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COUNTY COUNCIL
Snohomish County, Washington

ORDINANCE NO. 85- 051

RELATING TO COUNTY ROADS; REPEALING CHAPTER 13,
ROADS AND BRIDGES AND ENACTING A NEW CHAPTER 13,
COUNTY ROADS.

Be it ordained:

Section 1. All of Title 13, Roads and bridges,
Snohomish County code as adopted and amended in the
following actions:

Res. adopted June 13, 1927
Res. adopted May 1, 1950
Res. adopted Feb. 14, 1955
Res. adopted April 29, 1957
Res. adopted Feb 18, 1963
Res. adopted May 8, 1967
Res. adopted July 31, 1972
Res. adopted Nov. 20, 1972
Res. adopted May 3, 1976
Res. adopted May 3, 1978
Res. adopted Oct. 16, 1978
Res. adopted Dec. 20, 1978
Ord. 80-028 adopted July 2, 1980
Ord. 81-045 adopted May 11, 1981
Ord. 82-049 adopted June 22, 1982

is hereby repealed.

Section 2. Chapter 6.48, Regulations for Granting
Utility Franchises, Snohomish County Code, as adopted by
resolution May 29, 1967, is hereby granted.

Section 3. A new Title 13, County Roads, as attached
hereto and made a part hereof, is hereby enacted.

Section 4. The effective date of this ordinance is
August 1, 1985.

PASSED this 3rd day of July, 1985.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Bruce Agnew
Chairperson

Approved as to Form:

[Signature]
Deputy Prosecuting Attorney

ATTEST:

Kathryn J. Morton
Clerk of Council

- (☒) APPROVED
() VETOED
() EMERGENCY

DATE:

July 10, 1985
[Signature]
County Executive

ATTEST:

Walter Colwell

PUBLISHED _____ and _____

s;edtitle13:37

*ENR 1000
As approved by Council
7/3/85 Fee schedule
also attached.*

TITLE 13
COUNTY ROADS

Chapters:

- 13.01 General Provisions
- 13.05 Design Standards and Specifications
- 13.10 Permits
- 13.30 Type A Transactions
- 13.40 Type B Transactions
- 13.50 Type C Transactions
- 13.60 Type D Transactions
- 13.70 Type E Transactions
- 13.80 Franchises
- 13.90 Establishment
- 13.100 Vacations
- 13.110 Fees and Charges
- 13.120 Street Numbering
- 13.130 Enforcement

Chapter 13.01

General Provisions

- 13.01.004 Title
- 13.01.010 Definitions
- 13.01.020 Powers of the Director
- 13.01.030 Design Standards and Specifications
- 13.01.040 Violations
- 13.01.050 Encroachments-abatements
- 13.01.060 Disclaimer of Liability
- 13.01.070 Severability
- 13.01.080 Effective Date

13.01.004 Title: This title constitutes, and may be cited as, the County Roads Ordinance. This title supersedes previous Title 13, Roads and Bridges.

13.01.010 Definitions. Insofar as not inconsistent with this section, the definitions contained in RCW 47.04.010 and amendments thereto shall apply to this title. As used in this title and accompanying procedures, the following definitions apply:

- (1) Department: The Department of Public Works.
- (2) Design Standards: The design standards and specifications of the department of public works.

- (3) Developed Road: A privately maintained road within county right-of-way which has design standards greater than a primitive road but which is not a part of the county primary road system as designated in RCW 36.86.070.
- (4) Director: The Director of the Department of Public Works or his designee.
- (5) Permit: A document including any license, permit or franchise, authorizing specified use of county right-of-way and granted under the provisions of this title.
- (6) Permittee: The person named in any permit as permittee, and any successor to any rights or interests of a permittee under a permit or in property installed on the right-of-way pursuant to a permit. In the event of any transfer of any permit or any property installed on the right-of-way, all grantors and grantees shall remain permittees.
- (7) Permitted use: Use of any portion of the right-of-way for the benefit of a particular person, organization, association, or corporation, public or private, other than as a thoroughfare for vehicles and pedestrians and uses incidental thereto, under a permit issued under this title.
- (8) Primary Road: An opened, County-maintained right-of-way that meets the requirements of RCW 36.86.070. Such roads are classified according to the federal functional classification system and are designated by the County Council as the county primary road system including such designations as rural minor collector, rural major collector, rural minor arterial, rural principal arterial, urban collector, urban minor arterial and urban principal arterial.
- (9) Primitive Road: An unmaintained or privately maintained County right-of-way that meets the requirements of RCW 36.75.300. A Primitive Road has a gravel or earth driving surface, and has an average annual daily traffic of one hundred or fewer vehicles. A Primitive Road must be established by County Council ordinance.
- (10) Procedures: The internal procedures of the Department of Public Works as adopted by the Director for the implementation of this title.
- (11) Procedures manual: A manual prepared and published by the Director in which all procedures necessary for the proper administration of this title are detailed.
- (12) Right-of-way: All property in which the county has any form of ownership or title and which is held for public road

purposes, regardless of whether or not any road exists thereon or whether or not it is used, improved, or maintained for public travel.

- (13) Sheriff: The Snohomish County Sheriff or his designee.
- (14) Structure: Any building, booth, stand, sign, pole, posts, pipe, wire, cable, pipe, or any other thing constructed on or over or installed within the right-of-way.
- (15) Unmaintained Road: A road within county right-of-way which is accessible to public travel but is not maintained by the County.
- (16) Unopened Right-of-Way: A county right-of-way that exists by dedication or deed, but for which no vehicular roadway has been constructed by the County or other parties.
- (17) Unsafe condition: Any condition as determined by the Director or the Sheriff which is a hazard to health or endangers the safe use of the right-of-way by the public, does or may interfere with any facility in the right-of-way, or may cause damage thereto.

13.01.020 Powers of the Director. The Director shall have the power to:

- (1) Supervise and administer, through the Department of Public Works, provisions of this title.
- (2) Prepare and administer procedures implementing this title.
- (3) Prepare and publish for public use a procedures manual or manuals covering this title.

13.01.030 Design standards and specifications. All work performed under any permit issued under this title shall conform to the Design Standards and Specifications of the department and all other standard manuals used by the department in the administration of this title as provided in Chapter 13.05.

13.01.040 Violations.

- (1) It shall be unlawful to place or maintain any structure within the right-of-way except where done pursuant to a contract with the county, permission granted by the department pursuant to this chapter, or other specific legal authority.

- (2) It shall be unlawful for anyone other than the department to spill, dump, or otherwise deposit any material upon a county right-of-way except where done pursuant to contract with the county, permission granted by the department as provided in this chapter, or other legal authority. This section shall be supplementary to state law as provided in RCW 70.93.060.
- (3) Any violation of this section or any other provision of this title declaring conduct unlawful is a misdemeanor and shall be punishable as provided in SCC Section 1.01.100. Each person shall be guilty of a separate offense for each and every day any portion of which any violation of this section occurs and shall be punishable accordingly.

13.01.050 Encroachment-abatement. The Director may remove any structure, object or material placed or spilled upon, over, or beneath the surface of any right-of-way by other than the department unless installed and maintained pursuant to a contract with the county, permission by the department as provided in this chapter, or other specific legal authority. The costs of any removal shall be sole responsibility of the installer of such structure, object, or material, and the successors in ownership of any portion of such structure, object or material. The county may take any steps which it deems appropriate to collect the costs of such removal.

13.01.060 Disclaimer of liability. Responsibility for complying with the requirements of this title and other applicable code provisions rests solely with the permit applicant. Without limitation thereto, the applicant is responsible for determining and accurately representing to the county the following information: (1) legal descriptions; (2) ownership interests and record title; (3) location of property lines and required setbacks; (4) land use classification (zoning); (5) drainage courses; and (6) any other information supplied by the applicant. Snohomish County may rely upon all information furnished by the applicant both oral and written, and any other information acquired by it. Snohomish County shall have no duty to verify any such information and shall incur no liability for any injury or damage resulting in any manner from any activity pursuant or incidental to any permit issued pursuant to this chapter.

13.01.070 Severability. If any provision of this title or its application to any person or circumstances is held invalid, the remainder of this ordinance and the application of any of its other provisions to other persons or circumstances shall not be affected.

13.01.080 Effective date. This title shall take effect on August 1, 1985.

Chapter 13.05

Design Standards and Specifications

- 13.05.010 Design standards and specifications
- 13.05.020 Other standards
- 13.05.030 Geometrics
- 13.05.040 Signing and Traffic Control

13.05.010 Design standards and specifications.

- (1) Work and materials installed in the right-of-way shall conform with the design standards and specifications of the department, where applicable.
- (2) The design standards and specifications may be amended in accordance with sound engineering practices by the Director. A copy of any such amendment shall be filed with the council. Copies of the design standards and specifications and updates thereof may be secured from the department at fees fixed by the Director.

13.05.020 Other Standards - Where not covered by the design standards and specifications, work and materials shall conform with current editions of the Standard Specifications for Road and Bridge Construction, Washington State Department of Transportation, and Standard Specifications for Municipal Construction, Washington State Chapter, APWA, where applicable, subject to the following amendments:

- (1) Where the term "Commission", "Washington State Highway Commission" or "Washington State Department of Transportation Commission" appears it shall be interpreted to mean the Snohomish County council.
- (2) Where the term "Department", "Department of Highways" or "Department of Transportation", appears it shall be interpreted to mean the Snohomish County department of public works.
- (3) Where the term "Director", "Director of Highways" or "Director of Transportation" appears it shall be interpreted to mean the Director of public works of Snohomish county and such agents as are authorized to act in his behalf.
- (4) Where the term "Engineer" appears it shall be interpreted to mean the Director of public works of Snohomish County and such agents as are authorized to act in his behalf.
- (5) Where the term "State" appears it shall be interpreted to mean Snohomish county acting through its authorized representatives.

