



FOR CITY USE ONLY
Date received:
Fee Paid: \$225.00
Receipt #:
Received by:

City of South Bend  
1102 W First St.  
PO Box 9  
South Bend, WA 98586  
Phone: (360) 875-5571 Fax: (360) 875-4009  
[www.southbend-wa.gov](http://www.southbend-wa.gov)

Permit Number: \_\_\_\_\_

## RIGHT OF WAY PERMIT APPLICATION

### APPLICANT INFORMATION

APPLICANTS NAME: \_\_\_\_\_ COMPANY: \_\_\_\_\_

DAYTIME PHONE: \_\_\_\_\_ FAX NUMBER: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

### CONTRACTOR INFORMATION

NAME: \_\_\_\_\_ COMPANY: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_ CITY, STATE, ZIP: \_\_\_\_\_

DAYTIME PHONE: \_\_\_\_\_ CELL PHONE: \_\_\_\_\_

FAX NUMBER: \_\_\_\_\_ EMAIL ADDRESS: \_\_\_\_\_

### PROJECT INFORMATION

JOB ADDRESS/LOCATION: \_\_\_\_\_

NEAREST CROSS STREET: \_\_\_\_\_

BRIEF DESCRIPTION OF WORK (attach additional sheets if necessary): \_\_\_\_\_

PROPOSED START DATE: \_\_\_\_\_ ESTIMATED COMPLETION DATE: \_\_\_\_\_

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 in this form.

ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

SIGNED \_\_\_\_\_ BY \_\_\_\_\_

TITLE \_\_\_\_\_

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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 or parties to whom it is granted shall have communicated with and received instructions from \_\_\_\_\_ Phone \_\_\_\_\_  
This permit shall be void unless the work herein contemplated shall have been completed before \_\_\_\_\_, 20\_\_\_\_\_

Approved by \_\_\_\_\_ Date \_\_\_\_\_

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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 OR DIAL 8-1-1**

## **Instructions for Applicants**

Applicants for permits to occupy City property with utilities, or holders of granted franchise rights contemplating work upon, along, over, under or across any City road, bridge, wharf, trestle, public place, street, avenue or alley on property in the City, shall first file with the City Supervisor, his or their applications to do such work.

Such applications shall be accompanied by drawings in triplicate if required by City Supervisor. Drawings shall be to working scale, showing position and location of work, names or numbers and width of roads, streets, etc., showing their location in plats, or subdivisions of sections, township and range, showing 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 (WAC 136-40), and shall require approval by the City Supervisor. 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 to 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 City Supervisor before any work shall be done by the petitioner.

## **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 this form, for the purpose of doing such work as applied for, and approved by the City Supervisor.
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 City Supervisor prior to start of work and shall be subject to the inspection of the City Supervisor 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 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 safe as 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 City Supervisor, 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 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 the 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 City Supervisor, his agents or representatives, 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 City Supervisor 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 the same, shall be borne by the grantee.
9. All such changes, reconstruction or relocation by the grantee 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 City Supervisor or his agents or representatives 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 City Supervisor 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, is not installed or operated and maintained in conformity herewith or at all.
13. The City Council 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 city regulation pertaining to the public welfare, safety, health or highway regulations as are, or may hereinafter be enacted, adopted or amended, etc. The Council 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. 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 every kind and description which may accrue to or be suffered by an 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.