

Permit No. _____

Date: _____

BEAR LAKE COUNTY ENCROACHMENT PERMIT

Name: _____

Phone number: _____

Address: _____

Application of right-of-way encroachment is hereby granted, subject to the Regulations for the Control and Protection of County Road of Way Legally required and other general safety requirements, 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 impediments and the applicant agrees to forfeit his \$ _____ deposit 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 forces 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 \$ _____ will be required to accompany this application. *The inspection fee will not be refunded*

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Before work permitted herewith is commenced, the applicant must notify **Greg Skinner @ 208-847-1061**, and commencement of said work of understood to indicate that the applicant will comply with all instructions and regulations of Bear Lake County with respect to performance of said work and that he will properly safeguard said work to prevent accident and shall indemnify and hold harmless Bear Lake County from all damages arising out of any and all operations performed under this permit.

Permittee shall not perform any work on County road-of-way beyond those areas or operation stipulated on the permit. If because of the future construction or other causes, the County wishes the encroachment removed or relocated, the permitte will do so after 30 days notice at his 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 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 any 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 actions, the applicant agrees to pay reasonable attorney fees 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 \$15.00 inspection fee and the \$_____ deposit will be waived for the driveways that do not encroach upon the traveled way of the County road.

OFFICAL USE ONLY

Refund clearance for _____ Is herby given _____
Date _____

Criteria for digging across County Roads

1. Must obtain a permit. Can get this at Bear Lake County Court House.
2. Deposit money depending on road type: 2500 for gravel, 6500 for paved.
3. Control or monitor traffic, flaggers or signs.
4. At no time should the road be totally closed for traffic.
5. Call the dig-line if needed.
6. When back filling-use good dry gravel.
7. Haul wet, muddy debris away, use a waky paker or similar equipment to compact every eight inches.
8. Use felt to line trench if needed.
9. Return road to original or better condition. (Gravel to gravel, asphalt to asphalt.)
10. Call Road and Bridge Supervisor (847-1061) to inspect work or if you have any questions. He will then sign off if completed correctly and return check.

Greg Skinner

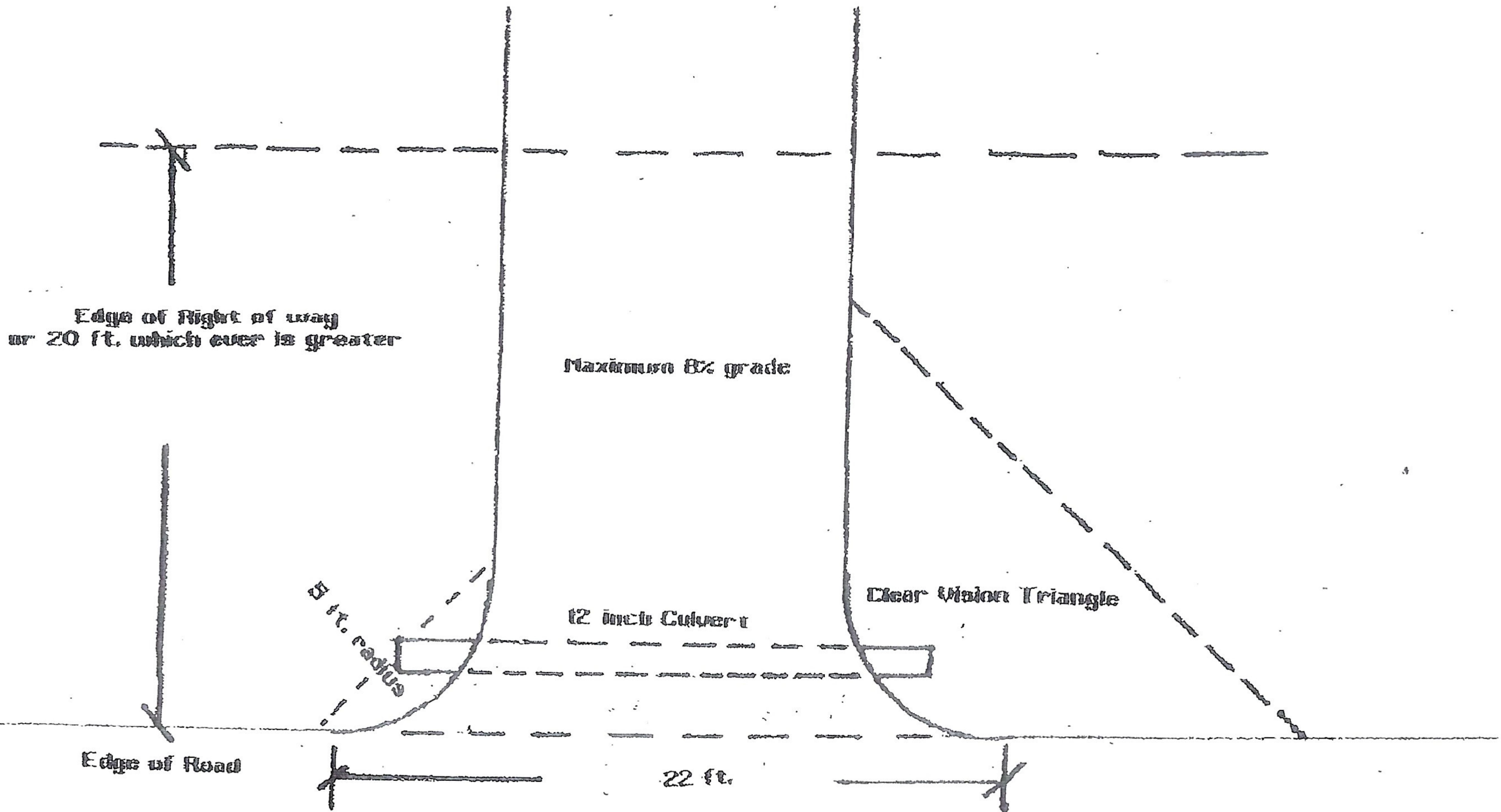
From: "Directcom Customer" <rjones@dcdi.net>
To: <gskinner58@dcdi.net>
Sent: Thursday, October 13, 2011 10:56 AM
Subject: Damage to Road