- (6) Where the term "Contractor" appears it shall be interpreted to include a developer or his appointed representative.

13.05.030 Geometrics. Except where the Design Standards and Specifications provide otherwise, Geometrics shall be in accordance with the current editions of the following:

- (1) Design Manual as published by the Washington State Department of Transportation (WSDOT).
- (2) Standard Plans For Road and Bridge Construction as published by WSDOT.
- (3) County Design Standards as published by WSDOT.
- (4) A Policy on Geometric Design of Rural Highways as published by the American Association of State Highway and Transportation Officials (AASHTO).
- (5) A Policy on Design of Urban Highways and Arterial Streets as published by AASHTO.

13.05.040 Signing and traffic control. Except where the Design Standards and Specifications provide otherwise, signing and traffic control shall be in accordance with the current edition of the U.S. Department of Transportation Manual on Uniform Traffic Control Devices, as amended and approved by the Washington State Department of Transportation.

Chapter 13.10

Permits

13.10.010	Permit required
13.10.020	Validation of prior permits
13.10.030	Factors, justification
13.10.040	Types of right-of-way transactions
13.10.050	Permit exemptions
13.10.060	Limitations on permits
13.10.070	Legal compliance
13.10.080	Application, grant
13.10.090	Hold harmless
13.10.100	Certificate of insurance
13.10.110	Deposit
13.10.115	Performance security
13.10.120	Maintenance security
13.10.130	Inspections
13.10.140	Traffic control, detours
13.10.150	Assignments
13.10.160	Renewals
13.10.170	Revocations

13.10.010 Permit required. It is unlawful for anyone to make any use of any right-of-way for other than transportation and uses incidental thereto or as otherwise provided by this chapter without a right-of-way use permit and/or franchise as provided in this title and complying with all the provisions thereof, and any code or statutory provisions applicable to said use.

13.10.020 Validation of prior permits. All permits and franchises granted by the department before the effective date of this act shall continue in full force and effect until their respective expiration dates; Provided, that any such permit or franchise shall be subject to this title except where the terms of the permit or franchise are inconsistent herewith. And provided further that this title shall not impair the obligations of any existing franchise. All renewals and extensions of any such permit or franchise are subject to all of the provisions of this title.

13.10.030 Factors, justification. The requirements for approval of a permit to use right-of-way vary with the type of transaction involved as provided in this title. In reviewing any application for justification and approval, the following or other appropriate factors may be considered:

- (1) Length of time of right-of-way use;
- (2) Disturbance of right-of-way surface;

- (3) Requirements for public health and safety;
- (4) Disruptions of usual public use;
- (5) Risks of damage to right-of-way;
- (6) Costs to the county for services;
- (7) Effect on private property;
- (8) County use of the right-of-way;
- (9) Risks of spills and debris in the right-of-way.

13.10.040 Types of right-of-way transactions. For the purposes of processing, right-of-way transactions are classified as follows:

- (1) Type A. Uses permitted under Title 6, SCC and as defined in Chapter 13.30 SCC.
- (2) Type B. Temporary permits involving no interference with improvements within the right-of-way as defined in Chapter 13.40 SCC.
- (3) Type C. Permits generally for not more than one year involving no interference with the roadway as defined in Chapter 13.50 SCC.
- (4) Type D. Long term activities which usually disturb the roadway as defined in Chapter 13.60 SCC.
- (5) Type E. Miscellaneous, long-term right-of-way transactions including franchises, establishments, vacations, and deeds and leases of interests in right-of-way as defined in Chapter 13.70 SCC.

13.10.050 Permit exemptions. Right-of-way use permits will not be required:

- (1) For activities requiring a license or permit pursuant to the General Business License and Regulations Code, Title 6, SCC. Applications which are expected to utilize right-of-way shall be reviewed and approved by the Director before the issuance of any such license or permit.
- (2) For franchised utilities when responding to emergencies that require work in the right-of-way such as water or sewer main breaks, gas leaks, downed power poles when the new placement is uniquely different from the original or similar

emergencies; provided that the department shall be notified by the responding utility, verbally or in writing, as soon as practicable following onset of an emergency and an appropriate right-of-way permit be applied for at that time.

- (3) Mailboxes or newspaper delivery receptacle, provided that the Director may order such moved or removed if he believes such to be constructed or located so as to constitute an unsafe condition.
- (4) Where a separate agreement and/or approval is granted by the County Council through the legislative process such as for franchise, establishment or vacation of right-of-way, easements or deeds. Application for permission with respect to the foregoing activities shall be required, received, and processed the same as one for a required permit.

13.10.060 Limitations on permits: Any permit shall be for the term provided in this chapter and as stated in the permit, unless earlier revoked. Unless expressly provided by the terms of the permit, franchise, or applicable law, all permits and franchises shall be subject to the public right to travel on the right-of-way, permissive only, and grant no rights.

13.10.070 Legal Compliance. Nothing in this section or title shall avoid compliance by an applicant or permittee with all other applicable laws, statutes, including the State Environmental Policy Act (Ch. 43.21C RCW) and the Shoreline Management Act (Ch. 90.58 RCW), code provisions, including Titles 16 through 24 and 26B, SCC. The applicant shall have the burden of securing any other permit, license, or legal approval required to undertake the use proposed by the applicant. Where any applicant or permittee has failed to comply with all legal conditions precedent to his proposed use, his application shall be denied and any permission granted under this chapter and associated regulations shall be revoked.

13.10.080 Application, Grant

- (1) Application for any permits, as required by this chapter shall be on a form provided by the Director and be accompanied by fees as provided in Ch. 13.110 SCC. Where requested by the Director, drawings or diagrams showing the location and detail of any facility to be placed within the right-of-way shall be part of the application. No application which does not contain all information requested shall be considered.
- (2) The Director shall examine each application to assure compliance with the provisions of this chapter and procedures. The Director may make such further inquiry or

investigation of any circumstance with respect to an application as he deems appropriate.

- (3) If the Director, after report from other affected departments and offices as provided elsewhere in this title, concludes that the granting of the application will cause no additional hazard to users of the road involved nor interfere with the rights of the public or others, including abutting owners, and complies with the provisions of this title, he shall grant the permit upon such terms and conditions as are necessary to protect the public health, safety, and welfare.

13.10.090 Hold Harmless. Any permit or franchise shall contain the following:

The permittee/franchisee shall assume the risk of, and be liable for, and pay all damage, loss, cost and expense of any party arising out of applicant's use of the right-of-way, except that caused by negligence and/or willful misconduct solely of Snohomish County and its employees acting within the scope of their employment. The permittee/franchisee shall hold harmless from and indemnify Snohomish County against all claims, losses, suits, actions, costs, counsel fees, litigation costs, expenses, damages, judgments, or decrees by reason of damage to any property or business and/or any death, injury or disability to or of any person or party arising out of or suffered, directly or indirectly, by reason of or in connection with the use by applicant of the right-of-way, or any action, error or omission of the permittee/franchisee, permittee/franchisee's employees, agents, or subcontractors, whether by negligence or otherwise, in connection with the use of the County's right-of-way. The permittee/franchisee's obligation shall include, but not be limited to, investigating, adjusting and defending all claims alleging loss from any act, error or omission or from any branch of any common law, statutory or other delegated duty of the permittee/franchisee or his employees, agents or subcontractors.

13.10.100 Certificate of Insurance. If the Director determines that there is a risk of potential liability to the County arising out of any proposed use of any right-of-way, he may require the permittee or franchisee to obtain and maintain continuously public liability insurance and/or other insurance necessary to protect the County and public within limits of liability not less than \$500,000 Combined Single Limit/Bodily Injury and Property Damage with appropriate coverage endorsement to include Broad Form Contractual, Broad Form Property Damage, Contractor's Protective, Auto and Non-owned Auto, where such additional coverage endorsements are applicable. Such insurance shall name as additional insureds, "Snohomish County, its officers, elected officials, agents and employees".

Such insurance shall include the following "cross-liability endorsement":

"The inclusion of more than one insured under this policy shall not affect the rights of any insured as respects any claim, suit, or judgment made or brought by or for any other insured or by or for any employee of any other insured. The policy shall protect each insured in the same manner as though a separate policy had been issued to each except that nothing herein shall operate to increase the company's liability beyond the amount or amounts for which the insurer been liable had only one insured been named."

The above insurance shall not be reduced or cancelled without thirty (30) days written prior notice certain to the County.

Evidence of the existence and continuation of the insurance herein shall be provided to the County's satisfaction and may include either of the following (at the County's option):

- (1) A photostatic copy of the endorsement(s) and/or policy providing the required coverage.
- (2) An original or photostatic copy of a Binder of insurance signed by an authorized broker of the insurance company reciting the above coverages.
- (3) A Certificate of Insurance reciting the above coverages, provided that standard ACORD 25 form shall be modified as follows:
 - (a) Notice requirements shall be altered to meet the above requirements, and such language as "endeavor to" and "but failure to mail such notice shall impose no obligation or liability of any kind upon the company" is unacceptable and shall not be included.
 - (b) Language which is of the nature of the following two sentences shall not be included: "This Certificate is issued as a matter of information only and confers no rights upon the certificate holder"; and/or "This Certificate does not amend, extend or alter the coverage afforded by the policies listed below."

13.10.110 Deposit.

- (1) If the Director concludes that there may be damage done to the right-of-way or any county facility thereon, he may require an applicant to provide a deposit, in such sum as the Director determines to be necessary to adequately

protect such right-of-way and facility, to cover the costs of restoration and repair of such anticipated damages.

