



ACCESS APPLICATION AND PERMIT

Lincoln County Highway Department
28202 478th Avenue
Canton, SD 57013
Ph. (605) 764-5841
highway@lincolncountysd.org

GENERAL INFORMATION

Application for a permit must be made at least two-weeks in advance. Incomplete applications will not be approved. The permit will be issued by email and will expire within 180 days of approval. Permit fees may accompany the application or be submitted within 48 hours of receiving the approved permit. Failure to pay the permit fee will result in revocation of the permit. Refunds will not be issued for expired permits.

Applicant Name _____ **Application Date** _____

Billing Address _____ **City** _____ **State** _____ **Zip** _____

Preferred Phone Number _____ **Email (required)** _____

Owner/Landowner of Record Name _____

Mailing Address _____ **City** _____ **State** _____ **Zip** _____

Preferred Phone Number _____ **Email (required)** _____

Contractor Name _____ **Title** _____

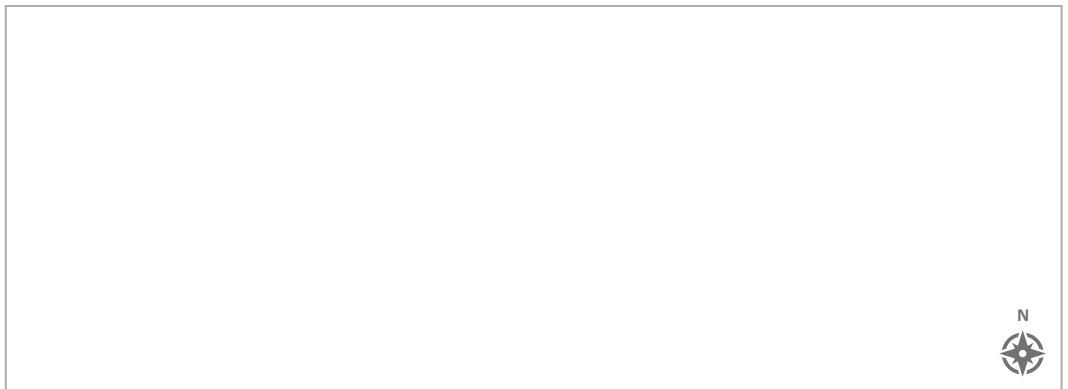
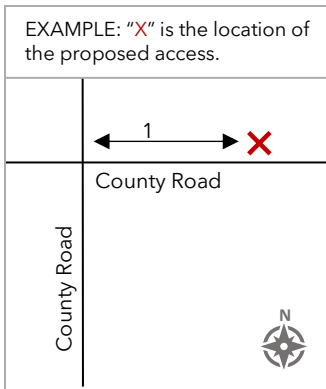
Mailing Address _____ **City** _____ **State** _____ **Zip** _____

Preferred Phone Number _____ **Email (required)** _____

Site Foreman Name _____ **Preferred Phone Number** _____

APPROACH INFORMATION

- Type of Access (Fee): Residence (\$80) Field/Farm (\$55) Business (\$175) Improvement to Existing (\$25) Temporary (\$25)
- Proposed Start Date _____ Proposed Completion Date _____
- Access will connect to the N S E W side of County Road _____. The proposed width will be _____ feet.
- Legal description of land access location or Parcel ID _____
- Township Location: Brooklyn Canton Dayton Delapre Delaware Eden Fairview Grant
Highland LaValley Lincoln Lynn Norway Perry Pleasant Springdale
- Draw a map below indicating the location of the proposed access; an example has been provided. You may also attach a map indicating the location.



- Is this a shared access? No Yes, the book, page, and date of filing is _____
If "Yes" a written statement from the adjacent landowner is required along with their legal land description. This written easement shall be accompanied by a drawing or plat certified by a Registered Land Surveyor and shall be filed with Register of Deeds and shall run with the land in perpetuity.

GENERAL PROVISIONS

PERMIT EXPIRATION

A permit shall be considered expired if the access is not under construction within 180 days of the initial application and/or is not completed to the satisfaction of the County within one year. When the applicant is unable to commence construction within said timeframe, the applicant may request an extension. Only one extension will be granted before the applicant must reapply. Request for extension must be in writing and submitted to the County before the above stated timeframes expire. The request should state the reasons why the extension is necessary, when construction is anticipated and include a copy of this permit. Extension approvals will be provided in writing.