Greg, The Idaho Code Section is 18-3907 which is a misdemeanor carries a maximum penalty of \$1,000.00 fine and/or 6 months in jail. Text of the code section follows:

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 constructing 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.

RJ

TYPICAL DRIVEWAY APPROACH



CURB & GUTTER SECTIONS

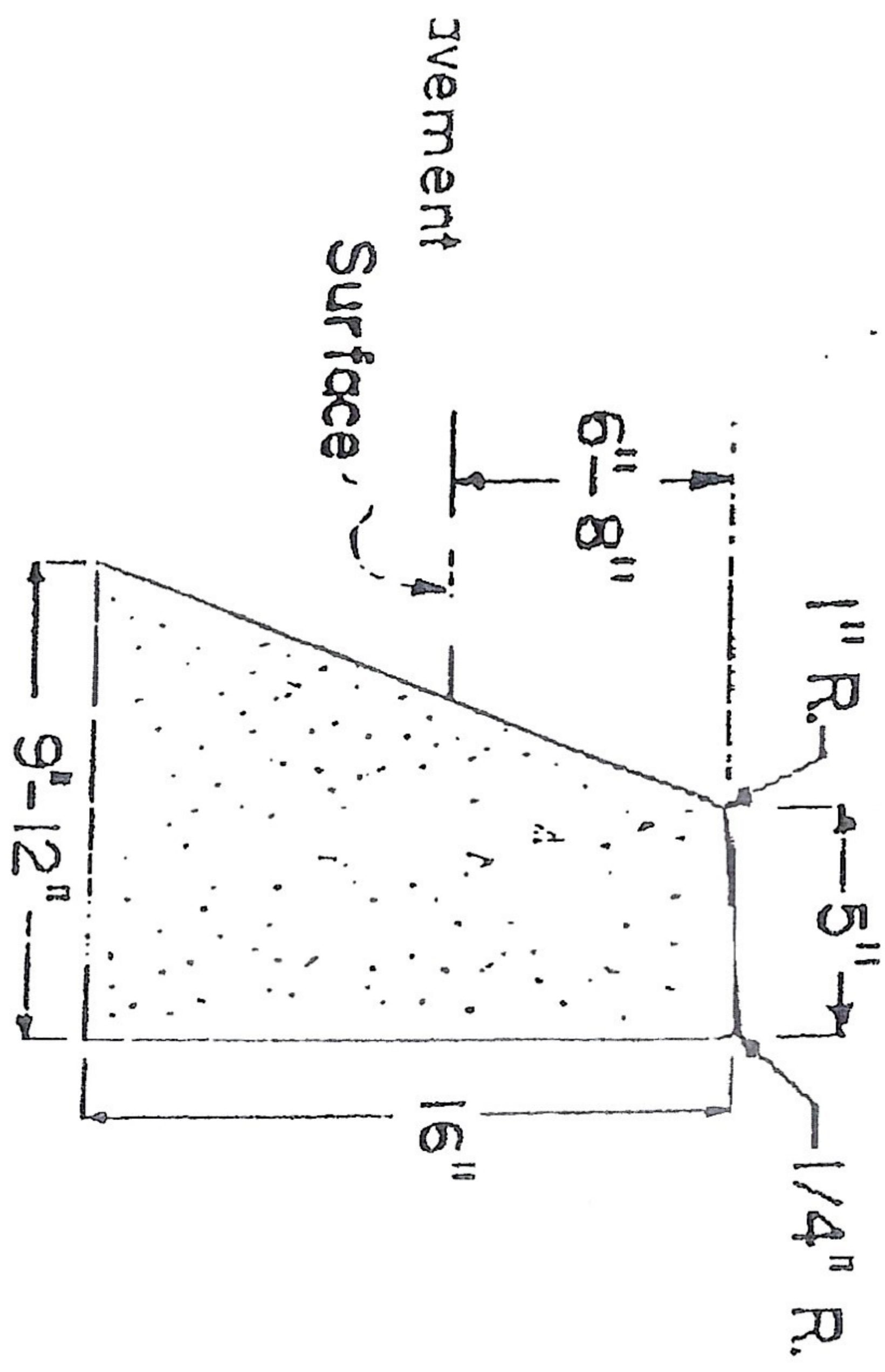


Figure D.

