



City of Bingen Public Works Department

PUBLIC RIGHT-OF-WAY USE PERMIT APPLICATION

INSTRUCTIONS FOR APPLICANT

- Application to perform work in a public right-of-way will be submitted to the City Clerk located at Bingen City Hall.
- Drawings or statements describing work to be performed shall accompany such applications. 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.
- Applicants shall meet with provisions of the City of Bingen Municipal Code Title 12, the most current addition of the City of Bingen Construction Standards and/or the most current addition of WSDOT Standard Specifications for Road, Bridge and Municipal Construction. Traffic control in the vicinity of the work shall conform to provisions of "The Manual on Uniform Traffic Control Devices for Streets and Highways". The improvement or utility must comply with the state clear zone policy.
- The applicant must obtain any environmental protection permits relative to the project and must comply with state laws during construction.
- PERMIT NOTICE: Other Federal, State and County approvals may be required prior to construction.
- Depending on type of work and/or use a surety bond may be required. The bond shall be payable to the City of Bingen and shall expire one (1) year from the date of completion.

PERMIT CONDITIONS

1. 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 a representative of City of Bingen Public Works prior to start of work and shall be subject to the inspection of the representative to assure compliance with terms of this permit.
2. If the permittee has not completed the described work, as shown on this form, prior to the expiration of said permit, the permittee shall request an extension of permit time.
3. The permittee shall restore all roads, streets, alleys, public places, or structures to a status that is equal to or better than original condition. If the Public Works Superintendent and/or his Assignee's must accomplish work considered necessary to restore to a safe condition a facility on City right-of-way which is in a condition dangerous to life or property resulting from a permittee's facility or it's installation as permitted herein, and upon demand, the permittee shall pay the City all costs for such work and material.

4. If at any time, the City chooses to improve or repair a road or structure and finds a conflict with the permittee's improvement, the permittee, upon written notice by the City representative, shall within 30 days and at his own expense, relocate such installations to accommodate the plans of work contemplated by the City. If, within 30 days, the permittee fails to relocate any portion or the entire project as granted under this permit, the City, or representatives, may do such work and all costs to remove or reconstruct the same shall be born by the permittee.
5. All reconstruction or relocation by the permittee shall be done in a manner that will cause the least interference with any of the City's work and shall be subject to the same provisions that control an original installation. The City shall in no way be held liable for damages to the permittee's improvement or utility by reason of such work by the City, its agent's or representatives, or by the exercise of right by the City upon roads or structures in question.
6. This permit shall not be deemed exclusive nor prohibit the City from granting permits to other public or private utilities, nor shall it prevent the City from using any of its roads or structures for any and all public use, or affect its jurisdiction over all or any part of them.
7. The City Council may at any time, amend the permit conditions to conform to state statute or city regulation pertaining to the public, safety, or highway regulations as enacted. The Council may terminate this permit if grantee fails to comply with any such changes.
8. The Public Works Superintendent may revoke this permit if permittee fails to comply with the conditions listed.
9. Petitioner, by accepting this permit, agrees to notify and check for conditions within City shorelines and with all utilities regarding their installation, before commencing work, together with adjacent 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.
10. In accepting this permit, the petitioner, his successors, and assigns agree to protect and save harmless the City from all claims, actions, or damages of every kind and description, including costs of suit and reasonable attorney fees, including all appeals, which may accrue to or 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 right-of-way or public places or public structures, and in case, any such suit or action is brought against said City for damages arising out of or reason of the above causes, the petitioner, his successors, or assigns will, upon notice to him or them, or commencement of such actions, defend the same at this or sole cost and expense, including all appeals, and will fully satisfy any judgment after said suitor action shall have finally been determined, if adversely to the City.