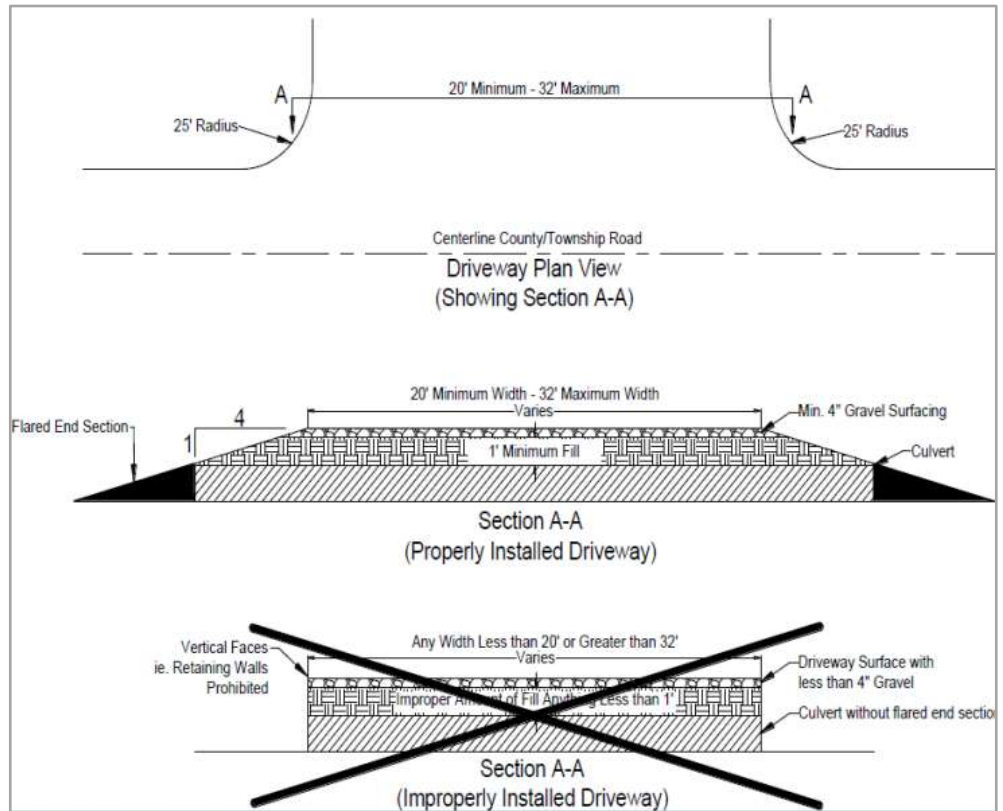
CONSTRUCTION REQUIREMENTS

1. The construction of the access and its appurtenances as required by the terms and conditions of the permit shall be completed at the expense of the applicant. All materials used in the construction of the access within the Highway right-of-way or on permanent easements, become public property. Any materials removed from the Highway right-of-way will be disposed of only as directed by the County. Only clean fill material may be used for construction. Rubble and organic materials are prohibited.
2. Any damage to County property including pavement, signs, and existing culverts will be repaired at the expense of the applicant. Damage to private property such as existing culverts, mailboxes, signs, existing utilities, etc., shall be repaired at the expense of the permittee.
3. South Dakota One Call must be contacted prior to construction by dialing "811".
4. Applicant is responsible for salvaging and replacing topsoil, erosion control and revegetation of access.
5. The applicant shall notify the Highway Department at least two working days prior to any construction within Highway right-of-way. Construction of the access shall not proceed until the access permit is preliminarily issued, meaning that the Preliminary Review has been conducted by Highway personnel and Highway personnel have notified the permittee of preliminary acceptance contingent upon a Final Review which will be conducted after the approach has been installed the project is complete. The access shall be completed in an expeditious and safe manner and shall be finished within 30 days from the initiation of construction within the Highway right-of-way. One construction time extension may be requested. The applicant shall also notify the County two working days prior to completion of the access construction.
6. A separate utility permit shall be obtained for any utility work within Highway right-of-way. Where necessary to remove, relocate, or repair any traffic control device or public or private utility for the construction of a permitted access, the relocation, removal or repair shall be accomplished by the permittee without cost to the County, and at the direction of the County or utility company. Any damage to the County Highway or other public right-of-way beyond that which is allowed in the permit shall be repaired immediately. The permittee is responsible for the repair of any utility damaged in the course of access construction, reconstruction, or repair. Utilities are responsible for salvaging and replacing topsoil and must have an approved revegetation plan. A final inspection must be held with the utility at the completion of the work.
7. The Highway Superintendent may inspect the access during construction and upon completion of the access to determine that all terms and conditions of the permit are met. Inspectors are authorized to enforce the conditions of the permit during and after construction and to halt any activities within right-of-way that do not comply with the provisions of the permit, that conflict with concurrent Highway construction or maintenance work, that endanger Highway property, natural or cultural resources protected by law, or the health and safety of workers or the public.
8. Prior to using the access, the permittee is required to complete the construction according to the terms and conditions of the permit. Failure by the permittee to abide by all permit terms and conditions shall be sufficient cause for the Lincoln County Highway Department to initiate action to suspend or revoke the permit and close the access. If in the determination of the County the failure to comply with or complete the construction requirements of the permit create a Highway safety hazard, such shall be sufficient cause for the suspension of the permit. If the permittee wishes to use the access prior to completion, arrangements must be approved, and this shall be included in the permit by the permittee. The County may order a halt to any unauthorized use of the access pursuant to the conditions of the permit. Reconstruction or improvement of the access may be required when the permittee has failed to meet required specifications of design or materials.