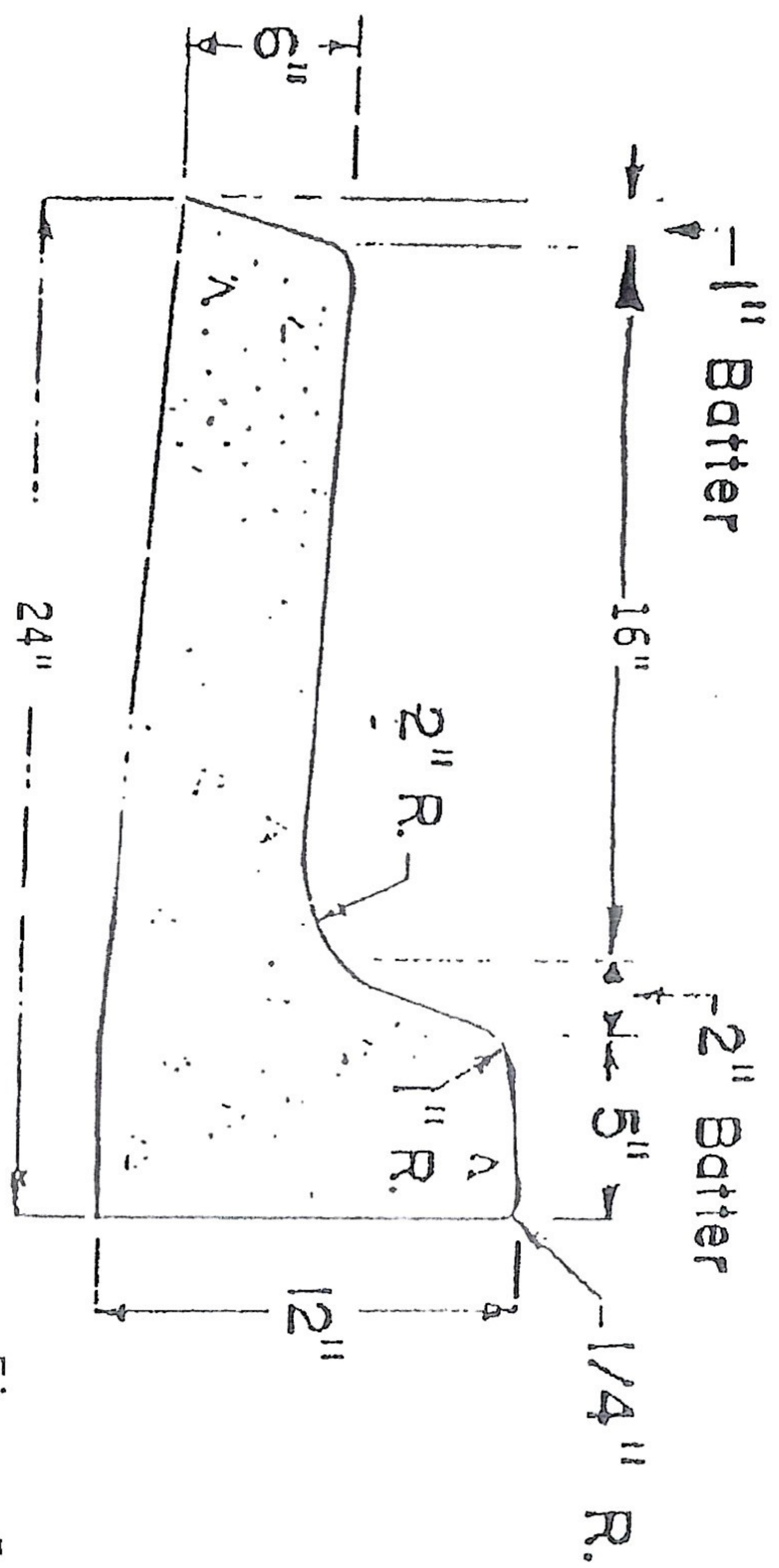


Figure E.

