

Kane County  
Division Of Transportation  
Permit Regulations  
And  
Access Control Regulations

SECTION 5

DETOUR PERMIT

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## **I. DETOUR POLICY**

### **A. Purpose**

The purpose of these regulations is to establish policies and procedures for accommodating a detour of or through the County Highway System, which will provide safe usage, minimum disruption of the motoring public and minimal impact to the County Highway System. These regulations apply to all detours in which the County has interest. Because it is impossible to anticipate all future highway needs or proposals, the County Engineer reserves the right to deny any application or modify these regulations without notice.

### **B. Definitions**

**Detour** – A County, State, or local route used as an alternate means to keep vehicles moving while the regular route has been temporarily closed.

**Illinois Highway Code** – The Illinois Compiled Statutes, 605 ILCS 5/1-101 *et. seq.*

### **C. Permit Application Requirements**

A Detour Permit will be required for any detour involving a County highway, unless the detour is included as part of one of the other permit types issued by the County Engineer.

A permit is required when a road is closed and an alternate means of traffic movement is required in the County right-of-way, as determined by the County Engineer.

### **D. General Requirements**

#### **Authority of County**

A “permit” from the County Engineer grants permission only to undertake certain activities in accordance with these regulations in a County right-of-way and does not create a property right or grant authority to the Applicant to impinge on the rights of others who may have an interest in the right-of-way. Such others might include an owner of an underlying fee simple interest if the right-of-way by grant of an easement, an owner of an easement, or another Applicant. It is the responsibility of the Applicant to satisfy all owners of property within or adjacent to County right-of-way or highway easements.

#### **Written Consent**

Only a permit issued by the County Engineer under these regulations will satisfy the “written consent” requirements of the Illinois Highway Code.

## **Compliance**

The Applicant shall comply with all other applicable laws. The issuance of a detour permit by the County Engineer does not excuse the Applicant from complying with other requirements of the County Engineer (e.g., oversize and overweight vehicles) or the requirements of other local, state, or federal agencies.

## **Compliance by Other Agencies**

State, County, township, municipalities, and other local units of government are subject to all the requirements of these regulations.

## **Detour**

Before a detour permit will be issued, the County Engineer will require that all permits from all other governmental agencies involved with the detour have issued their permits. All material for the detour shall follow the latest edition of the Illinois Highway Code.

## **Damage to County Right-of-Way**

Those facilities and roadway structures and appurtenances (i.e.: guardrails, street lights, etc.) within the highway right-of-way that are damaged as a result of the permit work shall be immediately reported to KDOT. Damaged items shall be replaced or repaired by the Applicant to KDOT's satisfaction in a reasonable length of time as established by KDOT. Any signs damaged during emergency, maintenance or construction operations must be immediately repaired and/or replaced and erected. The occurrence shall be immediately reported to KDOT.

## **Stop-Work Order/Revocation of Permit**

The County Engineer may issue a Stop-Work Order or suspend or revoke a permit for the following reasons:

- The detour was established and started without a valid permit. In addition to the permit fee, a fine will be assessed in the amount equal to the appropriate permit fee.
- A material provision or condition of the permit was substantially breached.
- A material misrepresentation has been made in the application for a permit.
- The Applicant failed to maintain the required bonds or other security and insurance.
- The Applicant failed to complete the work within the time specified in the permit, unless the failure to complete the work is due to reasons beyond the Applicant's control.
- The Applicant failed, in a timely manner, to correct work that does not conform to applicable standards, conditions, or federal, state, or local laws, rules or regulations.
- An evasion or attempt to evade any material provision of the permit, or the perpetration or attempt to perpetrate any fraud or deceit upon the County.

- The event poses a hazardous situation or constitutes a public nuisance, public emergency, or other threat to the public health, safety, or welfare.

If the Applicant does not correct any deficiencies or, at a minimum, contact the County Engineer to discuss the deficiencies within fourteen (14) calendar days, the County Engineer has the right to correct the deficiencies either through the bond or other security for the permit or as a bill submitted to the Applicant.