9. The permittee shall provide construction traffic control devices at all times during access construction, in conformance with the Manual on Uniform Traffic Control Devices.
10. In the event it becomes necessary to remove any right-of-way fence, the posts on either side of the access shall be securely braced with an approved end post before the fence is cut to prevent any slacking of the remaining fence. All fencing shall be replaced in kind by the permittee to the satisfaction of all the owners involved.
11. The permittee shall ensure that a copy of the permit is available for review at the construction site at all times. The permit may require the contractor to notify the individual or office specified on the permit at any specified phases in construction to allow the field inspector to inspect various aspects of the construction such as concrete forms, subbase, base course compaction, and materials specifications. Minor changes and additions may be ordered by the County field inspector to meet unanticipated site conditions.
12. Each access shall be constructed in a manner that shall not cause water to enter onto the roadway or shoulder and shall not interfere with the existing drainage system on the right-of-way or any adopted drainage system and drainage plan. Each access shall be constructed in compliance with all terms and conditions placed by the Lincoln County Planning and Zoning Department.
13. By accepting the permit, permittee agrees to save, indemnify, and hold harmless to the extent allowed by law, Lincoln County, its officers, and employees from suits, actions, claims of any type or character brought because of injuries or damage sustained by any person resulting from the permittee's use of the access permit during construction of the access.

14. The figure at the right provides general guidance and represents the minimal design standard in how driveways and farm field approaches shall be constructed. Any exceptions to these standards must be approved by the County prior to installation.

15. Culverts shall be sized to assure proper drainage. The minimum size of culverts is eighteen inches (18"); however, twenty-four inches (24") is the preferred minimum to minimize the potential for blockage. Approach culverts shall consist of either corrugated metal pipe (CMP) or reinforced concrete pipe (RCP). Flared End Sections are required on all culvert installations. No decorative vertical end treatments allowed i.e., Retaining walls. Place pipe to match existing ditch grades. Pipe must be laid in bottom of the ditch. Perched pipes are not allowed. If ditch is silted in, it must be cleaned out where pipe is to be installed. The cost to furnish and install all culverts and flared end sections is the responsibility of the applicant.

16. Four inches (4") of Gravel Surfacing (3" Gravel with 4" Asphalt Pavement or 3" Gravel with 4" Portland Cement Concrete are also acceptable surface treatments).



MAINTENANCE REQUIREMENTS

The applicant is responsible for the repair and maintenance of the access beyond the edge of the roadway. In the event that the applicant fails to maintain an access point, the department may declare the negligently maintained access point a public nuisance, and upon notice to the applicant, may correct maintenance deficiencies at cost to the owner.