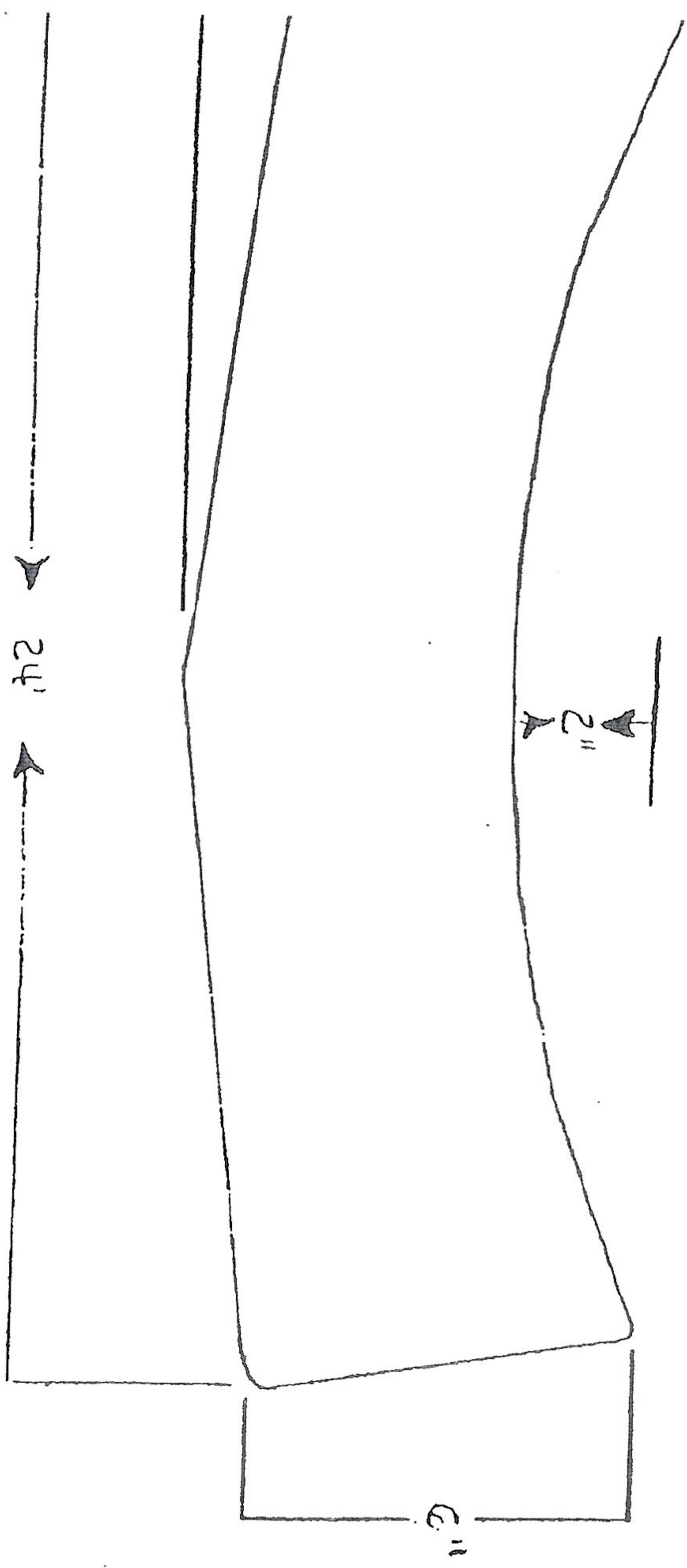


Figure F.

Bear Lake County

June 11, 2001

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, which ever is greater.
- Driveway approaches onto roads shall not exceed 8% grade as calculated from the nearest shoulder elevation.
- Driveway approaches shall be a minimum of 12 feet wide, with a curve 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 12 in culvert capable of supporting a load of 40,000 ponds. 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 completed.
- Clear vision triangles should be provided for all access driveways. Clear vision triangles includes 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 three feet in 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 seven feet above grade shall be removed.
- These standards could be checked at the time of the building permit being issued.

Table 3: General Driveway Spacing Standards

Street Classification ¹	Minimum Driveway Spacing	Minimum Driveway Separation from Public Street Intersection
Arterial Street	500 ²	190
Collector Street	300 ²	150
Local Street	150	75

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 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.

Approach Use	<35 MPH		>35 MPH		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 eight (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 eight percent.
2. Driveways longer than 200 feet may have grades in excess of eight (8) percent but no greater than ten (10) percent. Grades in excess of ten (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 a distance of 40 feet from the edge of the roadway, shall be no greater than eight (8) percent.

I. A minimum 12 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 one (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 designed and constructed to facilitate the flow 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 driveways shall be a minimum 14 feet in length from the edge of the right-of-way but longer driveways may be required when necessary to

Bear Lake County Land Use Ordinances

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 driveways 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 does 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.

K. Properties fronting on US Highway 30 (US30), US Highway 89 (US89), and State Highway 36 (SH36) are subject to the following additional standards and shall submit written documentation to the County demonstrating that the proposed driveway has been reviewed and approved by Idaho Transportation Department, District 5.

