

OHIO TURNPIKE COMMISSION

**Resolution No. 17-1953 Adopting Rules and Regulations
with Respect to Utility Facilities**

WHEREAS the facilities of certain public utilities, both publicly and privately owned, and of pipe-line carriers, both common and private, now are or hereafter may be located in, on, along, over or under Ohio Turnpike Project No. 1;

WHEREAS, in connection with the construction, maintenance, and operation of said project, it will be necessary that such facilities be installed, constructed, maintained, repaired, renewed, relocated and removed;

WHEREAS the Commission is authorized and empowered, by law, to make reasonable regulations for the installation, construction, maintenance, repair, renewal, relocation, and removal of tracks, pipes, mains, conduits, cables, wires, towers, poles, and other equipment and appliances of any public utility in, on, along, over, and under any turnpike project, and also to establish rules and regulations for the use of any turnpike project and for the protection and preservation of property under the jurisdiction and control of the Commission; and is further authorized and empowered to do all things necessary or proper to carry out the powers expressly granted to it in the legislative act by which it was created; and

WHEREAS the Commission deems it advisable, necessary, and proper, and in its and public interest, and in the interest of the owners and operators of such facilities, to provide rules and regulations governing the aforesaid installations, constructions, maintenance, repairs, renewals, relocations, or removals;

NOW, THEREFORE, BE IT

RESOLVED that the following rules and regulations are determined to be proper, necessary, advisable, and reasonable, and that the same be, and they hereby are, adopted to become effective on January 15, 1953:

OHIO TURNPIKE COMMISSION

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Ohio Turnpike Project No. 1

RULES AND REGULATIONS FOR THE INSTALLATION, CONSTRUCTION, REPAIR, RENEWAL, RELOCATION AND REMOVAL OF FACILITIES OF PUBLIC UTILITIES, BOTH PUBLICLY AND PRIVATELY OWNED, AND OF CARRIERS BY PIPE LINE, BOTH COMMON AND PRIVATE

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§ 1 - Definitions

¶1.1. "Commission" means the Ohio Turnpike Commission.

¶1.2. "Utility facilities" includes pipes, mains, conduits, cables, wires, towers, poles, and other equipment, property, and appliances of any public utility, whether the same be publicly or privately owned, and of any carrier by pipe line, whether the same be a common or a private carrier.

¶1.3. "Turnpike" means the limited-access, multi-lane, express highway which is the major component of Ohio Turnpike Project No. 1, the eastern terminus of which is at the place where the Western Extension of the Pennsylvania Turnpike meets the Ohio-Pennsylvania state line, and the western terminus of which is at the Ohio-Indiana state line, near U. S. Route 20.

¶1.4. "Turnpike right of way" includes all land acquired or to be acquired by the Commission in the name of the State of Ohio, as shown on the official plans, entitled "Ohio Turnpike Project No. 1," which are or shall be on file in the principal office of the Commission in Columbus, within the lines designated thereon as "R/W line." (The "turnpike right-of-way fence" will usually, but not always, be placed along the outer limits of the turnpike right of way.)

¶1.5. "Owner" means the person (or persons), firm, corporation, body politic, political subdivision, or other legal entity which owns or is the lessee of any utility facilities.

¶1.6. "Road" includes street, alley, and highway.

§ 2 - General

¶2.1. All utility facilities, both aerial and underground, located longitudinally within the turnpike right of way, shall, if the Commission deems it necessary, be relocated outside the limits of the turnpike right of way.

¶2.2. Existing utility facilities which cross the turnpike right of way at a number of points within the same general area shall be combined insofar as practicable and economical in order to reduce to a minimum the total number of crossings.

• §2.3. All utility facilities within the turnpike right of way shall be installed or reconstructed in such a manner that access thereto for the maintenance thereof can be had from the land adjoining that portion of the turnpike right of way upon which said facilities are located; provided, that the owner, with the consent of the Commission, may enter upon and leave the turnpike right of way at places designated by the Commission in order that the owner may properly operate and maintain its facilities.

✓ §2.4. All utility facilities crossing the turnpike, except those crossing under bridges or grade-separation structures, shall be at as near right angles to the turnpike center line as is practicable and economical.

§2.5. Where, in the opinion of the Commission, it is unnecessary to relocate or alter any existing utility facilities crossing the turnpike, all renewals or replacements shall be at the expense of the owner, unless payment therefor is specifically authorized by the Commission.

§ 3 - Electric Power, Telephone, and Telegraph Facilities

§3.1. All poles, guys, anchors, and towers shall be located outside the turnpike right-of-way fence, unless otherwise specifically permitted by the Commission.

§3.2. Where existing aerial wires or cables are in close proximity to a proposed grade-separation structure, or bridge, a temporary line shall be constructed to provide ample clearance of said proposed structure or bridge, and the existing line shall be removed prior to the beginning of construction of said structure or bridge. As soon as practicable after such construction, the permanent line shall be constructed and the temporary line removed.

