authorized Signature	*Signature*	**Date**	*MM/DD/YYYY*
Printed Name / Title	*Printed name and title*	**District**	*District name*
Inspection / Closeout Notes	*Inspection hold points, restoration acceptance, as-built requirements, maintenance obligations, utility closeout requirements, or follow-up items.*		
START NOTICE	**Before Work Begins:** When contractor, start date, 811, traffic control, bond, insurance, or final field-contact information is not available at application, the Permittee must submit the Construction Start Notice at the end of this form and satisfy District conditions before working in the ROW.		

REFERENCE Key Permit Requirements & Field Expectations

This page summarizes baseline expectations for encroachments, private service laterals, and public utility installations in District right-of-way. District-specific conditions, adopted standards, or special provisions may impose additional requirements.

Requirement	Field Expectation
Permit Required	Written authorization is required before any private feature, service lateral, or utility facility is constructed, placed, installed, maintained, modified, relocated, repaired, or allowed to occupy public right-of-way.
Applicability	This permit path may be used for private encroachments, property-owner utility service laterals, and when accepted by the issuing District.
Private Encroachments	Examples include landscaping, retaining walls, irrigation, fences, gates, private drainage or surface improvements, and similar private features.
Private Service Laterals	Private utility items are intended for property-owner service laterals connecting to public or third-party utility mains, such as water service, sewer lateral, irrigation service, or private power service.
No Property or Franchise Right	Permit approval does not convey ownership, easement rights, franchise rights, or a permanent right to occupy the ROW. Separate legal authority must exist where required.
Crossings	Underground crossings of roadways and approaches should be installed by trenchless methods unless specifically authorized otherwise. If trenchless construction is not feasible, document the reason and request approval.
Location / Clear Zone	Above-ground facilities and private features should avoid clear-zone, sight-distance, drainage, and maintenance conflicts and should be as far from the traveled way as practical.
Depth of Cover	Utility cover is generally expected to be a minimum of 4 feet within the roadway prism and 3 feet outside the roadway prism unless specifically approved otherwise by the District.
Restoration / Warranty	Temporary patches must be kept safe, and permanent restoration must follow District and applicable ISPWC requirements. Settlement, defects, drainage issues, or damage attributable to the work remain the Permittee's responsibility.
Traffic Control	Traffic, shoulder, sidewalk, pathway, driveway, or access impacts require appropriate traffic control consistent with MUTCD principles and District conditions.
Bond / Insurance	Bonding, surety, insurance, additional-insured documentation, fees, and securities must be provided when required by the issuing District.
Maintenance / Relocation / Removal	The Permittee is responsible for maintenance, repair, relocation, removal, and restoration. The District may require modification, relocation, or removal when needed for safety, drainage, maintenance, utility conflicts, or future roadway work.
Inspection / Closeout	The District may inspect before, during, and after construction and may require closeout documentation, as-built information, restoration acceptance, or additional corrective work.

START NOTICE	Construction Start Notice & Roadway Protection	*Complete After Permit Approval and Before Work Begins*
AFTER APPROVAL	Use this page when contractor, start date, 811, traffic control, or final field-contact information was not known or has changed after the initial permit review. Submit this notice to the District before beginning work in the ROW and keep a copy with the approved permit.	

Approved Permit #	*Permit number*	**Site Address / Road**	*Site address or road name*
Property Owner / Utility Owner	*Owner, applicant, or utility company name*	**Requested Start Date**	*MM/DD/YYYY*
Estimated Completion	*MM/DD/YYYY or duration*	**Working Hours**	*Working hours / closure window*
Contractor / Owner-Builder	*Contractor name or owner-builder*	**Field Contact**	*Name and mobile phone*
811 Ticket No. / Date	*Ticket number and date*	**Traffic Control Needed?**	*Yes / No / N/A*
Traffic Control Contact	*Name, company, phone*	**District Notice Given**	*Date/time and method*
Emergency Contact	*Name and 24-hour phone, if utility work*	**Restoration Responsibility**	*Contractor, owner, or utility responsible*

Start-of-Work Checklist

	Approved permit, approved plans/site plan, and District conditions will be available on-site during work.
	Idaho 811 has been contacted and allowed appropriate time to mark facilities before excavation, if excavation is proposed.
	Traffic, shoulder, sidewalk, driveway, and pedestrian impacts will be protected as approved or as directed by the District.
	Public utility or private service-lateral work will follow approved location, depth, construction method, and restoration requirements.
	Disturbed pavement, shoulder, ditch, drainage, landscaping, or roadside areas will be restored as shown on the approved permit or as directed by the District.

