

Cowlitz County Department of Public Works

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NOTIFICATION OF PROPOSED WORK ON COUNTY ROAD RIGHT OF WAY

I. Agency Information (Unless otherwise exempted, any utility owner working within a County road Right-of-way must secure a utility franchise from the Board of County Commissioners as per Cowlitz County Code Chapter 12.55.050)

Agency Name: _____ Phone: _____

Mailing Address: _____ Fax: _____

City: _____ State: _____ Zip: _____

Contact Person: _____ Email: _____

II. Projection Location

Road Name: _____ Site Address: _____

City: _____ Begin Milepost: _____ End Milepost: _____

III. Projection Description

Contractor: _____ Phone _____

IV. Signatures (The undersigned has read, understands and accepts the terms and conditions sets forth herein and outlined in the current Cowlitz County Utility Accommodation Policy)

Name: _____ Signature: _____ Date: _____

DO NOT WRITE BELOW THIS LINE - See Instructions on Reverse Side

V. Conditions (Permittee shall comply with each of the following conditions)

- The proposed work will not include any removal and/or breaking of pavement, curb & gutter or sidewalk.
- All work shall be in conformance with the provisions of the current Cowlitz County Utility Accommodation Policy.
- Notify the County Inspector if there are any problems complying with these conditions.
- Notify the One Call Center at (800) 424-5555 at least two business days before excavating.
- Implement a traffic control plan consistent with the requirements of the MUTCD.
- Provide a copy of the survey that was performed prior to construction to show where/if monuments exist in the work area as required by RCW 58.24.040(8) and WAC 332-120.
- Provide a copy of permittee's DNR monument destruction permit per RCW 58.24.040(8) and WAC 332-120 (if applicable).
- _____
- _____

VI. Acknowledgment

Name: _____ Signature: _____ Date: _____

IX. Construction Completed per Conditions

Name: _____ Signature: _____ Date: _____

APPLICATION INSTRUCTIONS

As outlined in the current Cowlitz County Utility Accommodation Policy, service connections of 250 feet or less will not require a right-of-way use permit but will require submittal of written notification to the County. The intent of the form is to document activities occurring in the County road right-of-way. Permit fees will not apply to these activities pay. The notification form should be submitted at any time leading up to, and including the day of the proposed work. Completed forms may be submitted in person or by mail, email or fax.

The applicant shall complete sections I through IV. Under section III, the applicant should include information on the type of facility being installed, construction installation methods and restoration. Do not write below the designated line under section IV. If additional space or drawings are needed, please attach a separate sheet.

PERMIT PROVISIONS

CCC 12.55.060. Any party public or private, encroaching upon, or using a developed or undeveloped county right-of-way, not previously authorized by the department, shall obtain a permit or license or franchise, as applicable, for such activities from the department.

R.C.W. 36.55.060. Any person constructing or operating any utility on or along a county road shall be liable to the county for all necessary expense incurred in restoring the county road to a suitable condition for travel.

CCC 12.55.050 Any encroachment or use of the county right-of-way for a public or private utility, which includes but is not limited to electrical transmission, telecommunications, petroleum products, water, sewage, drainage, irrigation, and similar structures, pipes, lines or cables, and not owned or maintained by Cowlitz County, shall be franchised, and in compliance with its franchise and all federal state and local laws, or shall be deemed a public nuisance.

No exclusive franchise or privilege shall be granted.

The facilities of the holder of any franchise shall be removed at the expense of the holder thereof, to some other location on such county road in the event it is to be constructed, altered, or improved or becomes a primary state highway and such removal is reasonably necessary for the construction, alteration, or improvement thereof.

CCC 12.55.040. Any person wishing to construct or modify an approach onto any county roadway, shall obtain a permit for such work within the right-of-way from the department, pursuant to R.C.W. 36.75.130.

GENERAL PROVISIONS APPLICABLE TO ALL APPROVALS

In accepting this approval, the petitioner, his successors and assigns, agree to protect Cowlitz County, Washington, and hold harmless from all claims, actions or damages of every kind and description which may accrue to or be suffered by any person, or persons, corporation or property by reason of the performance of any such work, character of materials used or manner of installation, maintenance and operation or by the improper occupancy of rights of way or public place or public structure and in case of any suit or action is brought against said county for damages arising out of or by reason of any of the above causes, the petitioner, his successors or assigns will upon notice to him or them of commencement of such action, defend the same at his or their own sole cost and expense and will satisfy any judgment after the said suit or action shall have finally been determined if adverse to the said county.

If the work done under this approval interferes in any way with the drainage of the county road, the grantee shall wholly and at his own expense make such provision as the county may direct to take care of said drainage.

On completion of said work herein contemplated, all rubbish and debris shall be immediately removed and the roadway and roadside shall be left neat and presentable and satisfactory to the county.

The party or parties to whom this approval is issued shall maintain at his or their sole expense, the structure or object for which this approval is granted in a condition satisfactory to Cowlitz County, Washington.

During the progress of the work such barriers shall be erected and maintained as may be necessary or as may be directed for the protection of the traveling public; the barriers shall be properly lighted at night.

The County Engineer may revoke, annual, change, amend, amplify, or terminate this approval or any of the conditions herein enumerated if grantee fails to comply with any or all of its provisions, requirements or regulations as herein set forth or through willful or unreasonable neglect, fails to heed or comply with notices given or if the utility, structure or object herein granted is not installed within six months of approval of this permit, or operated and maintained in conformity herewith or at all or for any cause or reason whatsoever.