§3.3. All aerial utility lines passing over the turnpike shall be constructed to conform with the requirements for the highest grade of construction for main-line railroad crossings, specified in the National Electrical Safety Code or in Administrative Order No. 72 of the Public Utilities Commission of Ohio, whichever requires the higher grade of construction. When such lines occupy public-road crossings they shall be permanently located within such public-road rights of way, or outside the turnpike right-of-way fence. No attachments shall be made to any bridge or other structure within the limits of the turnpike right of way without specific approval of the Commission.

§3.4. Where the turnpike passes over a road on a grade-separation structure, aerial utility lines may be attached to the underside of the structure, unless such attachment would violate a regulation or order of the Public Utilities Commission of Ohio.

§3.5. Where feasible, underground cables shall cross the turnpike under bridges or grade-separation structures, or at a place where the turnpike is or will be on a fill or in a shallow cut. Where an existing underground cable

crosses the line of the turnpike where it is to be in a deep cut, a special study shall be made by the owner to determine the feasibility and cost of relocating the crossing to a place where the turnpike will be on a fill or in a shallow cut.

§3.6. Where an existing underground cable is located in a road that will pass under the turnpike through grade-separation structures or where such cable is at a place which will be under bridges carrying the turnpike, such cable will not be disturbed, except when it may interfere with the construction of the structure or bridge foundations or with a revision in the grade of such road. The existing type of construction shall be deemed adequate for any relocation under this condition, when the relocated cable is placed between the foundations of the structures or bridges.

§3.7. Where an underground cable passes under the turnpike under conditions and at places other than those described above in §3.6, it shall be installed in conduit of sufficient strength to support the superimposed load and satisfactory to the Commission's engineers. The conduit shall be of adequate length and diameter to allow the cable to be readily serviced from points outside the turnpike right-of-way fence.

§ 4 - Pipe Lines

§4.1. Included in this category are pipe lines carrying petroleum, petroleum products, natural gas, artificial gas, water, and other fluids under pressure, whether or not solids be carried in suspension in any such fluid.

§4.2. Where an existing pipe line is located in a road that will pass under the turnpike through grade-separation structures or where such pipe line is at a place which will be under bridges carrying the turnpike, such pipe line will not be disturbed, except when it may interfere with the construction of the structure or bridge foundations or with a revision in the grade of such road. The existing type of construction shall be deemed adequate for any relocation under this condition, when the relocated pipe line is placed between the foundations of the structures or bridges.

§4.3. Pipe lines passing under the turnpike under conditions and at places other than those described above in §4.2 shall be installed in steel casings, reinforced concrete conduits, precast pipe, or cast-in-place boxes, as may be approved by the Commission, depending upon the requirements of the installation. All such conduits shall be water-tight and of sufficient strength to support the superimposed loads. Wherever practical, the conduit shall be constructed on a grade to provide drainage.

§ 5 - Sewers

§5.1. Included in this category are storm and sanitary sewers.

§5.2. Where an existing sewer is located in a road that will pass under the turnpike through grade-separation structures or where such sewer is at a

place which will be under bridges carrying the turnpike, such sewer will not be disturbed, except when it may interfere with the construction of the structure or bridge foundations or with a revision in the grade of such road. The existing type of construction shall be deemed adequate for any relocation under this condition, when the relocated sewer is placed between the foundations of the structures or bridges.

§5.3. Where a sewer passes under the turnpike under conditions and at places other than those described above in §5.2, it shall be installed in conduit of sufficient strength to support the superimposed load and satisfactory to the Commission's engineers. Wherever the Commission deems it necessary, sewers shall be constructed of concrete or vitrified-clay pipe set in concrete cradles, or of cast-iron pipe. All joints shall be water-tight. All manholes shall be located outside the turnpike right-of-way fence.

§5.4. Existing sewers crossing the line of the turnpike where it will be in cut shall be lowered, if practical, to maintain grades for gravity flow of the sewage. When gravity flow in a storm sewer cannot be maintained by lowering the line, storm water shall be diverted into the nearest stream, if practicable.

§5.5. Each existing sewer crossing the line of the turnpike where it will be on fill shall be uncovered and rehabilitated. If the pipe be deteriorated or of insufficient strength to support the superimposed load, the line shall be reconstructed, within the limits of the turnpike right of way, with pipe meeting such standards of strength as shall be prescribed or approved by the Commission's chief engineer. All joints shall be water-tight to prevent seepage into the fill.

and

FURTHER RESOLVED that general counsel shall cause the foregoing rules and regulations and a statement of their effective date to be published, not later than January 9, 1953, in a newspaper of general circulation in Franklin County, Ohio; that he shall mail a copy of said rules and regulations to the Public Utilities Commission of Ohio; and that he may cause to be given such additional notice of them to other persons, and in such manner, as he may deem advisable.

Adoption moved by Mr. Teagarden

Motion seconded by Mr. Edgell

Voting Yes: all

Voting No: _____