District Start Authorization	☐ Authorized ☐ Authorized with Conditions ☐ Hold / Do Not Start	**Date**	*MM/DD/YYYY*
District Start Conditions	*District notes, required inspector notification, pre-con requirements, traffic restrictions, utility-specific conditions, or restoration reminders.*		
District Representative	*Name / signature*	**Contact**	*Phone / email*
End of Application Form			

Encroachment Permit General Provisions

1 Acceptance

By signing the permit or commencing authorized work, Permittee accepts the permit provisions and conditions and is responsible for compliance by its employees, agents, contractors, and subcontractors.

2 Scope of permission

The permit authorizes only the encroachment, location, and work described in the permit and approved plans. Changes require prior written District approval. The permit is nonexclusive and, by its issuance, creates no easement, ownership interest, franchise, or right to continued occupancy beyond its terms. It does not authorize work outside the District's jurisdiction or interference with the rights of others. Independent property rights are neither adjudicated nor extinguished by issuance or acceptance of this permit.

3 Right of way and existing facilities

Permittee shall verify right-of-way limits and the authorized work location before beginning work. Permit issuance does not warrant the width, boundaries, ownership, or absence of other interests in the right-of-way.

4 Responsibility for construction and safety

Permittee is responsible for construction methods, contractor supervision, jobsite safety, and protection of the traveling public and affected property. District review, inspection, directions concerning compliance, or failure to identify a deficiency does not relieve Permittee of these responsibilities or constitute District control of construction methods. Permittee shall promptly correct unsafe conditions and notify the District of incidents affecting the highway, public safety, or District facilities.

5 Traffic control and access

Permittee shall provide and maintain traffic control consistent with an approved traffic control plan. Work shall minimize interference with public travel and preserve safe pedestrian access where affected by the work.

6 Excavation

Excavations shall be secured, protected, backfilled, and compacted in accordance with the approved plans and applicable District standards. Permittee shall provide testing and results when required by District.

7 Inspection and District representatives

Permittee shall provide access for District inspection and give notice for required inspections before covering work. District may require noncompliant work to be exposed, tested, corrected, or replaced at Permittee's expense. Approvals and directions under this permit may be given only by a District representative acting within delegated authority. Permittee shall pay review, inspection, and testing charges identified in the permit or imposed under an adopted District fee schedule.

8 Restoration and damage repair

Permittee shall repair damage caused by the permitted work and restore all affected portions of the right-of-way, including pavement, shoulders, ditches, culverts, slopes, vegetation, and other facilities, to their pre-work condition or the restoration standard expressly required by the permit.

9 Completion and correction of defects

Permittee shall notify the District when work is ready for final inspection and provide completion records required by the permit. Written approval of completed work confirms compliance only to the extent observed and does not transfer ownership or maintenance responsibility to the District. For twenty-four (24) months after written approval of final restoration, Permittee shall correct settlement, pavement failure, drainage deficiencies, and other restoration defects attributable to the work at its expense. This period does not limit continuing maintenance obligations or liability otherwise imposed by law. If final restoration has not been approved, Permittee remains responsible for completing and correcting it.

10 Continuing maintenance

Permittee shall maintain the encroachment at its expense in compliance with this permit and applicable safety requirements. The encroachment shall not interfere with travel, sight distance, drainage, highway maintenance, or other lawful right-of-way uses. Permittee shall promptly correct deterioration or unsafe conditions attributable to the encroachment.

12 Highway operations

In accepting this permit, the Permittee, on his behalf and on behalf of his successors and assigns, agrees that any damage or injury done to the encroachment by District or any expense incurred by him related to the encroachment shall remain the sole expense of the Permittee, his successors or assigns. District has no obligation under this permit to modify ordinary operations solely to protect the encroachment.

13 Relocation and removal

Upon written notice from District, Permittee shall relocate, modify, or remove the encroachment when notified by District to do so. If Permittee fails to remove the encroachment, District may remove the encroachment without liability to District. If removed by District, there is no right to reinstall the encroachment.

14 Indemnification and defense

To the fullest extent permitted by law, Permittee, and his heirs, successors and assigns, shall indemnify, defend, and hold harmless the District and its commissioners, officers, employees, and agents from third-party claims, actions, damages, liabilities, judgments, and reasonable defense costs, including attorney fees, arising out of installation, placement or repair of Permittee's encroachment.

16 Reservation of authority and severability

The District reserves its lawful authority over the highway and right-of-way, including the right to perform highway work and authorize other compatible uses. Permit issuance, inspection, or final approval does not constitute acceptance of a private encroachment for public maintenance. No provision waives governmental immunity, statutory defenses, or other District rights under Idaho or federal law. If a provision is held invalid or unenforceable, the remaining provisions remain effective to the extent permitted by law.