

City of Leavenworth  
700 US Hwy 2  
Leavenworth, WA 98826  
Telephone: (509) 548-5275

## APPLICATION TO PERFORM WORK ON CITY STREET RIGHT-OF-WAY

NAME OF APPLICANT \_\_\_\_\_ DATE \_\_\_\_\_

The undersigned hereby applies for permission to \_\_\_\_\_

Pursuant to franchise \_\_\_\_\_ Dated \_\_\_\_\_

The estimated time required for completion of the above work is \_\_\_\_\_ which the petitioner agrees to prosecute with all diligence and speed with due regard for the rights, interests and conveniences of the public.

Petitioner further agrees to perform the work in strict compliance with the provisions enumerated below and states that he has read and will adhere to the general provisions applicable to permits contained on the reverse side of this form.

PROJECT ADDRESS \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE \_\_\_\_\_

Signature

Title

FAX: \_\_\_\_\_ Job No. \_\_\_\_\_

## PERMIT

Subject to all the terms, specifications, conditions, and provisions written or printed below or on any part of this form.

PERMISSION IS HEREBY GRANTED the above applicant to: \_\_\_\_\_

1. The grantee shall cut existing asphalt surface on a true line using a saw or jackhammer with an asphalt bit, to prevent damage to existing pavement. Cut shall be made at least six (6) inches wider than trench.
2. The grantee shall, when placing his or her facility within any portion of the roadbed, the trench shall be backfilled in horizontal layers not to exceed six (6) inches in loose thickness, except that the layers of the top two (2) feet from profile street grade shall not exceed four (4) inches in loose thickness. Each layer of the entire fill shall be compacted to not less than ninety-five percent (95%) of the maximum density. In no case will "water settling" be allowed. If in opinion of the Director of Public Works that compaction is inadequate he may order suitable compaction test to be performed by an independent soils laboratory. If the compaction is found to meet specification, the city shall pay for testing, if the compaction is found to be inadequate; the grantee shall pay for testing and remove and replace backfill in the proper manner.
3. The street substructure and surfacing shall consist of .5' of ballast (1 1/2 inch minus, W.S.D.O.T. specification), .3' of crushed surfacing (5/8 inch minus, W.S.D.O.T. specification) overlaid with .2' of hot asphalt concrete (Class B or G, W.S.D.O.T. specification). The ballast and crushed surfacing shall meet the compaction requirements states in Item 2. The asphalt concrete shall not be lapped over existing pavement and shall be compacted and smoothed using a roller or vibratory plate only.
4. When the existing pavement is Portland Cement Concrete, the grantee shall install the same substructure as required in Item 3 and the surfacing shall consist of six (6) inches of Portland Cement Concrete "Class A" W.S.D.O.T. specification. The surface shall have a broomed texture. The concrete patch shall be treated with a curing compound as specified by the W.S.D.O.T.
5. If determined necessary by the Director of Public Works, any or all of the excavated material shall be removed and replaced with suitable material by the grantee at his expense.
6. All manholes, valve covers, monuments, catch basins and like appurtenances shall be constructed at such an elevation to conform to pavement or shoulder slope. Any existing appurtenances moved or damaged by the grantee shall be restored to its original cross-section and condition.
7. Trenches excavated in shoulder areas shall be compacted in the same manner as 2 and the upper twelve (12) inches shall consist of ballast as in 3. The shoulder slope shall be restored to the existing slope.

A bond in the amount of \_\_\_\_\_ is required to insure compliance with the above conditions, said bond to be kept in full force and effect for a period of \_\_\_\_\_ years following completion of work authorized by this permit.

No work shall be done under this permit until the party of parties to whom it is granted shall have communicated with and received instructions from the Director of Public Works.  
Phone: 509/548-5275.

This permit shall be void unless the work herein contemplated shall have been completed before \_\_\_\_\_, 20\_\_\_\_\_

APPROVED  
BY \_\_\_\_\_ DATE \_\_\_\_\_

It is the responsibility of the applicant to notify all utilities and private property owners when such property is liable to injury or damage through the performance of the above work and the applicant shall make all necessary arrangements relative to the protection of such property and/or utilities.

**UTILITY DAMAGE IS COSTLY. CALL BEFORE YOU DIG - 1-800-424-5555**

**WORK SAFELY / THINK SAFETY**

- 1) Applicant - White
- 2) Public Works - Canary

## INSTRUCTIONS FOR APPLICANTS

Applicants for permits to occupy county property with utilities, or holders of granted franchise rights contemplating work upon, along, over, under or above any city street, bridge, wharf, trestle, public place, avenue or alley on property in the city shall first file with the Director of Public Works, his official application to do such work.

Such applications shall be in duplicate and, accompanied by drawings, also in duplicate if required by the Director of Public Works. Drawings shall be to a working scale, showing position and location of work, names or numbers and width of roads, streets, etc., showing their location and the relative position of such work to existing utilities, constructed, laid, installed or erected upon such roads, streets or public places.

The applicant shall specify the type of construction by submitting plans showing the class of material and the manner in which the work is to be accomplished. All such materials and equipment shall be of the highest quality and the manner of excavation, fills, construction, installation erection of temporary structures, traffic turnouts, road obstruction, barricades, etc., shall meet with provisions of the County Utility Accommodation Policy (WAC136-40), and shall require approval by the Director of Public Works. Signing, barricades and traffic control in the vicinity of the work shall strictly conform to provisions of "The Manual on Uniform Traffic Control Devices for Streets and Highways." The applicant shall pay the the city all costs of, and expenses incurred in the examination, inspection and supervision of such work on account of the granting of said permits. The actual location of the work to be done under this permit, its depth below or above surface or grade of any city structure, road, street, avenue, alley or public place shall be approved by the Director of Public Works before any work shall be done by the petitioner. If a flagger is necessary for traffic control then the permittee is responsible for utilizing a certified flagger.