- (2) Franchised utilities with a current franchise bond in place will not be required to post a deposit unless special circumstances mandate such a deposit as determined by the Director.
- (3) Performance deposits shall be made only in cash or cashiers check payable to the Department of Public Works--County Road Fund.
- (4) Following receipt from the inspector of a completed "Permit Completion Report," as detailed in the procedures, the department shall deduct any charges for repair or restoration of the public right-of-way and county facilities required as a result of activities conducted by the applicant/permittee and return to the permit holder any unused portion of the deposit.

13.10.115 Performance security.

- (1) In lieu of the deposit referenced in SCC 13.10.110, the Director may require an applicant to post a performance security, guaranteeing proper right-of-way restoration and completion of the proposed construction to the satisfaction of the Director.
- (2) Performance security shall be in an amount of at least 100 percent of the estimated cost of road construction, restoration and/or right-of-way improvements, plus an appropriate amount to cover inflation over the anticipated life of the security.
- (3) Performance security shall be made on forms as provided by the department and may be one of the following:
 - (a) Bond;
 - (b) Letter of credit;
 - (c) Assignment of funds or account.

13.10.120 Maintenance security.

- (1) After completion of road restoration and/or improvements pursuant to any permit to his satisfaction, the Director, may require maintenance security guaranteeing workmanship and materials to his satisfaction.

- (2) The guarantee shall be for an appropriate period of time up to two years and in cash or in such other form as provided by SCC 13.10.115(3).

13.10.130 Inspections.

- (1) The Director, with such assistance as is required of the sheriff or any other involved county official, has the right to make inspections of the right-of-way and any work or installation made thereon by the permittee as he deems appropriate; and the permittee shall not deny the Director the right to make reasonable inspections. Inspection costs are included in the application fee as provided in Chapter 13.110.
- (2) At the discretion of the Director, inspection frequency as determined to assure compliance with conditions of any permit or franchise may include one or more of the following:
- (a) Inspections may be conducted to assist an applicant in properly defining all permit requirements.
 - (b) Inspections and surveillance of all sites may be made at the start of the right-of-way use. Permittees are required to notify the department at least 24 hours in advance of beginning the approved use.
 - (c) Routine periodic inspections and observations may be conducted until the permitted use is complete. If there are any questions about the use, safety or quality of permittees' actions, additional inspection efforts may be conducted.
 - (d) Inspections and observations may occur at the completion of the right-of-way use. Restoration requirements will be carefully reviewed by the assigned inspectors.
- (3) Appropriate records of inspections and surveillance activities as determined by the Director will be kept by the department to assure that all permitted right-of-way uses are in compliance with county requirements.

13.10.140 Traffic control, detours.

- (1) Unless otherwise provided, Chapter 13.05 SCC, Design Standards and Specifications and any other applicable code provisions shall apply to traffic control, including detours required on or approaching any site subject to a permit/franchise. The Director may impose stricter standards where required to protect vehicular or pedestrian traffic or county property.

- (2) The department may require an applicant to submit a traffic detour plan showing the proposed detour routing and location and type of warning lights, safety devices, signs and barricades intended to protect vehicular or pedestrian traffic at the site of the proposed use. The department shall approve the traffic plan before issuing a permit.
- (3) All decisions of the department shall be final in all matters pertaining to the number, type, locations, installation and maintenance of warning and safety devices or use of detours in the right-of-way during any work or activity for which a duly authorized permit has been issued.

13.10.150 Assignments. No permit or any rights thereunder may be transferred, assigned or sublet. Any person who wishes to be a successor in all or part of any interests under a permit shall make application for a new permit, noting on his application the number of the previous permit, the name of the permittee thereunder, and the interests in the prior permit which the applicant desires to secure.

13.10.160 Renewals.

- (1) Permits may be renewed as permitted in this title. Where renewal is permitted, application shall be on a form as provided by the department made within 30 days of the expiration of the prior permit. Fees for permit renewals shall be at the Director's discretion and in an amount not to exceed the fees for a new permit as provided in Chapter 13.110 SCC.
- (2) Any application to renew a permit shall be reviewed by the Director, who may approve, deny, or approve with conditions, regardless of whether or not such conditions were contained in the prior permit.
- (3) In addition to any other conditions imposed by the Director, application for a renewal must satisfy the following:
 - (a) Continued use of the right-of-way is essential to complete the work or activity previously authorized;
 - (b) The permit holder has complied with the conditions of the prior permit and all other applicable requirements.
 - (c) All required fees, charges and performance deposits have been paid to the county.
 - (d) All required insurance certificates and performance security have been filed with the county and will continue to be in effect through the requested renewal period; and

- (e) Continuation of the private use of the public right-of-way shall not adversely affect the public health, safety or welfare.

13.10.170 Revocation.

- (1) The Director may revoke any permit by giving the permittee written notice thereof if:
 - (a) The permit was procured by fraud or misrepresentation in any particular;
 - (b) Construction or existence of the approved activity creates an unsafe condition with respect to the public, public property, any abutting property, or other property, person, or thing lawfully in the right-of-way;
 - (c) The permittee has breached any term of the permit and has not cured such breach after being given written notice to do so by the Director;
 - (d) The permittee has failed to comply with any term of this title or any other applicable law, statute, code provision, or regulation.
 - (e) The permittee has failed to pay any costs, penalties or fees levied pursuant to any terms of this title; or
 - (f) The permittee has permitted or maintained any nuisance on the right-of-way.
- (2) Upon termination or revocation of any permit, the permittee shall remove any material placed on, over, or in the right-of-way by the permittee and restore the right-of-way to such condition as existed prior to entry by the permittee. If, after reasonable notice by the Director, the permittee fails to do so, such work may be performed to the extent deemed appropriate at the sole cost of the permittee. The Director may take any step he deems appropriate to collect such costs and all cost of collection, including reasonable attorney's fees.

Chapter 13.30

Type A Transactions

13.30.010 Permitted uses. Type A transactions are for those uses which may extend into rights-of-way and are covered by Title 6 SCC including carnivals, circuses, parades, dances, public events/assemblies, and runs.

13.30.020 Administration. Type A transactions are administered entirely by the department of finance with input from the department of public works (DPW); however, all applications for Type A transactions utilizing any right-of-way shall be reviewed and be subject to protest as provided in SCC 6.01.070. Such activities are of short duration and may involve disruption to pedestrian or vehicular traffic or access and require approval of specific conditions, including locations, route, time and date, as provided in Title 6 SCC.

Chapter 13.40

Type B Transactions

- 13.40.010 General Requirements
- 13.40.020 Permitted Uses
- 13.40.030 Terms-general
- 13.40.040 Terms-oversize, overweight
- 13.40.050 Terms-temporary sales

13.40.010 General requirements - Type B transactions are short-term activities of less than 72 hours which do not involve the physical disturbance of the right-of-way surface. This type of activity may involve the disruption of pedestrian and vehicular traffic or access to private property. The activity may also require Sheriff assistance, county inspections and clean up of right-of-way used. Each activity requires the approval for specific routes, locations, dates and time for the participants, public safety and traffic control.

13.40.020 Permitted uses - Type B permits are required for the following and similar uses of county rights-of-way:

- (1) Overweight load - an activity that requires special use of the right-of-way to move overweight materials and structures at specific times and locations.
- (2) Temporary signs - advertising and other signs which can be moved easily.
- (3) Temporary sales - from portable or moveable carts, stands or vehicles. Where the sale does not occupy a sidewalk, sales of only flowers, food or beverages will be permitted.
- (4) Road Closure - activities that require temporary closures of roads, streets, lanes or sidewalks for loading/unloading, construction storage or repair purposes.
- (5) Oversize load - an activity that requires special use of the right-of-way to move oversize load materials and structures at specific times and locations.

13.40.030 Terms - General All Type B permits are subject to the following terms and such additional terms as the Director deems appropriate:

- (1) Use of the right-of-way will be for the time stated, not exceeding 72 hours and for a "single time" event. Additional permits will not be granted to continue the use for any period in excess of the original term granted.

- (2) The use shall not physically disturb the surface of the roadway, shoulders, ditches, cuts, slopes or other portions of the right-of-way.
- (3) The use may involve the disruption of traffic over a designated portion of the right-of-way.
- (4) Designation shall be made of routes, locations, dates, and time, participation, and public safety and traffic controls.
- (5) The use shall not be materially detrimental to the immediate vicinity, or obstruct access, light, air, or view of any abutting owner other than the applicant.
- (6) Any facility to be installed on the right-of-way and provisions for its removal and general cleanup shall be specified. All facilities shall be maintained in a neat and presentable manner by the permittee. At the expiration of the permit all facilities shall be removed and the premises cleaned up and restored to their condition prior to the issuance of the permit.
- (7) The permittee shall provide street, lane, and sidewalk closures and other traffic diversions with traffic control signs and devices as designated by the Director.
- (8) The county assumes no liability by the issuance of any permit; all costs in connection therewith will be paid by the applicant/permittee.
- (9) Following completion of any construction in the right-of-way under this permit, the site must be maintained as required by the Director and is subject to periodic inspections by the Director.

13.40.040 Terms-oversize, overweight. Type B permits for oversize, overweight movings are subject to the following additional terms:

- (1) Where a portion of the movement is on a state highway, the provisions of RCW 46.44.096 and any other applicable state statutes shall control.
- (2) The permittee is responsible for providing all necessary pilot cars, and traffic control devices.
- (3) The county sheriff will be consulted prior to the issuance of such permit and be advised of the exact times of any movements. The permittee will be required to pay for any necessary patrolling by the sheriff and any work provided by the department.

