



PROJECT APPLICATION **RIGHT OF WAY PERMIT**

Kitsap County Code (KCC) is available online at: <http://www.codepublishing.com/wa/kitsapcounty/>. For Road regulations go to KCC Title 11 Roads, Highways, and Bridges. For regulations on Permits and Standards for Use and Improvements to County Right of Way go to KCC 11.36.

Applicant Name: _____ Assessor Tax/Parcel #: _____

Project Name/Address: _____

Nearest Cross Street: _____ Job Number: _____

Section 1 – Contact Information

Applicant:

Owner Applicant (other than owner) Authorized Agent/Representative

Applicant _____ Name: _____

Address: _____

Phone #: _____ Cell Phone #: _____

**Email Address: _____

Signature: _____

Note: For projects with multiple owners, attach a separate sheet with each owner(s) information and signatures.

Professional:

Contractor Applicant (other than owner) Engineer

*Check if this is the Authorized Agent/Representative for this project.

Company Name: _____

Contact Person: _____ Title: _____

License Number: _____ Liability Certificate: _____

Address: _____

Work Phone #: _____ Cell Phone #: _____

**Email Address: _____

**The authorized agent/representative is the primary contact for all project related questions and correspondence. The county emails requests and information about the application to the authorized agent/representative. The authorized agent/representative is responsible for communicating information to other parties involved with the application.*

*** The County will conduct correspondence by email to the email address(s) noted above. It is the applicant's responsibility to ensure their mailbox accepts County email (i.e. County email is not blocked or sent to "junk mail"). There may be instances where regular USPS or courier mail is used.*

Section 2 – Project Details

Description of proposed use and associated activities associated with project (attach additional information if necessary, using header “Proposed Use – Continued”):

Check all that apply:

- | | |
|--|--|
| <input type="checkbox"/> Underground Utility Install | <input type="checkbox"/> EMERGENCY WORK |
| <input type="checkbox"/> Underground Utility Repair | <input type="checkbox"/> Culvert Installation |
| <input type="checkbox"/> Bore Road | <input type="checkbox"/> Utility Pole Installation |
| <input type="checkbox"/> Bore Driveway at _____ | <input type="checkbox"/> Utility Pole Replacement |
| <input type="checkbox"/> Trench Shoulder | <input type="checkbox"/> Property Improvements |
| <input type="checkbox"/> Open Cut Road | <input type="checkbox"/> Other |
| <input type="checkbox"/> Open Cut Driveway at _____ | |

Project Duration:

Working Days _____ Desired Start Date _____ Estimated Completion Date _____

Working hours/days of operation (if applicable): _____

Estimated value of ALL work to be performed in the county right of way: \$_____

Section 3 – General Permit Conditions

The grantee shall notify the County by email 48 hours prior to initiating any work in the right of way. The County may require a pre-construction conference prior to beginning any work covered by the permit.

The grantee shall commence work within 30 days of permit being issued. If work does not commence within this time period, the permit will expire and it will be necessary to re-apply for a new permit, including all applicable fees. All work shall be completed within 6 months of permit activation. If, at the end of six months, work is not complete the permit will be expired and the applicant will need to re-apply for a new permit, including all applicable fees.

The grantee shall work diligently, and make every effort to complete work within the right of way within the time period specified on the permit. The grantee shall notify the County within 48 hours of completion of work covered by the permit.

The original fee charged for the Right of Way Permit covers the initial permit review and approval process, the initial on-site review and pre-construction conference, and the final permit inspection. The fee may be increased depending on the scope of the project and the number of inspections required. At the County’s discretion, a re-inspection fee will be charged should the grantee: 1) Fail to notify the County that work has started or been completed; 2) Fail to notify the County for required inspections; 3) Request final inspection when all conditions of the permit are not completed. Fees may also be charged should the County be required to visit the project site for an enforcement issue of any nature.

The grantee shall complete all work covered by the permit and shall leave the right of way, and all appurtenances within the right of way, in a condition that is equal to, or better than that which existed prior to the work taking place. If it is determined that work must take place to fulfill all permit obligations and/or to bring

the right of way back to an appropriate condition, or if damages are identified within the right of way that are associated with the permitted work, the grantee shall at once repair or restore the right of way, and all appurtenances, at his own expense. If the grantee fails to complete said work, the County Engineer, or his assigns, may do, or have done, all work necessary to restore the right of way to an acceptable condition. The grantee shall reimburse the County for all costs associated with restoration of the right of way.