### PERMIT CONDITIONS

1. The petitioner designated herein as the "grantee", his successors and assigns, shall have the right and authority to enter upon the right of way of the city road, street, alley, public place or structure as indicated on the front of this form, for the purpose of doing such work as applied for, and approved by the Director of Public Works.
2. The location, type of work, materials and equipment used, manner of erection or construction, safeguarding of public traffic during work or after doing same, mode of operation and manner of maintenance of project petitioned for, shall be approved by the Director of Public Works prior to start of work and shall be subject to the inspection of the Director of Public Works so as to assure proper compliance with the terms of this permit.
3. The grantee shall commence work within 30 days after the granting of this permit. If, at the end of six (6) months after date of granting same the grantee shall have not completed the installation, then the rights herein conferred shall cease and terminate.
4. The grantee shall leave all roads, streets, alleys, public places and structures after installation and operation or removal of utility, in as good and same a condition in all respects as same were in before commencement of work by grantee.
5. In case of any damage to any roads, streets, public places, structures or public property of any kind on account of said work by the grantee, he will at once repair said damage at his own sole cost and expense.
6. The Director of Public Works, his agents or representatives may do, order, or have done any and all work considered necessary to restore to a safe condition any street, alley, public place or structure which is in a condition dangerous to a life or property resulting from the Grantee's facility or its installation as permitted herein, and upon demand the grantee shall pay to the city all costs of such work and material.
7. If at any time city deems it advisable to widen, grade, regrade, plank, pave, improve, alter or repair any road, street, public place or structure, the grantee upon written notice by the Director of Public Works, his representatives or agents, will at his own sole cost and expense, raise, lower, change, move or reconstruct such installations to conform to the plans of work contemplated or ordered by the city.
8. If upon written notice by the Director of Public Works the grantee fails to relocate any portion or all of the project as granted under this permit, the city, its agents or representatives may do any work at the cost and expense of the grantee, and all costs to remove or reconstruct same, shall be born by the grantee.
9. All such changes, reconstruction or relocation by the grantees shall be done in such manner as will cause the least interference with any of the city's work and shall be subject to the same provisions which control an original installation. The city shall in no wise be held liable for any damage to the grantee by reason of any such work by the city, its agents or representatives, or by the exercise of any rights by the city upon roads, streets, public places or structures in question. The grantee shall have twenty-four (24) hours written notice by the Director of Public Works or his representatives or agents of any blasting contiguous to the grantee's permit rights in order that he may protect his interests.
10. This grant or privilege shall not be deemed or held to be an exclusive franchise, nor prohibit the city from granting other permits or franchise rights of like or other nature to other public or private utilities, nor shall it prevent the city from using any of its roads, streets, public places for any and all public use, or affect its jurisdiction over all, or any part of them.
11. All 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.
12. The Director of Public Works may revoke, annul or terminate this permit if grantee fails to comply with any or all of its provisions, requirements or regulations as herein set forth or through willful or unreasonable neglect, fails to heed or comply with notices given him or if the work herein permitted, in not installed or operated and maintained in conformity herewith or at all.
13. The Board of City Councilmen may at any time, change, amend, modify, amplify or terminate any of the conditions herein enumerated so as to conform to any state statute or county regulation or city ordinance pertaining to the public welfare, safety, health or highway regulations as are, or may hereinafter be enacted, adopted or amended, etc. The Board may terminate this permit if grantee fails to comply with any such changes.
14. Petitioner by accepting this permit agrees to notify and check with all utilities regarding their installations before commencing work, together with private property owners when such property is liable to injury or damage through the performance of such work, and the applicant shall make all necessary arrangements relative to the protection of such property and/or utilities.
15. All work shall conform to applicable City of Leavenworth specifications regarding accommodation of utilities on county road right of way.
16. All crossings shall be completed within five (5) working days after commencement of work. Permittee shall reapply for additional time as needed.
17. In accepting this permit the petitioner, his successors and assigns, agrees to protect and save harmless the city from all claims, actions or damages of any kind and description which may accrue to or be suffered by any person or persons, corporation or property by reason of the performance of any such work, character of materials used or manner of installation, maintenance and operation or by the improper occupancy of rights of way or public place or public structure, and in case any such suit or action is brought against said city for damages arising out of or by reason of any of the above causes, the petitioner, his successors or assigns will upon notice to him or them or commencement of such action defend the same at his or their sole cost and expense and will fully satisfy any judgment after the said suit or action shall have finally been determined if adversely to the city.

## **INDEMNIFICATION AND HOLD HARMLESS**

Applicant shall defend, indemnify, and hold the City of Leavenworth, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or in connection with activities or operations performed by the Applicant or on the Applicant's behalf out of issuance of this Permit, including the procurement of adequate insurance as required by the City of Leavenworth, except for injuries and damages caused by the sole negligence of the City of Leavenworth. Applicant also agrees to comply with all Federal, State and local regulations in the performance of the permitted work.

I have read and will comply with the City of Leavenworth's Right of Way requirements.

Applicant's Signature \_\_\_\_\_