- (4) Arrangements for the disconnection and connection of any utilities or other facilities in the right-of-way shall be the responsibility of the permittee and any expenses in connection therewith shall be paid by the permittee.
- (5) A permit to move a building or other structure shall not be granted if:
 - (a) The building is too large to move without endangering persons or property in the county; or the weight of building or structure would cause damage to the roadway.
 - (b) The building or structure is in such a state of deterioration or disrepair or is otherwise so structurally unsafe that it cannot be moved without endangering persons and property in the county.
 - (c) The building or structure is structurally unsafe or unfit for the purpose for which moved, if the removal location is in the county.
 - (d) The applicant's equipment is unsafe and persons and property would be endangered by its use.
 - (e) Appropriate approval to locate on the new site if within the county, has not been secured from the Department of Planning and Community Development.

13.40.050 Terms - temporary sales. Type B permits for temporary sales shall be subject to the following additional terms:

- (1) The sale is to be conducted in a land use zone where such a sale is a permissible use. The Department of Community Planning shall certify to the Director that such a use is a permissible use before any permit may be issued.
- (2) A specific area must be designated and sales confined to that area.
- (3) The sales area must be kept neat and clean at all times and shall be left in a neat and clean condition following the close of the sale. Where any rubbish, wrappings or other materials may be dropped incidental to the sale, at least one waste receptical must be provided. The area will be periodically policed for waste materials.
- (4) Where a sale is conducted on a sidewalk, the sales area, including stands, etc. must be located so as to provide at

least five feet of clear pedestrian traffic from the curb line or edge of roadway, whichever is furthest from the roadway; otherwise the sales area must be located to provide at least five feet of clear pedestrian traffic from the sidewalk, curb line, or edge of roadway, whichever is furthest from the roadway.

- (5) No mechanical or electrical devices or portable signs may be displayed to attract attention to the sale.
- (6) Any structure placed at the sale must be readily moveable and not obstruct vision.
- (7) The permitted use will create no hazard for vehicular or pedestrian traffic.
- (8) The sale area shall not obstruct access to any users or owners of adjacent abutting property.
- (9) The sale, including any required parking, will not obstruct vehicle traffic.
- (10) The applicant will comply with all regulations of the Snohomish Health District and any other involved public agency.

Chapter 13.50

Type C Transactions

- 13.50.010 General
- 13.50.020 Permitted uses
- 13.50.030 Terms-general
- 13.50.040 Terms-bus stops/shelter/loading zones.
- 13.50.050 Terms-construction site structures.
- 13.50.060 Terms-recycle structures.
- 13.50.070 Terms-newspaper sales, stands, or drop boxes.

13.50.010 General Type C transactions are long-term activities which will use the public right-of-way for more than 72 continuous hours with no physical disturbance of the right-of-way. These types of activities may involve the disruption of pedestrian and vehicular traffic or access to private property. Sheriff assistance, inspection by county staff, approval for specific locations, and safety and traffic control measures may also be required.

13.50.020 Permitted Uses Type C permits are required for the following and similar uses of county rights-of-way:

- (1) Bus stops/shelters/loading zones - Special use of right-of-way for transportation and traffic purposes.
- (2) Construction site structures - Structures related to construction sites such as scaffolds, barricades, buildings, walls, elevators, etc. that are on, over or impacting public right-of-way.
- (3) Decorative-landscaping/fences - Special uses of the right-of-way for private decorative plantings, gardens and fences.
- (4) Recycling-waste facilities - Structures for collection and/or sales purposes for extended time periods.
- (5) Newspaper sales, stands, or drop boxes.

13.50.030 Terms - general Type C permits are granted on the following terms and such additional terms as the Director deems appropriate:

- (1) All terms contained in SCC 13.40.030 except 13.40.030(1).
- (2) Permits will be granted for more than 72 hours and shall be of a duration as stated on the permit, generally not to exceed one year.

- (3) Aesthetic effects will be considered except with respect to construction site structures. The Director may determine what landscaping if any, is desirable to screen any structure, which landscaping shall be installed and maintained by the permittee.
- (4) Following completion of any construction in the right-of-way under a Type C permit, the site must be maintained as required by the Director and subject to periodic inspections by the Director.
- (5) Any construction of containers, movable stands and structures upon the right-of-way shall be of an approved design, size, color and construction. All structures shall be painted or stained for aesthetic purposes. The location of such structures or stands shall be determined by the Department of Public Works. Such structures shall be placed and oriented in such fashion as to minimize their exposure to nearby residential areas or public streets or places.
- (6) The permittee using a structure shall be responsible for the clean up of the area around it. If the area around such structures or the structure itself becomes unsightly or littered with debris, caused either by vandalism or negligent use, the county shall have the privilege, but not the responsibility, of causing the same to be cleaned, and the cost thereof charged to the permittee using the same. It is the responsibility of the permittees to maintain the structure and the area around the location by keeping it clean from debris, litter, glass, and paper, etc.
- (7) All construction within the right-of-way of facilities under Type C permits must be completed in 20 working days.

13.50.040 Terms-bus stops/shelters/loading zones

- (1) Public transportation shelter stations and loading zones may be permitted on public rights-of-way, other than in the roadway, if the Director determines that the location and the structure is safe and will best serve the need for a station or zone in the area. Public transportation shelter stations shall be located so as to provide required setback meeting sight distance requirements.
- (2) Permits may be issued for the purpose of allowing vehicles using portions of the roadway to load or unload passengers, equipment or goods exclusively at locations where parking, stopping, or standing is prohibited subject to the terms and conditions of such permit. All costs of striping, signing or other necessary traffic control devices as required by the Director, whether installed by the county or not, shall be at the sole expense of the permittee.

- (3) The Director shall consider safety with respect to both pedestrian and vehicular traffic, and requisite traffic control devices before granting a permit for public or private loading zones.
- (4) At the Director's discretion, a single permit may be issued for multiple bus stops/shelters/loading zones. Each location must be listed on the permit. Failure of the applicant to comply with all requirements for such structures will result in the loss of this privilege.

13.50.050 Terms - construction site structures. Permits for building construction, demolition, repair and scaffolding, are subject to the following additional terms:

- (1) The use of acids or chemicals or any cleaning material which, if precipitated in the street would cause injuries to persons or damage to property, is prohibited.
- (2) A substantial canvas tarpaulin or approved equivalent shall be attached to the underside of scaffolding erected in the right-of-way in such a manner as to stop any spray, dirt, or other materials from spreading on the street below.
- (3) If building cleaning is done with steam, the steam boiler and all of its appliances, including piping, hose and nozzle, shall comply with the provisions of the law regulating the operations of steam boilers in the County.
- (4) During operations, a suitable portion of the sidewalk or other public thoroughfare shall be barricaded in an approved manner. Specified hours of operation and additional construction may be required to protect the public's exposure to the work.
- (5) Contractors shall comply with all requirements of the Uniform Building Code for protection of pedestrian traffic in the public right-of-way during building construction, remodeling, demolition, or repair.
- (6) No materials, fence or shed related to building construction shall obstruct the approach to a fire hydrant, manhole, fire alarm box, catch basin, inlet, vault, valve chamber, or any other public utility or traffic facility which is within an area being used by a permittee.
- (7) A substantial protective frame, boarding, sand bags, etc., shall be placed or built around every street light pole, power pole, fire hydrant, and other utility or traffic facility that may be damaged by work being done on the adjacent property.

- (8) It is unlawful to mix mortar or concrete in any public place unless confined to a tight box or mixing board, and in no case shall mixers or boxes be washed so that the water will run into the street unless free of all sand, cement or any similar material.
- (9) In using the street area or driving over walks and curbs, the contractor shall keep such walk and pavement reasonably clean, properly protected with planks during working hours and safe for public travel.
- (10) A fence or enclosure shall be erected at any location at which a building is to be erected, razed, repaired or altered and a hazard to pedestrian traffic is created (a) within 10 feet of a walk or roadway, (b) in a business district, or (c) in any case deemed necessary by the Director, or as otherwise provided or in conditions imposed by Public Works on the permittee, including compensation of the Department for such use.
- (11) Earth taken from excavations and rubbish from building shall not be stored on the sidewalk or other street area, except as specifically provided or in conditions imposed by Public Works on the permittee, including compensation of the Department for such use.
- (12) Building rubbish accumulating on upper floors and all rubbish, plaster and other loose materials, produced while wrecking, altering or repairing a building must be lowered by elevators in closed receptacles or by closed chutes connecting to vehicles removing the same. When likely to produce dust, the chutes must be provided with means of wetting waste to prevent the wind from blowing it about.
- (13) All scaffolding erected in the public right-of-way shall be properly barricaded to protect pedestrian and vehicular traffic from debris, spray and related hazards.

13.50.060 Terms-Recycle structures. Type C permits for recycle box structures are subject to the following additional terms:

- (1) Structures shall be placed a minimum of 10 feet from the edge of the traveled lane and shall not block or hinder the sight distance for driveway or intersections. The area between the traveled lane and the structure shall be a gravel or paved shoulder and extend full shoulder width at least 20 feet on each side of the structure with a 10:1 taper back to the edge of the traveled lane. The location must have an adequate stopping sight distance for approaching vehicles.

- (2) Structures must be emptied regularly to prevent overflow and possible rodent infestation.
- (3) A number will be assigned to each approved application. This number will be attached permanently to the recycling structure and will be used to identify the owner of the structure to authorized departments for contacting them to clean up the area or of other problems.
- (4) At the Director's discretion, a single permit may be issued for multiple recycle box structures. Each box location must be listed on the permit. If the applicant desires to move a box to another location, he must notify the Department 48 hours prior to the intended move. Failure of the applicant to comply with all requirements for such structures will result in the loss of this privilege.