Applicant repairs and maintenance include the following:

1. surfacing,
2. curb and gutter,
3. cattle guard and gate,
4. vegetation controls
5. removal or clearance of snow or ice upon the access even though deposited on the access in the course of department snow removal operations, including snow or ice,
6. repair and replacement of access-related culverts of 36-inch diameter or smaller within the right-of-way in unincorporated areas,
7. obtaining approval for all culvert repairs, drainage repairs, resurfacing, and changes in access design or configuration, and all other maintenance required for continued safe and satisfactory operation of the access point.

Lincoln County Highway Department will not perform maintenance of access points, except for:

1. modification of access point as necessary to meet adjacent Highway reconstruction
2. access surface maintenance only when the department performs similar type maintenance on the Highway
3. maintenance of new approaches required for construction at the County's discretion
4. culvert cleaning in unincorporated areas, and
5. repair and replacement of culverts larger than 36" diameter in unincorporated areas.

PERMIT FEES

Permit fees payable to Lincoln County Highway Department are due with the application or within 48-hours of receiving the approved permit. Over-the-phone credit card payments are accepted, a convenience fee applies. Failure to pay permit fees will result in revocation of the permit. Fees submitted with application will be refunded if permit is denied. No refunds for expired permits.

Resident Access Permit	\$80.00	Improvement to Existing Access Permit	\$25.00
Field/Farm Permit	\$55.00	Temporary Access Permit	\$25.00
Commercial Permit	\$175.00		

APPLICANT AFFIDAVIT

Please read and sign below.

- I (we) understand that I have 180 days to complete the approach from the date this permit is approved.
- I (we) understand that I must notify the Lincoln County Highway Superintendent if the start date and/or end date of work has changed from the proposed dates on this application and that a new permit may be required.
- I (we) understand we must construct and maintain approach and culverts in accordance with County specifications as included in the General Provisions, including any special conditions required by the County, and that I (we) are responsible for all costs associated with construction and maintenance.
- I (we) understand the application approval is based on the following: Information submitted by the applicant, what alternative access to other public roads and streets are available, and the operation of the Highway and other safety and design considerations.
- I (we) understand that we must mark the proposed approach location. County personnel will then conduct a pre-permit approval inspection to verify data contained herein, and a preliminary survey to observe the general suitability and drainage issues. Factors such as proximity and frequency to other approaches site distance will be evaluated as well as the over-all safety the traveling public. Highway personnel will also consider zoning requirements, if any. Final approval of this permit is subject to a post-construction field inspection to be performed by County personnel after construction is complete.
- I (we) understand any changes in access approach use or design not approved by the County may cause the revocation or suspension of the permit. The permittee is responsible for the costs of construction, maintenance, and removal (if necessary) of the approach. Corrective actions must be completed within 30 days of notification by the Applicant. In case of severe violation, County forces will either correct or remove the approach and the Applicant will be billed for all labor and materials.
- I (we) understand that if I (we) do not follow, or my agent does not follow said standards and/or special conditions, the County may construct or repair the approach as needed and/or this permit will be revoked and the associated driveway will be removed from the County's right-of-way by County forces whereupon all charges will be paid for by me.
- I (we) understand that I (we) must notify the Lincoln County Highway Superintendent to inspect the project location after work has been completed before demobilizing from the location by calling (605) 764-5841 or emailing highway@lincolncountysd.org. If any deficiencies are noted during the final inspection, the I (we) will be responsible to correct deficiencies within 30 days of notification.

I (we), the undersigned, being the landowner of record and/or an authorized agent of the owner signing as the Applicant, agree to construct the approach for the property noted on this application with the General Provisions, and as required by the minimum standards as described within the General Provisions and/or any additional special provisions or conditions

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Owner/Landowner of Record Printed Name

Signature

Date

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Applicant Printed Name (if different than Owner/Landowner) Signature

Date

HOW TO SUBMIT APPLICATION: Send completed application, fees, and any other applicable documents to the address, fax, or email listed on page 1. Please allow two weeks for processing. A copy of the final and approved permit will be emailed to the applicant and landowner of record. The original will be on file at the Lincoln County Highway Department.

PERMIT APPROVAL

This permit is subject to all applicable federal, state, and local laws and regulations and conditions listed within and attached. This permit may be suspended or revoked at the discretion of the Lincoln County Highway Superintendent.

Additional conditions are attached

Permit Number _____ issued on _____ by Terry Fluit, Highway Superintendent.

Permit Expires on _____