



BALDWIN COUNTY COMMISSION

POLICY #9.11	
Subject	License Agreement Between Baldwin County and Citizens/Corporations for Work on County Rights-of-Way
Date Adopted	September 17, 2024 or TBD
Agenda Item	TBD
Obsolete Versions	All policies regarding this subject prior to the date adopted on this document. <u>Original adoption / previous revisions:</u> •08/19/2008, Minutes Pg. 26; 04/01/2014, Agenda Item BG1; 09/04/2018, Agenda Item BN1

POLICY STATEMENT

This policy provides the procedure and guidelines for the submittal and processing of a license agreement between Baldwin County and an individual or corporation so they may perform work on a county right-of-way. The County Engineer or Assistant County Engineer (“County Engineer”) will approve/deny all license agreements for work located on county right-of-way maintained by the county. License agreements for work on county right-of-way not maintained by the county must have the approval of the County Commission.

A. PROCEDURAL REQUIREMENT

In order to carry out this policy, the following steps must be taken:

1. An individual needing to perform work on a county right-of-way should first contact the Baldwin County Highway Department to discuss the proposed work before making a submittal.
2. The County Engineer will determine what supplemental information must be submitted by the applicant along with the request for a license.
3. The applicant must complete the License Agreement form and submit to the Baldwin County Highway Department for consideration along with a certificate of insurance as noted in the License Agreement. The License Agreement should be signed by the applicant and notarized.
4. For all county right-of-way maintained by the county, the County Engineer will review and approve/deny the License agreement. For all county right-of-way not maintained by the County, the

County Engineer will prepare a Commission Agenda Item and submit for workshop. Once reviewed in workshop, and if all information is provided, the Commission Agenda Item will be placed on the Commission Meeting Agenda for approval/denial. For cases that involve clearing unopened right-of-way or upon direction of County Engineer, Staff will send notices to adjacent property owners by certified mail a minimum of 14 days prior to the Work Session informing them of the requested license agreement.

5. If approved by the County Engineer and/or County Commission, the County Engineer will send the approved License Agreement with all exhibits to the applicant along with a cover letter stating that the License Agreement was approved by the County Engineer and/or County Commission.
6. The original License Agreement will be signed by the County Engineer or Commission Chairman and the County Administrator.
7. The County Engineer and/or County Commission may reduce, waive or increase the insurance requirements as noted in the License Agreement
8. Typically, the License Agreement shall be valid for not more than a six (6) month period. However, the County Engineer and/or County Commission may approve longer periods as recommended by the County Engineer.

B. EXCEPTION TO POLICY

Exceptions may be granted by a majority vote of the Baldwin County Commission. Exceptions do not constitute as new policy or establish precedence but will be granted on a case-by-case basis and will only apply to the specific matter before the Commission at that time.

ATTACHMENTS

N/A