13.50.070. Terms-newspaper sales, stands or drop boxes.

Type C permits for newspaper sales, stands or drop boxes are subject to the following additional terms:

- (1) At the Director's discretion, a single permit may be issued for multiple stands or drop boxes. Each box location must be listed on the permit. If the applicant desires to move a box to another location, he must notify the Department 48 hours prior to the intended move. Failure of the applicant to comply with all requirements for such structures will result in the loss of this privilege.

Chapter 13.60

Type D Transactions

- 13.60.010 General
- 13.60.020 Permitted Uses
- 13.60.030 Terms-general
- 13.60.040 Access-culvert, tile frontage or driveway
- 13.60.050 Access-building construction
- 13.60.060 Blanket utility permit
- 13.60.070 Terms-temporary access and trail access permits
- 13.60.080 Trail access permit-contents
- 13.60.090 Trail access permit-approval and recordation

13.60.010 General Type D transactions are long-term activities which will alter the appearance or disturb the surface. Post construction use may require a reapplication or renewal of a right-of-way use permit. Site locations, time, traffic control, safety devices, warranties, and access for County inspections are required.

13.60.020 Permitted Uses Type D permits are required for the following and similar uses of county rights-of-way:

- (1) Access (including driveway/culvert/curb cut installation) to an opened county right-of-way for activities including access for development of adjacent property.
- (2) Temporary access, authorizing construction and temporary, non-exclusive use of an unopened or primitive county road right-of-way for short term activities such as, construction or logging.
- (3) Trail access, authorizing the construction and permanent, non-exclusive use of a privately maintained road within an unopened or primitive county road right-of-way.
- (4) Development construction, including developer financed frontage improvements and road restoration to developer financed and built comprehensive road improvements.
- (5) Blanket utility installations - a single Type D permit granted a franchised utility to cover series of activities in county rights-of-way. Such activities are of a less disruptive nature than normal utilities construction.
- (6) Utilities construction - involving major construction, disturbance and restoration of the affected county road.

13.60.030 Terms - general. Type D permits are granted on the following terms and such additional terms as the Director deems appropriate:

- (1) All items contained in SCC 13.40.030 except 13.40.030(1), and (2).
- (2) Duration shall be as stated in the permit, generally not to exceed one year.
- (3) All work shall conform to the current editions of the Standard Specifications for Road and Bridge Construction as published by the State Department of Transportation and the Design Standards and Specifications for Snohomish County as published by the department.
- (4) The location of all openings, changes, or attachments to the surface of the right-of-way must be approved by the county.
- (5) At the discretion of the Director, one or more of the following requirements may be specified when conditions require their use. Whenever such special conditions are required, they shall be set forth in the permit at the time of issuance or as an amendment to the permit where conditions requiring their use become known after the permit has been issued.
 - (a) Installation within the right-of-way shall be made in a manner and by a method approved by the Director. All improved or unimproved areas within the right-of-way shall be restored to the satisfaction of the Director.
 - (b) Signs, cones, barricades, and all other traffic control devices to protect and control pedestrian and vehicular traffic in the construction area shall be used as prescribed by the Director and in accordance with the "Manual on Uniform Traffic Control Devices for Streets and Highways, Part V."
 - (c) One or more traffic lanes shall be kept open at all times. Moving traffic shall be properly controlled by flagmen and/or patrol cars if specified. Hours of operation during construction and restoration shall be limited to those contained in the permit.
 - (d) Ingress and egress for vehicles and personnel to abutting property shall be maintained at all times except as approved by the Director.
 - (e) Backfill and replacement of pavement surface shall be done to the satisfaction of the Director.

- (f) All construction of structures within the right-of-way shall be done to the satisfaction of the Director.
- (6) Site inspections will be made by the department (Road Maintenance) to determine need for culvert pipe, size and length of pipe, type of pipe acceptable, end sections, catch basins, backfill materials to be used, and other construction requirements.
- (7) Earth hauling contractors, builders or anyone else utilizing vehicles upon a right-of-way shall provide persons or equipment to keep the right-of-way clean at all times to the satisfaction of the department. Upon failure to do so, the department may issue an immediate stop work order for the operation and the responsible person or persons shall be directed to immediately clean the right-of-way or places to the satisfaction of the department.
- (8) Permittee will be responsible, before commencing any excavation within county right-of-way, to provide notice of the scheduled commencement of excavation to all owners of underground facilities, through the one-call locator service. For Western Washington, this number is currently 1-800-424-5555. In addition the permittee shall be familiar with and comply with RCW 19.122.
- (9) Following completion of any construction in the right-of-way under a Type D permit, the site must be maintained as required by the Director and be subject to periodic inspections by the Director.
- (10) Utility companies holding a valid franchise with Snohomish County and with current certificate of insurance and bond, if required, may conduct certain minor activities in county rights-of-way without a permit. Such minor activities shall consist of inspection, repair and maintenance of existing structures in the same location and, activities historically not requiring a permit and not falling in the category of a Blanket permit as detailed in SCC 13.60.060 and not involving cutting of hard road surface.
- (11) Before any work is performed under a Type D permit, the permittee shall establish two or more reference marks to all monuments and markers of every nature relating to subdivisions, plats, right-of-way and all other surveys within the permitted area. The reference points shall be so located as to not be disturbed during the permittees' operations under the permit. The Department of Natural Resources form, entitled "Application for Permit to Temporarily Remove or Destroy Section Corner or other Land Boundary Mark or Monument" (Ref WAC 332-120), shall be

completed by the permittee where applicable. Such forms shall be available at the Department.

13.60.040 Access - culvert, tile frontage or driveway. Type D permits which require culvert, tile frontage or driveway installations are subject to the following additional terms:

- (1) Installation of driveways shall require a Type D (culvert/tile frontage/driveway) permit if (a) the abutting county road has a ditch section, or (b) the abutting county road has a vertical curb requiring a curb cut, or (c) the subject building lot has been "flagged" by the Department during the plat review process for a detailed driveway and/or drainage plan.
- (2) The permittee shall keep the road right-of-way in a condition that is safe to the public and further, will not adversely impact the environment with debris, dirt, dust, or other pollutants, or cause erosion, etc.
- (3) At the Director's discretion, the permittee shall post bond or other security as provided by Chapter 13.10.110 - 13.10.120. The bond or security may be a blanket deposit to cover the permittee at various lots or other locations within the county. The Director is hereby empowered to recommend withholding of building permit or occupancy approval for any lot or lots not covered by said surety.
- (4) The bond or security shall cover any construction or restoration within the right-of-way including but not limited to driveway, culvert, curb cut, tile frontage, and surface restoration construction. If any of these or other conditions of the bond or security are not satisfactorily performed to department standards, the Director may:
 - (a) Request the surety involved to perform the work; or
 - (b) Direct county road forces to perform the work or contract out performance of the work. The Director may, prior to or after such work, foreclose the bond or other security.
- (5) The Director may recommend to the Department of Planning and Community Development the withholding of building permit and/or occupancy approval in the event an access permit is not secured or violated in any manner.

- (6) The length of culvert required for driveway construction is dependent upon the width of the driveway and ditch depth and shall be determined during the initial site inspection by county road maintenance. No driveway culvert shall be less than 20 feet.
- (7) Culvert diameter will depend on the amount of drainage to be handled determined during the process of site investigation and subsequent drainage review if required. Minimum diameter of driveway culvert shall be 12 inches.
- (8) Culvert installations with less than 12 inches of cover shall be concrete. All materials for driveway culvert construction must comply with specifications approved by the Director.
- (9) Connections to existing culvert installations shall be made by using the same kind of material as that in the contiguous culvert. There shall be no mixing of materials in culvert construction unless a standard catch basin or manhole is used at the junction.
- (10) Culvert pipe shall be laid true to line and grade with minimum of 6 inches of cover, and backfilled with compacted material in accordance with adopted standards.
- (11) Right-of-way use permit applications for culvert-driveway and/or tile frontage shall be available at the permit counter of the Division of Community Development (DCD) and be completed at that location. After initial inspection by the Department (Road Maintenance), the permit will be mailed to the applicant. Applicable fees will be collected at DCD.

13.60.050 Access-building construction. Type D permits for access to facilitate construction of abutting property are subject to the following additional terms:

- (1) Residential building construction, on lots requiring access over county roads shall require a Type D (Access-Building Construction) permit unless a Type D permit in accordance with Chapter 13.60.040(1) has been obtained and is valid, for the same lot.
- (2) The permittee shall keep the road right-of-way in a condition that is safe to the public and further, will not adversely impact the environment with debris, dirt, dust, or other pollutants, or cause erosion, etc.
- (3) At the Director's discretion, the permittee shall post bond or other security as provided by Chapter 13.10.110 -

13.10.120. The bond or security may be a blanket deposit to cover the permittee at various lots or other locations within the county. The Director is hereby empowered to recommend withholding of building permit or occupancy approval for any lot or lots not covered by said surety.

- (4) The bond or security shall cover any construction or restoration within the right-of-way including but not limited to driveway, culvert, curb cut, tile frontage and surface restoration construction. If any of these or other conditions of the bond or security are not satisfactorily performed to department standards, the Director may:
 - (a) Request the surety involved to perform the work; or
 - (b) Direct county road forces to perform the work or contract out performance of the work. The Director may, prior to or after such work, foreclose the bond or other security.
- (5) The Director may recommend to the Department of Planning and Community Development the withholding of building permit and/or occupancy approval in the event an access permit is not secured or violated in any manner.
- (6) Right-of-way use permit applicants for building construction purposes shall be available at the permit counter of the Division of Community Development (DCD) and be completed concurrent and as an attachment to the building permit application. Applicable fees will be collected at the DCD. Such right-of-way use application may be for more than one lot provided each lot is contained within the same subdivision.