1. Driveways shall be paved. Paving shall extend from the edge of the existing highway pavement to a minimum of fourteen (14) feet from the edge of the State Highway right-of-way or greater distance as may be necessary to ensure that stopping, standing, parking or maneuvering of vehicles does not occur within the right-of-way.
2. Corner lots shall derive access from the side or Minor Street with no driveways connecting to the State Highway.
3. Normally only one approach will be provided to any single property, tract, or business establishment frontage. Approaches shall be considered per total development, regardless of the number of individual parcels it contains.
4. Two or more adjacent properties fronting on State Highways without access to an adjacent street (i.e. not a corner lot) shall share an access driveway except where topography or existing buildings preclude common access. The County may waive this requirement when all adjacent properties' driveways (existing as well as those that may be needed in the future) would be more than twice the minimum driveway spacing specified in Table 3, General Driveway Spacing Standards.
5. Driveways gaining access to State Highways shall be located or relocated (at the time of development or redevelopment) to existing property lines. The County may waive this requirement when all adjacent properties' driveways would be more than twice the minimum driveway spacing specified in Table 3, General Driveway Spacing Standards. Owners of new or modified driveways shall be required to:
 - a. Record an easement with the deed allowing cross-access to and from adjacent properties that could potentially be served by the driveway;

- b. Record an easement with the deed that all remaining access rights, if any, along the State Highway will be dedicated to the County and pre-existing driveways will be closed and eliminated following construction of the driveway in the approved location.
 - c. Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners served by the driveway.
6. Driveways widths shall conform to ITD specifications.
 7. Property owners are encouraged to coordinate parking and internal circulation with adjoining property owners in order to maximize the utility of shared access.