**All conditions that pose a hazardous situation or constitute a public nuisance, public emergency, or other threat to the public health, safety, or welfare shall be corrected immediately by the Applicant.**

### **Lifting of Stop-Work Order/Reinstatement of Permit**

The County Engineer may lift a Stop-Work Order, suspension or reinstate a permit if:

- A permit application and applicable fees and fines are paid and submitted, and the County Engineer has issued a permit.
- An amended application is submitted correcting any misrepresentations included in the original permit application.
- The Applicant provides proof that the required bonds or other security and insurances have been reinstated.
- After discussions with the County Engineer, the Applicant submits a revised schedule and completion date that is acceptable to the County Engineer.
- The Applicant corrects the situation that does not conform to applicable standards, conditions, or federal, state, or local laws.
- The Applicant agrees to follow all provisions of the permit and makes any reparations for the perpetration or attempt to perpetrate any fraud or deceit upon the County.
- The conditions posing a hazardous situation or constituting a public nuisance, public emergency, or other threat to the public health, safety, or welfare are corrected or removed.

### **Advance Public Notification**

Advance public notification may be required prior to commencing a detour. The advance public notification shall be by use of advance warning signs or message boards placed for each direction of traffic. With issuance of the Detour Permit, the advanced notification shall be posted at least 72 hours prior to commencing with the detour. The message will be as specified by the County Engineer.

## II. PERMIT APPLICATION FEES

**Detour Permit** – The Kane County Division of Transportation **will** charge an application fee for this activity. The standard application fee for this permit is \$450.00.

**Permit Renewal or Extension** – The Kane County Division of Transportation will charge a fee for the renewal or extension of any permit. The standard fee is \$100.

Fees in the form of a check made payable to the Kane County Division of Transportation shall be included with all application.

**Fines** – In addition to the permit application fee a fine will be assessed when a detour within the County right-of-way has commenced without a permit. The fine will be assessed in the amount equal to the applicable permit fee.



### **III. DETOUR PERMIT REVIEW PROCESS**

1. The process begins with the Applicant submitting the application and fees to the Permit Section Staff.
2. The Permit Section Staff reviews the application for completeness.
3. The application will then be logged into a master spreadsheet.
4. The Permit Section Staff will review the detour request with other County projects and other permit events for coordination. The Permit Section Staff will notify the Applicant if coordination with these other projects or events is required.
5. The Applicant will submit the required items to the Permit Section Staff, including the application form signed by the Applicant.
6. The Permit Section Staff will review the submittal for completeness and forward it to other appropriate KDOT departments for review.
7. KDOT Staff will review the submittal and return it with written comments to the Permit Section Staff.
8. The Permit Section Staff shall review all comments and forward them to the Applicant. The Permit Section Staff will also address any questions or special requests from the Applicant.
9. The Applicant will furnish to the Permit Section Staff a revised submittal that includes a written disposition of all comments from KDOT staff's review comments.
10. Once the Applicant meets or exceeds the requirements of the KDOT Permit Regulations, the County Engineer shall be responsible for the issuance of the Detour Permit.

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**IV. KANE COUNTY DETOUR PERMIT**

**PERMIT # 03-**

**WHEREBY, The \_\_\_\_\_** (hereinafter referred to as the “Applicant”) is granted a non-exclusive use of Kane County at the following location:

Detour of Route \_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_

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For the following period of time: 9:00 a.m. to 3:00 p.m. Date:

Said non-exclusive use is for the purpose of: **Detour of**

And subject to the following provisions, to wit:

1. Applicant shall obtain all additional permits, from any unit of government, which may be required prior to commencement of the detour. .
2. Applicant shall defend, indemnify and save harmless the County of Kane, its officers, employees, agents, successors and assigns from all claims, damages, litigation or liability asserted against them or against any of them, including any and all costs, and all attorneys fees incidental thereto, on account of any property damage, or on account of any injury or death to any person or persons whomsoever, caused by or to the Applicant, the Applicant’s invitees, or by their use of Kane County. If the permit extends to a location owned by an entity other than the County of Kane, the protections afforded under this paragraph and the insurance provisions of Paragraph 3 shall also apply to the owner.
3. Applicant shall purchase and maintain at the cost of the Applicant comprehensive general liability and property insurance in the following amounts:
  - a. \$1,000,000.00 for bodily injury or death to any one person as a result of any one person as a result of any one occurrence; and
  - b. \$1,000,000.00 for a loss of or damage to buildings, structures, or any tangible property.