13.60.060 Blanket Utility Permit.

- (1) A Type D permit may be granted for utility installations or relocations in the right-of-way to utility companies holding a valid franchise under Ch. 13.55 RCW and Ch 13.80 SCC whose installations or relocations in the opinion of the Director do not cause major disruptions in the public use of the right-of-way or create hazard which cannot be guarded against by moderate controls.
- (2) Permitted activities by franchised utilities under the Blanket Permit shall be detailed in the procedures.
- (3) A blanket utility permit shall be valid for a term as specified in the procedures manual. Prior to expiration, a new blanket permit must be applied for to assure renewal.

- (4) Each holder of a blanket utility permit must notify the Department of each Blanket Permit activity as specified in the procedures.
- (5) A franchisee who fails to conform with the provisions of its franchise, this title, and applicable standards will not be eligible for a blanket utility permit or renewal thereof.

13.60.070 Terms - Temporary access and trail access permits.

All Type D temporary access and trail access permits are subject to the following additional terms:

- (1) When the subject county right-of-way has been classified and designated by the County Council as a primitive road, construction and use shall not exceed the limits for primitive roads contained in RCW 36.75.300, and amendments thereto.
- (2) Permittee's use shall be confined to direct or indirect access to properties to which it has a right of possession. Access shall be for uses that are consistent with applicable land use controls.
- (3) The permit shall not diminish public ownership or grant any exclusive privileges to the permittee. The permittee will not prevent use of the road by the general public except the permittee's use creates hazard to the public.
- (4) If primitive road signs are required at the connection with any public road, the department will provide such signs conforming to the Manual on Uniform Traffic Control Devices. Initial installation of such signs will be performed by the permittee. Subsequent maintenance will be performed by the department.
- (5) As a condition of granting the permit, the Director may require a bond or other security, as provided in SCC 13.10.110-13.10.120 and/or insurance as provided in SCC 13.10.100.
- (6) For temporary access permits, the Director may require the permittee to provide additional surfacing material or other construction measures to safeguard the integrity of the existing road to which the permittee desires temporary access.

13.60.080 Trail access permit - contents. A trail access permit shall include but is not limited to the following:

- (1) The legal description of each lot or parcel to be served by the permitted road.

- (2) A statement regarding the nature of access to each parcel.
- (3) A guarantee of the rights of emergency and service vehicles and the general public to use the permitted road.
- (4) The responsibility for construction and maintenance of the permitted road rests jointly and equally upon the permittees.
- (5) A covenant prohibiting the subdivision of any parcel served without first obtaining a new trail access permit for any lots or parcels created by such action.
- (6) A covenant that the covenants contained in the permit shall run with the land and shall be binding upon the heirs, successors and assigns of the permittees.
- (7) A statement authorizing the permittees to construct and maintain a developed road as defined in Chapter 13.01.010(3) to standards satisfactory to the Director. Construction of such improvements to standards as provided in department standards and procedures to the satisfaction of the Director shall be completed within one year or the permit will lapse. The permittees are responsible for proper notice to the Director requesting necessary inspections.
- (8) The permittees will obtain all other required permits and approvals including environmental review as specified in Title 23 SCC.
- (9) A statement regarding the use and disposition of timber, soil, rock, vegetation, or other materials found within the right-of-way. If not used in the construction of roadway improvements, such materials shall be disposed of in accordance with directions of the Director. Any affected fences located within the right-of-way shall be disposed of or relocated in accordance with directions of the Director.
- (10) A statement indicating the Director's decision on the necessity for a survey. If so directed, the permittees, at their own expense, will have the right-of-way surveyed by a licensed land surveyor and will record the survey in accordance with the land survey act.
- (11) A statement indicating the Director's decision on the necessity for detailed engineering plans and a drainage study. If so directed, the permittees, at their own expense, will have the necessary plans prepared and studies conducted in accordance with the requirements for plat development.

- (12) A statement indicating whether the posting of signs is required.
- (13) The acknowledged signatures of the permittees accepting the terms of the permit.

13.60.090 Trail access permit - approval and recordation

- (1) The completed application including all covenants, statements, plans and studies must be approved by the Director prior to the commencement of construction.
- (2) The permittees shall advise the Director of completion of construction in accord with the permit. Construction of required improvements shall be completed within one year or the permit will lapse. If the construction is acceptable to the Director, he shall make appropriate notations on county road records of the department and record the permit with the county auditor.

Chapter 13.70

Type E Transactions

13.70.010. General requirements. Type E transactions are long-term activities, requiring approval obtained through council legislative action. These activities may require inspections, traffic control, safety devices, warranties, legal documentation and hearings. These activities are categorized as Type E transactions to facilitate processing and tracking of the document(s) requiring council approval. Specific uses/approvals classified as Type E include, but are not limited to, the following:

- (1) Private leases of rights-of-way not required for public use.
- (2) Right of Way deeds/easements to and from the county.
- (3) Establishment of county roads as provided for in Chapter 13.90 SCC.
- (4) Franchises - permitting long-term use of the right-of-way for utility purposes pursuant to RCW 36.55, and as provided for in Ch. 13.80 SCC.
- (5) Vacation of County Road - process for vacating a county road, pursuant to RCW 36.87 and Chapter 13.100 SCC.

Chapter 13.80

Franchises

- 13.80.010 Franchises required
- 13.80.020 Application
- 13.80.030 Notice of hearing
- 13.80.040 Hearing-ordinance
- 13.80.050 Standards, accommodation of utilities
on county roads
- 13.80.060 Conditions
- 13.80.065 Cable Television Conditions
- 13.80.070 Acceptance, recording
- 13.80.080 Inspections
- 13.80.090 Violations
- 13.80.100 Default

13.80.010 Franchises Required. Franchises shall be required as provided in this chapter for persons or municipal corporations using any right-of-way, bridge, trestle or other structure of the county for the construction and maintenance of waterworks, gas pipes, telephone, telegraph, electric light and communications lines, sewers and other such facilities thereon. Such franchises shall also be required where a utilities easement is reserved as provided by RCW 36.87.140 and SCC 13.80.100.

13.80.020 Application. Application, with requisite attachments, shall be filed with the department. The Director shall review such application and submit a report and recommendations thereon to the Executive and the Council; such recommendations to be made within thirty days of the filing of the application.

13.80.030 Notice of hearing. Upon receipt of an application for a franchise by the Council, it shall fix a time and place for a hearing of the same, and shall cause public notice to be posted in three public places in the county seat of the county at least fifteen days before the day fixed for the hearing. The Council shall publish a like notice two times in the county official newspaper, the last publication to be not less than five days before the day fixed for the hearing. The notice shall state the name or names of the applicant or applicants, a description of the county roads or other property by reference to section, township and range in which the county roads or portions thereof or other property are physically located, to be included in the franchise for which the application is made, and the time and place fixed for the hearing.

13.80.040 Hearing-Ordinance. A hearing may be adjourned from time to time by the order of the Council. If, after the

hearing, the Council deems it to be for the public interest to grant the franchise in whole or in part, it may make and pass an ordinance to that effect and may require the applicant to place his utility and its appurtenances in such locations over, under, along, across, and upon the county land or rights-of-way as the Council finds will cause the least interference with other uses of the road or other county property involved.

13.80.050 Standards, accommodation of utilities on county roads. Chapter 136-40 WAC, Standards of Good Practice - Accommodation of Utilities of County Roads is hereby adopted and incorporated in this chapter. A copy of the standards shall be filed with the County Auditor.

13.80.060 Conditions. Franchises are subject to the following:

- (1) The conditions contained in Ch. 36.55 RCW, including:
 - (a) 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 as determined by the Director.
 - (b) No franchise shall be granted for a period of longer than twenty-five years.
 - (c) No exclusive franchise or privilege shall be granted.
 - (d) The facilities of the holder of any such franchise shall be removed at the expense of the holder thereof, to some other location on such county road in the event said road is to be constructed, altered, or improved or becomes a primary state highway.
- (2) The conditions contained in Snohomish County Charter, Sec. 9.20:

All franchises shall be subject to the power of eminent domain and the right of the Council or the people acting for themselves through the initiative or referendum to repeal, amend or modify the franchise in the interest of the public; and every ordinance granting a franchise shall contain a reservation of these rights. In any proceeding under eminent domain the franchise itself shall have no value.

- (3) Applicable sections of this title, including SCC 13.10.090, Hold Harmless, and the standards adopted in SCC 13.80.050.

- (4) All construction or installation of poles, cables, or other improvements, or the service, repair or relocation of the same, performed along, over and/or under the county roads, rights-of-way, or other county property subject to said franchise shall be done in such manner so as to not interfere with the construction and maintenance of other facilities, public or private, drains, drainage ditches and structures located there, nor the maintenance or improvement of such county roads, rights-of-way, or other county properties.
- (5) Such other conditions as the Council deems to be in the public interest and appropriate to protect county property and the public and facilitate its use of the right-of-way for transportation.

