



MOUNTRAIL COUNTY ROAD & BRIDGE DEPARTMENT TOWNSHIP PERMIT AGREEMENT

Section 1 General

Mountrail County participates in the Western Dakota Energy Association hereinafter referred to **W.D.E.A.** Uniform County Permit System as follows:

Purpose of Agreement between Mountrail County and Western Dakota Energy Association:

1. To establish size and weight limitations for vehicular traffic on public roads in the various jurisdictions.
2. To control the size and weight of vehicles operating in excess of the maximums specified herein.
3. To reduce damage to public roadways.
4. To provide for the safety of the general public using the roadways.
5. To establish a system of permits for the legal operation of vehicles of excessive size and/or weight on a uniform basis throughout the state.
6. To set and collect uniform road use fees for the operation of vehicles of excessive size and weight.

SIZE & WEIGHT: Unless otherwise provided, no vehicle shall be operated on roads covered under agreement between Mountrail County and Western Dakota Energy Association in excess of the following limitations:

1. Width, height and length shall not exceed the limitations as set forth in Section 39-12-04 of the North Dakota Century Code (NDCC).
2. Weights shall not exceed the limitations as set forth in Section 39-12-05.3 of the NDCC.
3. The maximum gross vehicle weight, including the load therein, shall not exceed 80,000 pounds unless otherwise authorized by the local governing body. However, maximum gross vehicle and/or axle weight may be restricted to a lesser amount as authorized by Section 39-12-03 of the NDCC, whenever road or weather conditions require such restrictions.
4. It shall be the responsibility of the local governing body to identify roads and bridges restricted to a lesser amount than found in Section 39-12-05.3 of the NDCC, within their jurisdiction.
5. It shall be the Mountrail County Road & Bridge Department's responsibility to inform the **W.D.E.A.** Permit Section Operator which road and bridges are on permanent restriction or any changes thereof.

OVERSIZE & OVERWEIGHT PERMITS:

1. Under the policy with the **W.D.E.A.**, oversize and overweight permits are issued by the **W.D.E.A.** Permit Section Operator and fees are allocated to Mountrail County for vehicles operating at the size and/or weight in excess of the maximum specified above.



MOUNTRAIL COUNTY ROAD & BRIDGE DEPARTMENT TOWNSHIP PERMIT AGREEMENT

Section 2 Township Agreement Terms

1. By signing this agreement, the Township Board of Supervisors hereinafter referred to as Township is agreeing to be part of the Uniform County Permit System under the same terms as Mountrail County operates through the W.D.E.A.
2. Township is giving authority to the Mountrail County Road & Bridge Department hereinafter referred to as M.C.R.B. to permit all loads up to 150,000 pounds provided Township has not imposed restrictions as authorized under Section 39-12-03 of the NDCC.
3. Township will be responsible to provide M.C.R.B. a map to be referred to as "Attachment A" under this agreement designating all township roads authorized for travel under the Uniform Permit System for maximum gross vehicle weights not exceeding 150,000 pounds. Map must also identify any roadways that a Township has posted designating a weight in excess of 80,000 pounds year around.
4. Township will be responsible to impose restrictions as allowed under Section 39-12-03 of the NDCC and to notify M.C.R.B. in writing of any restrictions imposed by this section. Written notice must include date and action by Township Board along with the route(s) and weight restriction(s) clearly identified. Frost Law restrictions will coincide with M.C.R.B. effective dates. Township must specify date(s) if restriction is not related to Frost Law.
5. In the case of a county-wide inclement weather emergency as determined by M.C.R.B., Township agrees to authorize the County Engineer of M.C.R.B. to impose a county-wide restriction prohibiting the operation of vehicles or impose restrictions as to the weight of vehicles on all township roads within said Township as deemed necessary and effective until such emergency restriction is lifted by M.C.R.B.
6. Township will assume responsibility of ordering, maintaining, and installing all required load restriction signage. Pursuant to Section 39-12-03 of the NDCC, signs must be erected and maintained at each end of a portion of any township road affected thereby.
7. Township will have option to give authority to M.C.R.B. or to have Township retain authority to permit loads in excess of 150,000 pounds and for drilling rig moves. Please identify by checking appropriate box below and initial/date to verify Township decision on authorization to permit loads in excess of 150,000 pounds and for drilling rig moves.



MOUNTRAIL COUNTY ROAD & BRIDGE DEPARTMENT TOWNSHIP PERMIT AGREEMENT

MUST CHECK ONE BOX, INITIAL & DATE

☐ Township **does** give authority to M.C.R.B. to approve and permit loads in excess of 150,000 pounds and for drilling rig moves on township roads identified in "Attachment A" without receiving consent from the Township. Initial Date

☐ Township **does not** give authority to M.C.R.B. to approve and permit loads in excess of 150,000 pounds nor for drilling rig moves on township roads identified in "Attachment A". Township wants to retain authority to give M.C.R.B. permission to permit loads in excess of 150,000 pounds and for drilling rig moves. Initial Date

8. Townships retaining authority to approve permits for gross vehicle weights in excess of 150,000 pounds and drilling rig moves, must do so in writing to M.C.R.B. A text or e-mail will be an acceptable form of approval of permits in excess of the 150,000 pounds and drilling rig moves.
9. Township must provide the M.C.R.B. with a reliable phone number (preferably cell phone) and e-mail address (if available) for each township board member.
10. Township agrees to indemnify and hold harmless Mountrail County/M.C.R.B. for any and all claims of damage to township roads permitted for travel under W.D.E.A. Uniform Permit System. Under no circumstances will Mountrail County/M.C.R.B. be responsible for any road damages on township roads permitted in excess of maximum size and/or weight.
11. Before July 1, 2017, participating townships will receive 25% of the uniform permit fees collected by M.C.R.B. through the W.D.E.A. Uniform Permit System. Allocation will be based on the number of total certified miles for each participating township.
12. July 1, 2017 and thereafter, participating townships will receive a portion of the uniform permit fees collected by M.C.R.B. through the W.D.E.A. Uniform Permit System. Allocation will be 75% of the permit fees collected for **travel on participating township roads only**, to be distributed based on actual travel, per overweight permit. Shared township roads between bordering townships will be allocated as per "Attachment A" at the best efforts as determined by M.C.R.B. Distribution to Township will be made quarterly subject to transfers by the Mountrail County Auditor's Office in the months of January, April, July and October of each year. Upon transfer, M.C.R.B. will make payment to townships within 30 days of each transfer.



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13. Townships will be responsible for the inspection of all township roads regardless of permitting authority. M.C.R.B. will not be responsible for any pre or post inspections of township roads at any time during the year.
14. The execution of this agreement does not relieve the Township or Township officials the responsibility of involvement in oversize and overweight loads on township roads. Agreement is a means for townships to collect additional fees to help maintain roads already being deteriorated from oversize and overweight loads and to comply with Section 39-12-02(1b) of the NDCC.

This agreement may be modified only in writing and with the consent of each of the contracting parties.

<hr/> Chairman, County Commission	<hr/> Date	<hr/> Chairman, Board of Twp. Supervisors	<hr/> Date
<hr/> Mountrail County Auditor	<hr/> Date	<hr/> Township Clerk	<hr/> Date
<hr/> Mountrail County Engineer	<hr/> Date		

Please provide required information:

<hr/> Township Chairman Name	<hr/> Cell Phone	<hr/> E-Mail Address
<hr/> Township Supervisor Name	<hr/> Cell Phone	<hr/> E-Mail Address
<hr/> Township Supervisor Name	<hr/> Cell Phone	<hr/> E-Mail Address