

**GUIDELINES FOR PLACEMENT OF UNDERGROUND UTILITY LINES  
ALONG AND ACROSS COUNTY ROADS IN  
McLENNAN COUNTY, TEXAS**

**ADOPTED BY McLENNAN COUNTY COMMISSIONERS' COURT  
SEPTEMBER 10, 2002, VOLUME A-127, PAGE 710.**

**ESTABLISHMENT OF GUIDELINES**

1. The purpose of these Guidelines is to protect the public safety, maintain the quality of County roads and streets, and better coordinate the placement of underground utilities along and across County roads or streets in a manner that does not inconvenience the public in the use of the road or street.
2. These Guidelines are adopted by the Commissioners' Court of McLennan County, Texas, acting in its capacity as the governing body of the County. Under authority of the Texas Local Government Code Chapter 402 and the Texas Utility Code Chapter 181, McLennan County may designate the location in the right-of-way where the utility may place the water, electric, and gas lines. Under the statutory and common law of this State, no utility may locate a line or equipment in a manner which would inconvenience the public's use of a road, including interference with County maintenance.
3. These Guidelines are not intended to repeal, abrogate, or impair any existing easements, covenants or deed restrictions. However, where these Guidelines and another instrument conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
4. It is hereby declared to be the intention of the Commissioners' Court that the sections, paragraphs, sentences, clauses and phrases of these Guidelines are severable, and if any section, paragraph, sentence, clause, or phrase of these Guidelines shall be declared void, ineffective or unconstitutional by the valid judgment or final decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, or phrases hereof, since the same would have been enacted by the Commissioners' Court without the incorporation herein of any such void, ineffective or unconstitutional section, paragraph, sentence, clause or phrase.
5. These Guidelines shall not create any liability on the part of McLennan County, or on any officer or employee thereof, for any damages that are alleged result from reliance on these Guidelines or any administrative decision made hereunder.
6. These Guidelines shall supersede and replace all previous Guidelines, Regulations, or requirements of McLennan County, Texas concerning utility line installation or alteration.

**DEFINITIONS**

Underground Utility Lines: Any pipe, conduit, cable or other device placed underground for the transmission of gases, liquids, electricity or electronic signals, as defined by the Texas Local Government Code Chapter 402 and the Texas Utility Code Chapter 181.

Utility Line Notification: An official notification from a utility company or an individual which notifies the McLennan County Commissioners' Court or their designated representative of a proposal to place an underground utility line within the County right-of-way.

**GENERAL PROVISIONS**

1. These Guidelines shall apply to all County streets and roads located in McLennan County, Texas.
2. In order to protect the public safety, maintain the quality of County roads and streets, prevent the disruption of County maintenance projects, and better coordinate the placement of underground utilities in the County right(s)-of-way in a manner that does not inconvenience the public in the use of the road or street, a minimum of seven (7) days notice to the County should be given prior to any utility line placement. The Utility Line Notification form (Appendix A) should serve as the official notification to the County. The Utility Line Notification should be accompanied by a map, plat, or blueprint not exceeding 8.5 inches by 14 inches in dimensions indicating the exact locations of all proposed underground utility line placements along or across County roads.
3. In accordance with the Texas Local Government Code Chapter 402 and the Texas Utility Code Chapter 181, the Commissioners' Court may designate the location in the right-of-way where the utility may place the line. However, in order for County employees to perform routine maintenance on a County road right-of-way as described in the Texas Utility Code Chapter 251, all utility lines shall have a minimum clearance of twenty-four (24) inches below borrow ditch line, roadway, or natural ground, whichever is lower.

