

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 in 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., oversized 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.