



STANDARD OPERATING POLICY AND PROCEDURE

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| Subject: Abandonment of Facilities in Public Rights-of-Way | Number: 670.13 | Page: 1 of 3 | Effective Date: 6/2/2022 |
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Approval: Ana M. Olivares, P.E., Director *Ana M. Olivares*

Purpose

To establish policy, procedures, and responsibilities for abandonment of facilities within public right-of-way.

Regulation/Authority

[A.R.S. § 11-251](#) (4) - *Powers and Duties*. The Board of Supervisors has authority to lay out, maintain, control and manage public roads within the county.

[County Code 10.44.010](#) - *Construction in County Rights-of-Way*. The County Engineer has authority to supervise the use of public highways.

[County Code 10.50.150](#) - *Abandonment of facilities*. A user of the right-of-way may not abandon any facilities within public right-of-way without prior written approval from the county.

Definitions

“Department” means Pima County Department of Transportation.

“Project” means an undertaking by the Department for construction or for any other work or activity required in the maintenance, operation, regulation and management of public right-of-way in the County.

“Facility” means any physical item, object, device, or improvement possessed, made, installed, constructed, or maintained either above or below ground.

“Facility owner” means any person, governmental entity, user, franchisee, licensee, company or corporation having title and ultimate control over the facility.

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“Removal” means the moving of a facility to a location outside of public right-of-way including excavating, extracting, transporting, backfilling and restoration.

“Abandoned” means no longer in service and physically disconnected from an active facility.

“County Engineer” means the director of the Pima County Department of Transportation or assigned staff.

“User” means person, governmental entity, user, franchisee, licensee, company or corporation with facilities in public right-of-way.

Policy, Procedure and Responsibility

- I. An abandoned facility shall be removed from public right-of-way unless otherwise approved in writing by the County Engineer.
- II. Requests to abandon a facility shall be submitted in writing to the Right-of-Way Management Section, Pima County Department of Transportation, 201 N. Stone Avenue, Fourth Floor, Tucson, Arizona, 85701, and shall include a description of the facility, as-built location, limits of abandonment, and assurances that all other removal methods have been considered and determined impractical. The Department will provide a response to the request within ten (10) business days.
- III. Below ground facilities may be considered for abandonment in-place if any one of the following applies:
 - A. The Department plans to transfer ownership of the right-of-way to another party and the receiving party allows abandonment in-place of facilities.
 - B. Removal of the facility would require cutting of pavement less than 5 years old.
 - C. Upon concurrence by the Department, removal of the facility can be accomplished during a pending project programmed to be constructed within 1 to 5 years.

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- D. Removal of the facility would compromise County infrastructure, be more destructive to public property than desirable, or create a threat to public health, safety and welfare.
 - E. Facility is located within a joint utility trench and lies directly beneath an active utility in which removal would compromise the integrity of the other facility.
 - F. Facility is located within a residential street right-of-way.
- IV. Abandoned facilities containing hazardous and toxic substances ([EPA 833-B-92-005](#)) shall be removed from public right-of-way.
- V. Facility owner shall maintain and make available to the Department complete and accurate location records of abandoned in-place facilities.
- VI. Abandonment shall be in accordance with Department specifications and requirements. Open vessels less than 3-inches in diameter shall be cut and the ends plugged solid. Open vessels 3-inches and greater in diameter shall be grouted solid using flowable, low density, or grout fill.
- VII. Facility owner shall be responsible for all costs associated with facility removal or in-place abandonment. Should the facility owner be unable or unwilling to remove an abandoned facility, the Department may perform the abandonment or removal and invoice the facility owner for the cost of the work including an administrative surcharge in the amount of fifteen (15) percent of the total cost. Payment for work shall be made within 30 calendar days of the invoice. No right-of-way use permits will be issued to the facility owner until the invoiced amount is paid in full to the County.
- VIII. Facility owner may request the Department to include the removal of an abandoned facility within an active or programmed project. Should the Department agree to include the removal work within a project, the facility owner shall reimburse the Department for all costs associated with the abandonment, removal and disposal of the facility plus a fifteen (15) percent administrative surcharge.