4. The utility line owner is responsible for repairing to “as good” or better condition all roadways, surfaces, ditch lines, culverts, or natural ground affected by the installation of underground utility lines, or subsequent repair work to them. Should inspection by the County Engineer reveal that the roadway, surface, ditch line, culvert, or natural ground affected by the installation of the underground utility line is not in a condition as good or better than that existing prior to installation, the County Engineer shall notify the utility line owner to effect repairs immediately. Should the utility line owner fail to make repairs within five (5) days or should the repair work be deemed unsatisfactory by the County Engineer, County forces may do the repair work with the cost thereof being charged to the utility line owner. If the County Engineer has not received payment for the work done by the County within thirty (30) days of the date of the bill, the County will take legal steps to collect the amount billed from the utility line owner.
5. In order to protect the public safety, maintain the quality of County roads and streets, and minimize any unnecessary inconvenience to the public in the use of the road or street, the preferred method of crossing a roadway with an underground utility line shall be by drilling or boring beneath the roadway surface in such a manner that the roadway section above the line is not disturbed. However, it is recognized by the Commissioners’ Court that there may be situations requiring alternate methods of crossing roadways with underground utility lines. Therefore, Appendix B is made a part of these Guidelines to show three acceptable alternate methods of crossing.
6. The Utility or its contractor must take appropriate safety precautions to protect the public during its construction/installation activities. This may include, where appropriate, the use of barricades, signs, flagmen and/or other such measures. Care should be taken to avoid closing the road to thru traffic except for very short periods of time. The activities, such as a crossing of the road, should, where possible, be undertaken so that no more than one-half of the road is closed to thru traffic at one time.
7. Should the County determine it necessary to relocate, or adjust, any underground utility line(s) located within the County road right-of-way, it shall be the responsibility of the utility line owner to do so at no cost to McLennan County. The utility line owner will be notified in accordance with the Texas Local Government Code Chapter 402 and the Texas Utility Code Chapter 181 of any required relocation.

#### ADMINISTRATION

1. The County Engineer is hereby appointed by the McLennan County Commissioners’ Court to serve as the administrator of these Guidelines.
2. The County Engineer or his designee shall receive all Utility Line Notifications, designate the location of the proposed utility line placement in accordance with the Texas Local Government Code Chapter 402 and the Texas Utility Code Chapter 181, and notify the utility owner regarding the location designation.
3. The County Engineer shall notify the appropriate utility line owners in accordance with the Texas Local Government Code Chapter 402 and the Texas Utility Code Chapter 181 should it become necessary for underground utility lines in County Road right-of-way to be relocated.
4. The County Engineer shall maintain a record of all actions involving utility line proposals and Utility Line Notifications.
5. The County Engineer may inspect all work done under a Utility Line Notification and shall notify the utility of any deficiencies in installation or alteration after the work has been completed and of such actions that may be required to make the work comply with these Guidelines. If such corrections are not made within five (5) days of such notice, the County may do the repair work with cost thereof being charged to the utility line owner. If the County Engineer has not received payment for the work done by the County within thirty (30) days of the date of the bill, the County Engineer shall bring the matter before the Commissioners’ Court for its decision as to such actions to be taken under these Guidelines.
6. If the Commissioners’ Court determines that the underground utility installation is not in compliance with these Guidelines, the County Engineer, in addition to any other actions taken under these Guidelines, may mail a letter notifying the Texas Public Utility Commission of the deficient action(s) of the utility. This shall include all instances where underground utility lines are placed along or across County roads without notifying McLennan County as required.
7. Any person aggrieved by the decision of the County Engineer may appeal such decision to the Commissioners’ Court. Any person aggrieved by the decision of the Commissioners’ Court may contest such decision in a court of competent jurisdiction.

APPENDIX A

THE STATE OF TEXAS\*  
COUNTY OF McLENNAN\*

UTILITY LINE NOTIFICATION

The undersigned proposes to place an underground utility line along and/or across the right(s)-of-way of County Road(s) \_\_\_\_\_ at or near \_\_\_\_\_.  
The undersigned will enter upon said County road(s) with full knowledge and understanding of the following sections:

1. That the Commissioners’ Court of McLennan County, Texas, does not purport to grant to the undersigned any right, claim, title, or easement in or upon said County road(s);
2. That the Commissioners’ Court of McLennan County, Texas, in accordance with Texas Local Government Code Chapter 402, Texas Utility Code Chapter 181, and the common law of this State may at any time, where necessary, require and compel said underground utility line(s) to be relocated beyond the right(s)-of-way of said County road(s) or to any point within the right(s)-of-way as and/or when same may be widened or altered for any reason. The undersigned agrees to comply with any such request by the County and understands such relocation(s) is at no cost whatsoever to the County;
3. In order to protect the public safety, maintain the quality of County roads, and better coordinate the placement of underground utilities along and across County roads in a manner that does not inconvenience the public in the use of the road or street, a minimum of seven (7) days notice should be given to allow the County Engineer to designate, if necessary, the location of the utility line, and coordinate County maintenance projects around the utility construction;
4. Under the statutory and common law of this State, the undersigned is responsible for repairing damages caused as a result of the installation, repair, or alteration of its utility lines, and to perform subsequent maintenance of the underground utility lines;
5. The undersigned acknowledges that the County may perform routine maintenance to the right(s)-of-way without notice to the Utility, in accordance with Texas Utility Code Chapter 251, to a depth of twenty-four (24) inches, and understands that it is the County’s position that any damages to the utility line/equipment as a result of this routine maintenance shall not be the responsibility of McLennan County, its officials or employees;
6. The undersigned understands that all attachments, maps, plats, blueprints, etc., describing and illustrating the proposed action shall be considered to be a part of this Notification as though written or drawn out in full and incorporated herein;
7. The undersigned is aware of and has received a copy of the “Guidelines for Placement of Underground Utility Lines Along and Across County Roads in McLennan County Texas” (“Guidelines”).