13.80.065 Cable Television Conditions.

- (1) All cable television franchises shall be subject to all federal laws and regulations, which shall control over sections of this chapter.
- (2) In addition to other conditions, a franchise for cable television operations shall require the franchisee to ensure:
 - (a) that the safety, functioning, and appearance of the property and the convenience and safety of other persons not be adversely affected by the installation or construction of facilities necessary for a cable system;
 - (b) that the cost of the installation, construction, operation, or removal of such facilities be borne by the franchisee or subscriber, or a combination of both; and
 - (c) that the owner of the property be justly compensated by the cable operator for any damages caused by the installation, construction, operation, or removal of such facilities by the cable operator.
 - (d) that access to cable service is not denied to any group of potential residential cable subscribers because of the income of the residents of the local area in which such group resides.

13.80.070 Acceptance, recording. No franchise shall be effective until accepted by the franchisee, acceptance evidenced by the franchisee so indicating on a copy of such franchise and returning it to the Council. The Council shall submit the franchise to the County Auditor for recording as required by RCW 36.55.080.

13.80.080 . Inspections. In order to insure that franchisees restore and repair county rights-of-way and county property thereon, the following examinations and inspections will be processed by the department and other involved county departments:

- (1) Examinations, inspection and approval of plans and specifications submitted to the department or other county department;
- (2) Examination, inspection and approval of construction and restoration work consequent to breaking of soil of the county roads or rights-of-way for the purpose of laying, relaying, connecting, disconnecting and repairing utilities transmission lines, conduits and other facilities.
- (3) The Director is authorized to issue a permit in accordance with Chapter 13.10 for the franchisee's activities within the right-of-way and charge a reasonable fee for the performance of necessary examinations and inspections in accordance with Chapter 13.110.

13.80.090 . Violations.

- (1) It shall be unlawful for any person or persons, private or public utility, private or municipal corporation, to make, or use any unauthorized connection, whether physically, electrically, acoustically, inductively, or otherwise, with a part of a franchise system within this county for the purpose of enabling such person, utility, or corporation or others to receive or use any service without payment to the owner of said system.
- (2) It shall be unlawful for any person or persons, private or public utility, private or municipal corporation, without the consent of the owner, to willfully tamper with, remove or injure any equipment or facilities used for the distribution of the franchisee's services.

13.80.100 Default. Any failure by a franchisee to comply with this chapter or any term or condition of its franchise shall be sufficient cause for termination of any franchise by the county as follows:

- (1) Upon the continuing of any such failure or neglect for a period of ten days following written demand by the Director that it comply with any such requirement, term or condition, the Director may request the council to terminate such franchise. The council shall then cause to be served upon such franchisee at least five days prior to the meeting of the council, a written notice of their intention to consider termination at such meeting.

- (2) At such meeting, the council shall, consider the request of the Director, hear any person desiring to be heard and determine whether or not any such failure justifies termination of the franchise.
- (3) If the council determines that the failure of the franchisee to perform justifies termination, the council may pass an ordinance declaring that the franchise is terminated and forfeited unless there be compliance by the franchisee within ten days or other time as deemed appropriate by the Council. Such ordinance shall operate to terminate and forfeit such franchise on the final stated day following the passage thereof and without further notice unless the franchisee has complied within the ten day period. Such termination and forfeiture shall be effective for all purposes one hundred and eighty days thereafter.
- (4) Within the one hundred eighty days after such declaration of termination and forfeiture, the franchisee shall sell, transfer or remove its facilities, provided, however, any proposed grantee or transferee must secure a franchise as provided in this chapter. Upon any such sale or transfer, in addition to any other rights hereunder, or otherwise, the county shall have a lien (subject to any liens or encumbrances existing of record on the date of such termination and forfeiture) against any and all proceeds thereof, in the full amount of any loss, cost, expense or other financial detriment incurred by the county in exercise of any right hereunder, or by reason of such termination or forfeiture. The franchisee shall be liable for any costs incurred in moving any facilities of the franchisee and rehabilitating any county property.
- (5) If the franchisee fails or refuses to sell, remove or transfer any facilities of franchisee on the right-of-way, as hereinabove provided, regardless of the exercise of any other right of county hereunder, the county may institute appropriate court action to enforce the requirements of this section.

Chapter 13.90

Establishment

13.90.010 Establishment: Establishment of rights-of-way is characterized as a Type E transaction. Right-of-way may be established by dedication, acceptance by the county, prescription, or the procedures contained in Chapter 36.81 RCW. An establishment of right-of-way only shall not create any responsibility on the county to construct or maintain any road or other public facility thereon.

Chapter 13.100

Vacation

Sections:

- 13.100.010 Vacation
- 13.100.020 Resolution
- 13.100.030 Freeholder's petition
- 13.100.040 Director's report
- 13.100.050 Notice of hearing
- 13.100.060 Hearing
- 13.100.070 Expense of proceeding
- 13.100.080 Compensation to county
as condition to vacation
- 13.100.090 Vacation of roads abutting bodies
of water prohibited, exception
- 13.100.100 Retention of easement for
public utilities and services

13.100.010 Vacation. Vacation of right-of-way is characterized as a Type E transaction and is controlled by Chapter 36.87 RCW and the provisions of this chapter. Road vacation procedures may be initiated either by council resolution or freeholder petition.

13.100.020 Resolution. When a county road or any part thereof is considered useless, the council by resolution entered upon its minutes, may declare its intention to vacate and abandon the same or any portion thereof and shall direct the Director to report upon such vacation and abandonment.

13.100.030 Freeholders' petition. Ten freeholders residing in the vicinity of any county road or portion thereof may petition the council to vacate and abandon the same or any portion thereof.

- (1) The petition must show the land owned by each petitioner and set forth that such county road is useless as part of the county road system and that the public will be benefitted by its vacation and abandonment.
- (2) The petition shall be accompanied by an application fee in the amount specified in SCC 13.110. When necessary to cover the cost and expenses incurred in the examination, report, appraisal and all proceedings pertaining to such petition to vacate and/or abandon, the petitioners will be required to pay such additional costs.
- (3) On the filing of the petition and application fee and on being satisfied that the petition has been signed by

petitioners residing in the vicinity of the county road or portion thereof, the council shall direct the Director to report upon such vacation and abandonment.

13.100.040. Director's report. In response to the council's direction, the Director shall examine any county road or portion thereof proposed to be vacated and abandoned and report to the county on the following:

- (1) Whether the county road should be vacated and abandoned,
- (2) Whether the same is in use or has been in use,
- (3) The condition of the road,
- (4) Whether it will be advisable to preserve it for the county road system in the future,
- (5) Whether the public will be benefitted by its vacation and abandonment,
- (6) A determination by appraisal of the fair market value of the area sought to be vacated,
- (7) The classification of the road area according to the type and amount of expenditures made and the nature of the county's interest therein according to the following classification:
 - (a) Class A - public expenditures made
 - (b) Class B - no public expenditures made
- (8) Whether the proposed area to be vacated contains utilities.
- (9) All other matters which will be of interest to the council including an itemized list of costs and expenses incurred in the examination, report, appraisal and all proceedings pertaining to such petition to vacate and abandon.

13.100.050. Notice of hearing. Notice of hearing upon the report for vacation and abandonment of a county road shall be published by the council at least once a week for two consecutive weeks preceding the date fixed for the hearing in the county official newspaper and a copy of the notice shall be posted for at least twenty days preceding the day fixed for hearing at each termini of the county road or portion thereof proposed to be vacated or abandoned.

13.100.60 Hearing. On the day fixed for the hearing, the council shall proceed to consider the report of the Director, together with any evidence for any objection against such

vacation and abandonment. If the county road is found useful as a part of the county road system it shall not be vacated, but if it is not useful and the public will be benefitted by the vacation, the Council, by ordinance, may vacate the road or portion thereof.

13.100.070 Expense of proceeding. If the council determines to vacate the road, one of the conditions for vacation shall be that petitioners pay to the county road fund the itemized costs and expenses detailed in SCC 13.100.030(2). Upon payment of these costs and the meeting of any other terms and conditions included in the ordinance granting vacation and entered into its minutes, the road or portion thereof shall be considered vacated.

13.100.080 Compensation to county as condition to vacation. The council in its ordinance of vacation may require persons benefitting from the vacation of county roads to pay Snohomish County for the appraised fair market value of the property vacated. Such compensation shall be one of the conditions precedent to the actual vacation of the county road right-of-way.

13.100.090 Vacation of roads abutting bodies of water prohibited, exception. No county road or part thereof shall be vacated which abuts on a body of salt or fresh water unless the purpose of the vacation is to enable any public authority to acquire the vacated property for port purposes, boat moorage or launching sites, or for park viewpoint, recreational, educational or other public purposes, or unless the property is zoned for industrial uses.

13.100.100 Retention of easement for public utilities and services. Whenever a county road or any portion thereof is vacated, the Council may include in the ordinance authorizing the vacation, a provision that the county retain an easement in respect to the vacated land for the construction, repair, and maintenance of public utilities and services which at the time the ordinance is adopted are authorized or are physically located in a portion of the land being vacated: Provided: That the council shall not convey such easement to any public utility or other entity or person but may convey a permit or franchise to a public utility to effectuate the intent of this section. The term "public utility" as used in this section shall include utilities owned, operated, or maintained by every gas company, electrical company, communications company, telephone company, telegraph company, water company and sewer company whether or not such company is privately owned or owned by a governmental entity.

