

Permit No. \_\_\_\_\_

Date: \_\_\_\_\_

**BEAR LAKE COUNTY ENCROACHMENT PERMIT**

Name: \_\_\_\_\_

Phone number: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Application of right-of-way encroachment is hereby granted, subject to the included regulations for the control and protection of County Roads and Right- of- Ways, Idaho Code, Bear Lake County Ordinances, other general safety requirements, and the approval plan and any special limitations set forth herein.

Permission is requested for the purpose of

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

In the following location \_\_\_\_\_

The work shall commence \_\_\_\_\_

In the event work is commenced under this permit, the applicant agrees to prosecute the same to completion by the date herein above specified. In the event the applicant fails or refuses to complete the work, the County Road Department may, at its election, fill in or otherwise correct any existing impediment and the applicant agrees to forfeit the deposit of \$ \_\_\_\_\_ in compensation, therefore.

The applicant shall be required to deposit \$ \_\_\_\_\_ with the County at the time of application. This deposit will be retained by the County until the applicant completely restores the County right-of-way disturbed by the applicant, to its original condition. If the right-of-way is not restored to its original condition by the applicant, the County may do so with its own resources and the \$ \_\_\_\_\_ will be retained by the County as compensation for the restoration work. If it costs more than \$ \_\_\_\_\_ to restore the right-of-way, the applicant agrees to pay the balance within 30 days of billing.

An inspection fee of \$50.00 will be required to accompany this application. *The inspection fee will not be refunded.*

Before any work provided for, or permitted under the terms of this permit is commenced, the applicant must notify Scott Wells @ 208-847-1061 or 208-847-5103. The applicant will comply with all of Mr. Skinner’s instructions and regulations of Bear Lake County with respect to performance of said work and the applicant agrees that they will properly safeguard said work to prevent accident or injury, and shall indemnify and hold harmless Bear Lake County from all damages arising out of any and all operations performed under this permit.

The permittee shall not perform any work on County right-of-way beyond those areas of operation stipulated on the permit. Due to future construction or other causes, if the County wishes the encroachment removed or relocated, the permittee will do so after 30 days’ notice at permittees expense.

If applicant fails to comply with County regulations, specifications, or instructions pertinent to this permit, the County Road Supervisor, or his duly authorized representative may by verbal and written order, suspend the work until the violation(s) is corrected. If the applicant fails or refuses to comply promptly, The County Road Supervisor or his duly authorized representative may issue a written order stopping all or part of the work. When satisfactory corrective action is taken, an order permitting resumption of work may be issued.

In the event the applicant fails to perform any of the conditions of this permit, and it is necessary to resort to any legal action, the applicant agrees to pay any damages caused by their failure to comply with the permit, and to pay a reasonable attorney fee and court costs incurred in said action.

This permit is binding upon the heirs, successors, and assigns of the applicant.

\_\_\_\_\_

Signature of Applicant

\_\_\_\_\_

Bear Lake County Corporations

By County Road Supervisor-Permit Officer

*Note: The \$50.00 inspection fee and the \$\_\_\_\_\_ deposit will be waived for the driveways that do not encroach upon the traveled way of the County Road.*

OFFICIAL USE ONLY

\_\_\_\_\_

Refund clearance for \_\_\_\_\_ Is hereby given \_\_\_\_\_

Date: \_\_\_\_\_

## Criteria for digging across County Roads

1. Must obtain a permit, which can be obtained at Bear Lake County Court House, County web page, or Road and Bridge office.
2. Deposit money depending on road type: \$2,500.00 for gravel, \$6,500.00 for paved.
3. Control or monitor traffic, flaggers, or signs.
4. At no time should the road be totally closed to traffic.
5. Call dig-line. 811
6. When back filling use good dry gravel.
7. Haul wet, muddy debris away, use a wacky packer or similar equipment to compact every 8 inches.
8. Use felt to line trench if needed.
9. Return road to original or better condition. (Gravel, asphalt to asphalt.)
10. Call the Road and Bridge Supervisor (208-847-1061) or (208-847-5103- cell) to inspect work or if you have any questions. After one year he will then sign off if completed correctly and return the check.

18-3907. Obstruction of highways. Any person who obstructs, injures or damages any public road, street or highway, either by placing obstruction therein or by digging in, deepening or deviating the water of any stream, or by placing any obstruction in any ditch or stream within or along any public road, street or highway, or by placing or construction any obstruction, ditch or embankments upon his own or other lands, so as to make or cause any water to flow upon or impair any public road, street or highway, or rides or drives upon and along the sidewalk of any road, street or highway, whenever such sidewalk has been graded or graveled, located or designated by any order of the board of commissioners or city council, or prepared in any other manner dedicating and designating the same for and to that particular use and purpose, either by the property owner or by the public, or in any other manner injures or obstructs any public road street or highway, is guilty of a misdemeanor.