**ATTACH ALL INFORMATION REQUIRED BY THE GUIDELINES TO THIS NOTIFICATION.**

UTILITY: \_\_\_\_\_

BY: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_

PHONE NO: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

ANTICIPATED START DATE: \_\_\_\_\_

Revised Oct-2022

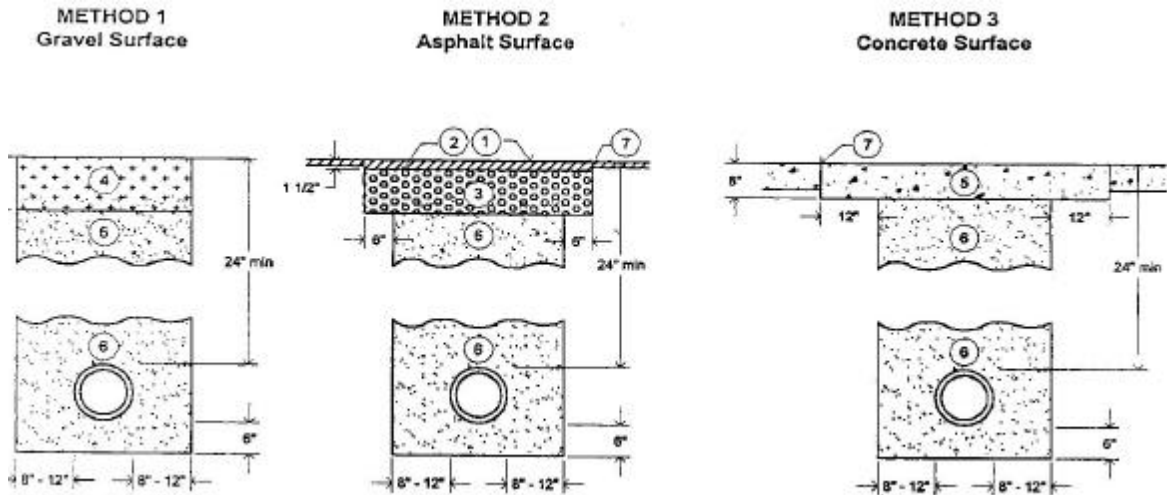
Notification received on this the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.

McLENNAN COUNTY, TEXAS

BY: \_\_\_\_\_  
COUNTY ENGINEER, or Designated Representative

APPENDIX B

ALTERNATE METHODS FOR TRENCHING, BACKFILLING, AND RESURFACING UNDERGROUND UTILITY LINE CROSSINGS OF GRAVELED OR PAVED COUNTY ROADS IN McLENNAN COUNTY, TEXAS. (To be employed in lieu of drilling or boring under road surfaces only upon request by utility line owner and with specific approval by the County Engineer.)



ITEM NOMENCLATURE

1. Hot Mix Asphalt Concrete – placed and compacted to match existing surface thickness, but not less than 1 ½ inches thick.
2. Tack Coat – emulsion prime
3. Central-mixed Cement Stabilized Base or THD Item 292 Black Base (compacted to minimum of 95% AASHTO T-99 density), or 2000 PSI concrete.
4. Bank Run Gravel mechanically compacted to a minimum of 95% AASHTO T-99 density.
5. 2500 PSI Concrete, 8" minimum thickness, with #6 reinforcing steel placed at mid-depth the full width and length of the cut, 15" tied spacing in both directions.
6. Bank Run Gravel or clean coarse sand compacted either mechanically in one-foot lifts or by "water-jetting" to a minimum of 95% AASHTO T-99 density.
7. Saw cut edge of existing pavement.

NOTE: Cost of all tests of materials and density reasonably deemed appropriate and/or necessary by the County Engineer shall be borne by the utility owner causing crossing of County road right-of-way.