Chapter 13.110

Fees and Charges

13.110.010 Fees to be charged.

13.110.020 Fixing of fees.

13.110.010 Fees to be charged The following fees shall be charged by the county:

- (1) Application fee. This fee shall be paid to the county in accordance with the procedures manual upon the filing of an application for permit or other transaction and be in addition to any other fees required by the Snohomish County Code. This section shall not apply to Type A transactions.
- (2) Overweight/oversize load fee. Where application is for a building or other overweight or oversized move pursuant to SCC 13.40.040 the department may charge the applicant an additional fee to compensate for costs incidental to the move involved, including road maintenance crews, signal crews, and sheriff's personnel.
- (3) Franchise fee/cable T.V. Cable television companies doing business within the county shall be charged 5 percent of their gross revenue, derived from Snohomish County subscribers, as a franchise fee. This fee can be modified by the County Council at any time to reflect changes in applicable federal, state or local law or regulation.
- (4) Repair and replacement charge. If the department incurs any costs of repairing and replacing any right-of-way or county facility thereon, which has not been paid for under any other fee, the permittee shall be charged and shall pay the actual costs of repair and/or replacement incurred by the department, regardless of whether work is performed by the department or by a contractor hired by it.

13.110.020 Fixing of fees.

- (1) The amounts of all fees, other than that provided by SCC 13.110.010(3), shall be based upon an estimate of costs incurred by the county, including costs of processing applications, processing and issuing permits, inspection, investigation, enforcement, labor, material, supplies, vehicles and equipment costs, supervisory and operational procedures and repair and replacement of county facilities or property, in connection with the actions involved.

- (2) The initial schedule of fees shall be determined by resolution of the council.
- (3) If the Director concludes that an upward or downward adjustment is appropriate because of changes in the costs referred to in SCC 13.110.020(1), he may change any fee; Provided, that written notice of any such change shall be given the council, which may, by resolution within ten days, veto or amend any such changes.
- (4) The procedures manual as defined in Chapter 13.01.010(11) shall be amended to contain the then current fee schedule.

Chapter 13.120

Street Numbering

13.120.010	Territory covered by system
13.120.020	Conformance to master plan
13.120.030	East-West streets
13.120.040	North-South Streets
13.120.050	Streets northeast and northwest
13.120.060	Avenues northeast and northwest
13.120.070	Drives northeast and northwest
13.120.080	Places northeast and northwest
13.120.090	Streets southeast and southwest
13.120.100	Avenues west and southeast
13.120.110	Places west
13.120.120	Drives southeast
13.120.130	Places southwest and southeast

13.120.010. Territory covered by system. There shall be a numbering system commencing at the township lines between Township 29 North and Township 28 North, said line being designated as No. 52, thence proceeding south at intervals of sixteen numbers to the mile, to the Snohomish County-King County Line, on the township line between Township 26 North and Township 27 North, said line to be known as No. 244. The streets running north and south to be numbered sixteen numbers to the mile commencing with No. 3 on the range line between Ranges 4 and 5 East W.M., thence east.

13.120.020. Conformance to master plan. The numbering system and all streets within the system shall conform to the master plan on file in the office of the Director. All houses within the system shall be numbered in conformance to the system. The number utilized by each house shall be that number within the system assigned by the Director of the Department of Planning and Community Development or his designee which shall consist of a base number in conformance with the master plan and a two digit suffix number to designate the position of the lot between two numbers in the master plan. Numbers assigned during any previous numbering system heretofore authorized are ratified and shall remain in full force and effect.

13.120.030. East-West Streets. The streets running east and west shall be numbered sixteen numbers to the mile beginning at No. 52 on the township line between Townships 28 and 29 North, thence north and diminishing to 0 or Meridian 3.25 miles north of said township line between Townships 28 and 29 North, thence continuing north sixteen numbers to the mile to Skagit County line at No. 332.

13.120.040 North-South Streets. The north-south meridian shall be on the subdivision line one quarter mile west of the range line between Ranges 4 and 5. However, 3rd Avenue lying east of said meridian shall be on the range line lying between Ranges 4 and 5 thence east on the basis of sixteen numbers to the mile. Streets running north and south shall commence at the said meridian thence west on the basis of sixteen numbers to the mile.

13.120.050 Streets Northeast and Northwest. All east-west roads lying in the northeast quadrant of the intersecting meridians shall be designated as streets northeast, those east-west roads lying in the northwest quadrant of the intersecting meridians shall be designated as streets northwest.

13.120.060 Avenues Northeast and Northwest. All north-south roads lying in the northeast quadrant of the intersecting meridians shall be designated as avenues northeast and those north-south roads lying in the northwest quadrant of the intersecting meridians shall be designated as avenues northwest.

13.120.070 Drives Northeast and Northwest. Any north-south road lying between designated avenues in said northeast and northwest quadrants shall be called drive northeast, or drive northwest.

13.120.080 Places Northeast and Northwest. Any east-west road lying between designated streets in the said northeast and northwest quadrants shall be called place northeast or place northwest.

13.120.090 Streets Southeast and Southwest. All east-west roads lying in the southeast quadrant of the intersecting meridians shall be designated as streets southeast; those east-west roads lying in the southwest quadrant of the intersecting meridian shall be designated as streets southwest.

13.120.100 Avenues West and Southeast. All north-south roads lying in the southwest quadrant of the intersecting meridians shall be designated as avenues west and those north-south roads lying in the southeast quadrant of the intersecting meridians shall be designated as avenues southeast.

13.120.110 Places West. Any north-south road lying between designated streets in said southwest quadrant shall be called place west.

13.120.120 Drives Southeast. Any north-south road lying between designated streets in said southeast quadrant shall be called drive southeast.

13.120.130 Places Southwest and Southeast. Any east-west road lying between designated streets in said southwest and

southeast quadrants shall be called place southwest or place southeast.

Chapter 13.130

Enforcement

- 13.130.010 Director's Authority
- 13.130.020 Title 28, Snohomish County Code - Applicable
- 13.130.030 Order to Cease Violation
- 13.130.040 Notice of Violation - Penalty - Abatement
- 13.130.050 Public Nuisance
- 13.130.060 Alternative Remedies
- 13.130.070 Administrative Jurisdiction - Nonexclusive

Section 13.130.010 Director's Authority. Whenever the Director determines that a condition exists in violation of this title, or any code or standard required to be adhered to by this title, he is authorized to enforce the provisions of this title, or codes or standards, pertaining to such condition existing in violation thereof.

Section 13.130.020 Title 28, Snohomish County Code - Applicable. All violations of this title, and codes and standards required thereby, are made subject to the provisions of Title 28, Snohomish County Code.

Section 13.130 Order to Cease Violation. Whenever any condition is found to be in violation of this title, or codes or standards required to be adhered to thereunder, and pending commencement and completion of the notice and order procedure of Section 13.130.040, the Director may order the cessation of activity causing the violative condition by notice in writing served on the person(s) engaged in or causing such condition. The effect of such order shall be to require immediate cessation of activity causing the violative condition. Said order shall not be affected by any right of appeal afforded by this or any other title of this code.

Section 13.130.040 Notice of Violation - Penalty - Abatement. The Director is authorized to order correction and discontinuance of any violative condition of the provisions of this title under the procedures of Title 28, Snohomish County Code, which provide for NOTICE OF VIOLATION AND ASSESSMENT OF PENALTY AND ORDER TO ABATE.

Section 13.130.050 Public Nuisance. All violations of this title, and codes and standards required thereby, are determined to be detrimental to the public health, safety, and welfare and are public nuisances. All conditions which are determined by the Director to be in violation of this title, or codes and standards required thereby, shall be subject to the provisions of this title and shall be corrected by any reasonable and lawful means, as provided in this title.

Section 13.130.060 Alternative Remedies. As an alternative to any other judicial or administrative remedy provided in this title or by law or other ordinance, any person who willfully or knowingly violates any provision of this title or any order issued pursuant to this title, or by each act of commission or omission procures, aids, or abets such violation, is guilty of a misdemeanor and upon conviction shall be punished as provided in Snohomish County Code Title 1.01.100. Each day such violation continues shall be considered an additional misdemeanor offense.

Section 13.130.070. Administrative Jurisdiction - Nonexclusive. The authority of the Director to enforce the provisions of this title is not in derogation of the authority of any other officer charged with the enforcement of law but is concurrent therewith. The authority of the Director to enforce the provisions of this title includes without limitation the requirement that he request the assistance of the prosecuting attorney's office for judicial enforcement as may be deemed appropriate by the prosecuting attorney.

RIGHT-OF-WAY TRANSACTIONS
Department of Public Works
Fees and Charges
(1985 Costs)

<u>ITEM</u>	<u>AMOUNT, RATE OR FORMULA</u>	<u>TOTAL</u>
1. Application Fee	Per application when accepted for processing (Type A handled by the Dept. of Finance) depending upon transaction:	
	a. Type A transactions	None
	b. Type B transactions	\$ 35.00
	c. Type C transactions	\$ 35.00
	d. Type D transactions (\$/application unless otherwise noted)	
	1. Access/Tile Frontage/ Driveway	\$ 25.00
	2. Access-Bldg Const-per lot	\$ 25.00
	3. Access-Temporary	\$ 50.00
	4. Access-Trail	\$100.00
	5. Construction in R/W	\$100.00
	6. Construction in R/W (minor)	\$ 30.00
	7. Utilities-Blanket per work order/activity	\$ 20.00
	8. Utilities-Major Const	\$100.00
	e. Type E transactions	
	Private Leases/Right-of-Way not for Public Use	\$100.00
	1. Establishment of County Road	\$100.00
	2. Franchise-Utility	\$100.00
	Vacation of County Road	\$100.00
	NOTE: all costs, including in excess of the above, associated with establishment or vacation will be itemized and presented in the associated ordinance for County Council approval.	
2. Add. Overweight/ Wide load charge	Actual hourly costs of County crews, labor, and equipment <u>if</u> required to assist the operation.	
	a. 3-hour minimum at \$50.00 per hour	Varies
3. Repair and replacement charge	Actual costs of work performed by the County or contractors employed by the County to repair or replace damages	Varies