The grantee agrees to construct all work associated with the right of way permit in a manner that facilitates all pending/future County improvements. Any reconstruction work, including raising, lowering, moving, altering, repairing, or removing installations covered under this permit required to support pending/future County improvements will be accomplished at the sole expense of the grantee. The County shall in no way be held liable for any damage to the grantee by reason of any construction or maintenance work by the County, or its assigns, or by the exercise of any rights by the County upon and within its right of way.

Approval of this permit shall not be deemed or held to be an exclusive franchise agreement, nor shall it prohibit the County from issuing other permits or franchise rights of like or dissimilar nature to other entities, nor shall it prohibit the County from using any of its right of way for any public use, nor shall it effect the County's jurisdiction over all or any part of them.

All of the provisions, conditions, regulations, and requirements herein contained shall be binding upon the successors and assigns of the grantee and all privileges of the grantee shall inure to such successors and assigns as if they were specifically mentioned.

The County Engineer may revoke, annul, terminate, revise or amend this permit if the grantee fails to comply with any or all of its provisions, requirements or applicable regulations; or through willful or unreasonable neglect, failure to heed or comply with notices given; or if the work herein permitted is not properly installed, operated, or maintained.

The Board of County Commissioners may at any time, change, amend, modify, amplify, or terminate any of the conditions enumerated so as to conform to any state statute or county regulation pertaining to the public welfare, safety, health, or highway regulations as are or may hereinafter be enacted, adopted, amended, etc. The Board may terminate this permit if the grantee fails to comply with any such changes.

It is the grantee's sole responsibility to contact the Utility Underground Locate Center (1-800-424-5555) prior to performing any excavation within the right of way. It is also the grantee's sole responsibility to contact adjacent property owners when such property is liable to injury or damage through the performance of such work. The grantee shall make all necessary arrangements relative to the protection of all utilities and private property.

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

The County makes no guarantee as to the type, nature, and suitability of soils or other materials in the public right of way. If contaminated or hazardous material is discovered within or adjacent to the public right of way, the grantee shall stop work and notify the County Engineer immediately. All contaminated or hazardous material encountered by the grantee during work or excavation in the public right of way shall be handled, sampled, stored, and disposed of in accordance with federal, state, and local regulations at the expense of the grantee. Before recommencing work within the public right of way, the grantee shall provide the County Engineer with documentation of plans that demonstrate that the contaminated or hazardous material has been properly handled and that continued work within the public right of way poses no threat to the environment and/or human health or safety of public or private property.

Section 4 – Instructions for Applicant

By signing this application, the applicant agrees that all activity authorized under this permit will comply with the Kitsap County Road Standards (as amended).

No person, partnership, joint venture, corporation or other public or private legal entity shall construct, adjust, alter, repair, or relocate any utility line or construct any new roadway feature in Kitsap County right-of-way without first obtaining a permit from the Kitsap County Department of Public Works. Once the County approves a permit, the petitioner, designated herein as the “grantee”, has authority to enter upon the County right-of-way described in the permit for purposes of completing work described in said permit.

All Right of Way permit applications shall be submitted online and must include a copy of all sketches or plans and an accurate traffic control plan. The drawings (or sketches) shall be completed to a working scale. The drawings shall adequately describe the location of the project, the type and extent of work to be completed, signage and traffic control measures to be utilized, and the types of structures and materials to be utilized in the project. Signage and traffic control measures shall strictly conform to the provisions of the “Manual of Uniform Traffic Control Devices for Streets and Highways”. All materials and workmanship shall meet the requirements of the current version of the Washington State Department of Transportation Standard Specifications for Road, Bridge, and Municipal Construction, and the County Utility Administration Policy (WAC 136.40).

Before the work is accepted by the County, all costs and expenses associated with administering the permit, in accordance with the current Kitsap County Development Permit Fee Schedule (Kitsap County Code, Section 21.06.100) and the Kitsap County Road Standards, must be paid by the applicant to the County.

_____	_____	_____
Print Name	Signature	Date
_____	_____	
Company	Title	