The Applicant shall furnish to the County of Kane through the Kane County Engineer or his duly authorized representative, a **Certificate of Insurance**, evidencing the above described insurance policy or policies shall remain effective for the duration of said special use. The **County of Kane** shall be included as an “additional insured” under the above described insurance policy or policies.

4. Applicant and Applicant’s invitees shall not, except as provided herein, trim, cut, or in any way disturb any trees or shrubs on or along the Kane County or adjacent property, nor shall Applicant alter in any way, any portion or portions of the County including all appurtenances attached thereto.
5. Applicant shall supply sufficient personnel to supervise and to provide proper traffic control to ensure the safety of all persons using the County of Kane. Applicant shall also provide sufficient temporary signing to ensure safe and orderly use of the County of Kane and the signing shall be removed within 24 hours of the expiration of this permit. No paint or other permanent marking on pavement is allowed for marking routes.
6. Applicant shall not allow any employees to block, obstruct, or hinder normal passage of traffic along any County highway.

7. Applicant shall at the conclusion of the detour make sure all detour signs are removed from the County right-of-way.
8. This permit may be revoked, modified, or canceled at any time by the County Engineer or his duly authorized representative.
9. Applicant shall notify the Kane County Division of Transportation of any changes or modifications to the conditions upon which this permit was granted.
10. The Applicant shall not perform any work or participate in any activity that is beyond the scope of this permit.
11. The Applicant shall be responsible for all damages to the County of Kane, arising out of actions caused by the Applicant, its invitees, guests or participants during the terms of this permit.
12. The Applicant shall comply with all local, state and federal rules and regulations for this permit.
13. Violations of any conditions of this permit by the Applicant may result in immediate revocation of the permit, and will be taken into consideration by the County of Kane in the decision to issue future permits. The County reserves the right to enforce any further penalties or claims, which would otherwise be available to it.
14. The provisions of the KDOT Permit Regulations and Access Control Regulations are applicable to this permit.

**PETITIONER:**

**CONTACT PERSON:**

ADDRESS:

CITY, STATE, ZIPCODE:

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Date:

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(Authorized County Officer)

Permit Administrator: \_\_\_\_\_ Date: \_\_\_\_\_

*Please notify the Kane County Division of Transportation 2 weeks prior to work beginning (630) 584-1171*

**V. REQUIRED INFORMATION CHECKLIST SUMMARY**

1. The following must be submitted along with permit application to the County before permit will be issued:
  - a. Certificate of Insurance for the coverage specified.
  - b. Copy of all other governmental agencies Certificate of Insurance.
  - c. Approved permits or signed acknowledgement from other agencies.
  - d. A check for \$450.00 (non-refundable) application fee.
  - e. A list of the names, addresses and phone numbers of the traffic control person.
  - f. A map of the planned route for the detour.
  - g. A press release detailing the detour. To be reviewed and approved by the by County Engineer before release for publication.

The application shall be completely filled out, all requested materials submitted and application signed before permit will be processed. It will take 2 weeks for processing. The Applicant will be notified by phone of the approval of the permit. **Do not assume that the permit will be approved.** The Applicant may be asked to revise the route based on information obtained during the reviewing of the permit.

Careful completion of the form will help to avoid delays in processing. It is important to follow the instructions and provide clear and accurate information. Submit all necessary documents with the application.

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Permit Administrator

\_\_\_\_\_  
Date