## **Bear Lake County**

### Driveway and driveway approach standards:

- Access driveways for single-family dwellings shall be a minimum of 12 feet wide.
- The driveway approach is defined as: From the edge of the public road to the edge of the right of way (ROW) or from the edge of the public road 20 feet, whichever is greater.
- Driveway approaches onto roads shall not exceed 8 percent grade as calculated from the nearest shoulder elevation.
- Driveway approaches shall be a minimum of 12 feet wide, with a curved radius of 5 feet. See attached drawing of "Typical Driveway Approach"
- A driveway approach shall not extend beyond the edge of the road on to the road.
- No access driveway to a public road shall be within 20 feet of any intersection.
- Where required for drainage, driveways and approaches shall be constructed over a minimum 15-inch culvert capable of supporting a load of 40, 000 pounds, Culverts may be either corrugated metal pipe, reinforced concrete pipe or other acceptable material. Culvert length shall extend 1 foot beyond the area filled by the construction of the driveway approach.
- Single-family building lots are encouraged to share driveways to reduce the number of access points along a road and thus aid in the safety of the road.
- Frontage roads may be required for developments with more than four lots along public roads.
- Driveway approaches should be completed before building construction is started.
- Clear vision triangles should be provided for all access driveways. Clear vision triangles include the area defined by extending a line between two points, one on the lot line paralleling the road, and one on the outer edge of the driveway, each of which is 15 feet from the point where the driveway crosses the lot line. No visual obstructions such as solid fence, wall planter, hedge, or shrub more than 3 feet in the height above the grade of the adjoining road shall be permitted in this triangle area. Trees shall be permitted but all branches to a height of 7 feet above grade shall be removed.

- These standards should be checked at the time of the building permit being issued.

Table 3: General Driveway Spacing Standards

Street Classifications	Minimum Driveway Spacing	Minimum Driveway Separation from Public Street Intersection
Arterial Street	500 <sup>2</sup> feet	190 feet
Collector Street	300 <sup>2</sup> feet	150 feet
Local Street	150 feet	75 feet

1. Street classification is detailed within the Comprehensive Plan.

2. Limited to a maximum of three driveways per mile per side.

C. The distance from an access driveway to an intersection shall be measured from the junction of the corner lot lines at the intersection, to the nearest side of the driveway.

D. The number of driveways shall be the minimum number necessary to provide reasonable access to the property(ies), not the maximum available for the frontage. Adjacent developments under the same ownership, group of owners or consolidated for the purposes of development and comprise more than one building site shall be reviewed as a single property for purposes of determining the number of access points. For single-family and multi-family developments, one driveway is permitted per lot. Larger developments generating 250 vehicle trips per day, commercial, and industrial developments may require more than one driveway but shall be limited to the minimum feasible number.

E. The County shall require, at a minimum, that driveways be located outside the functional area of the intersection even if such a distance would be greater than set forth in Table 3.

F. The County may attach conditions to any access to the public roadway system. Additionally, the approval may be temporary including time limits based upon the availability of an alternative access that meets or more closely satisfies the access management policies and standards.

G. Driveways shall be constructed consistent with the widths specified in Table 4 based upon the posted speeds on the adjacent roadway. If not posted, the approach widths specified for roadways with speeds greater than 35 MPH shall be used.

**Table 4: Approach Widths & Radii**

Approach Use	<35 MPH	<35 MPH	>35 MPH	> 35 MPH	RADII	RADII
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
Single-Family Residential, Farmyard, Field	12'	40'	20'	40'	20'	30'
Commercial & Industrial (One-Way)	15'	30'	20'	30'	30'	40'
Commercial & Industrial (Two-Way)	25'	40'	25'	40'	30'	40'
Joint -Use: Residential/Farm	25'	40'	25'	40'	20'	30'
Joint – Use: Commercial	12'	40'	20'	40'	30'	40'
Joint – Use: Industrial	12'	40'	20'	40'	30'	40'
Public Highways	28'	NA	28'	NA	30'	50'

H. The grade of the driveway shall not exceed 8 percent at any point along its length. The following additional minimum standards apply:

1. Driveways less than 40 feet may have a maximum grade of 8 percent.
2. Driveways longer than 200 feet may have grades more than 8 percent but no greater than 10 percent. Grades more than 10 percent shall account for no more than 100 feet within any 500 lineal feet of driveway. The grade of these longer driveways, at their intersection with the public street and for 40 feet from the edge of the roadway, shall be no greater than 8 percent.

I. A minimum 15-inch diameter culvert capable of supporting a load of 40, 000 pounds may be required to convey stormwater runoff. The size and location of the culvert shall be determined by the relevant roadway jurisdiction, either ITD District 5 or the Bear Lake County Road and Bridge Superintendent. Culverts shall be constructed of corrugated metal pipe or reinforced concrete pipe. Culverts, when required, shall extend a minimum of 1 foot beyond the edge of fill created by construction of the driveway approach or such other longer distance as may be determined by the relevant roadway jurisdiction.

J. Driveways serving commercial or industrial uses that include parking areas larger than 1,000 square feet, provide five (5) or more spaces, or include off-street loading berths shall conform to the following standards

1. The driveway shall be designed and constructed to facilitate the flow of traffic on or off the site with due regard to pedestrian and vehicle safety and shall be clearly and permanently marked and defined.
2. The driveway shall be a minimum 14 feet in length from the edge of the right-of-way, but longer driveways may require when necessary to ensure that stopping, standing, parking, or maneuvering of vehicles, does not occur within the right-of-way
3. When the adjacent road is paved, the driveway shall also be paved. Driveway paving shall extend a minimum of 14 feet from the edge of the existing pavement. A longer paved driveway may be necessary to ensure that stopping, standing, parking, or maneuvering of vehicles do not occur within the public road right-of-way.
4. The parking area shall provide adequate aisles or turn-around so that all vehicles may enter the street in a forward manner.
5. The parking areas shall be designed and improved to prevent vehicles from overhanging public walkways, adjacent public or private property, or from restricting the visibility of traffic on a public road. Curbs or wheel stops shall be required when vehicle head-in parking is located adjacent to the sidewalk and not separated by a planting strip.