



After Recording Return to:
Island County Engineer
1 NE 7th St
Coupeville, WA 98239



FRANCHISE
ISLAND COUNTY
WASHINGTON

Franchise Renewal No. PW2024-0173

Plat of Pleasant View Div. 1&2
Sec. 18/19, Twp. 32N, Rge. 3E

In the Matter of the Application of

Pleasant View Water Co., a non-profit Washington Corporation, for a franchise to construct, operate and maintain a water distribution system (hereinafter referred to as FACILITY) in, along, under and/or across portions of the County roads all being located within the Plat of Pleasant View Div. 1&2, located in the Sections 18/19, Township 32 North, Range 2 East, W.M., Island County, Washington, (hereinafter known as "FRANCHISE AREA").

The application of Pleasant View Water Co., its successors and assigns under and/or across the FRANCHISE AREA having come on regularly for hearing on the 15th day of July, 2025 before the County Commissioners of Island County, Washington under the provisions of Chapter 36.55 RCW Franchises on Roads and Bridges as now in effect or as hereafter amended, and it appearing to the County Commissioners that notice of said hearing, as required by law, has been duly given and that it is for the public interest to grant the franchise herein granted; it is

ORDERED that a franchise be and the same hereby is given and granted to Pleasant View Water Co., its successors and assigns (hereinafter referred to as the "FRANCHISEE") to construct, operate and maintain the FACILITY, together with the necessary laterals and service connections in, along, under and/or across the FRANCHISE AREA for a period of time to expire on the 15th day of July, 2035. And if agreed upon in writing by the FRANCHISEE and the COUNTY and subject to the terms and conditions hereinafter enumerated, the franchise may be extended for an additional ten (10) years.

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Section One – Definitions

1. When used in this franchise, unless otherwise indicated:
 - a. "FRANCHISEE" means Pleasant View Water Co., a non-profit Washington Corporation, its successors and assigns.
 - b. "COUNTY" means Island County, Washington
 - c. "FACILITIES" means all components of the water distribution system located within County road right-of-way.
 - d. "FRANCHISE AREA" means in, along, under and/or across portions of the County roads all being located within the Plat of Pleasant View Div. 1&2, located in Sections 18/19, Township 32 North, Range 3 East, W.M., Island County, Washington.

- e. FRANCHISE means the document in which this definition appears, that is executed between the COUNTY and the FRANCHISEE, containing the specific provisions of the authorization granted and the contractual and regulatory agreement created hereby.

Section Two – Facilities within Franchise Area

1. Under the provisions of Chapter 36.55 RCW Franchises on Roads and Bridges and the Island County Code, the COUNTY hereby grants to the FRANCHISEE subject to the terms and conditions set forth hereinafter, a FRANCHISE for a period of ten (10) years. And if agreed upon in writing by the FRANCHISEE and the COUNTY and subject to the terms and conditions, the franchise may be extended for an additional ten (10) years, commencing upon the effective date of this Franchise.
2. In constructing, operating, maintaining and repairing said Facilities, the FRANCHISEE shall conform to applicable ordinances and to policies or requirements made by the Island County Engineer, or any County department or officers authorized to supervise and regulate such work and utility for the protection and safety of the public.
3. Requirements as established by individual departments of Island County shall become part of this FRANCHISE.
4. The COUNTY does hereby grant to the FRANCHISEE the right, privilege, and authority to construct, maintain, repair and replace Facilities in, upon, over, under, along, under, and/or across FRANCHISE AREA.

Section Three – Non-Interference of Facilities

1. Said Facilities shall at all times be constructed and maintained so as not to interfere with the use of the County road for travel or maintenance.
2. Any and all damage or injury done or caused to said County road right-of-way or any portion thereof in the construction, operation, maintenance or repair of said FACILITY shall be immediately repaired and reconstructed under the supervision and to the satisfaction of the Island County Engineer; and in the event the FRANCHISEE shall fail, neglect or refuse to immediately repair and reconstruct said damage, or injury to said County road right-of-way, the same may be done by the COUNTY and the expense and cost thereof shall immediately be repaid by the FRANCHISEE to the COUNTY. In performing any such repairs, neither the COUNTY nor any of its employees, agents or subcontractors shall be deemed to be an employee, agent, or subcontractor of the FRANCHISEE.

3. The FRANCHISEE of this FRANCHISE, when contemplating work upon, along, over, under or across County right-of-way, shall first file with the Island County Engineer its application for permits to do such work. Such applications shall be accompanied by drawings and information as required by the Island County Engineer. Plans, drawings, and specifications for all utility lines lying within the County right-of-way shall be prepared and approved by a licensed engineer at the expense of the FRANCHISEE. One copy of plans for constructed work, including as-built construction changes and notations, shall be on file with the office of the County Engineer. No application for work shall be approved without this requirement being met.
4. A copy of the permit and franchise must be on the job site, and protected from the elements, at all times during any of the construction authorized by said permit and franchise.
5. All slopes must be seeded and protected from erosion until the vegetation is reestablished.
6. All trenches, boring or jacking pits, etc. shall be backfilled as soon as possible and not left open during non-working hours unless covered with material of sufficient strength to withstand traffic loads or a method of protection approved by the Island County Engineer. All materials and equipment will be stored outside of the County road right-of-way during non-working hours.
7. All slopes, slope treatment, topsoil, ditches, pipes, etc., disturbed by this operation shall be restored to their original cross-section and condition. All open trenches shall be marked by warning signs, barricades, lights, and if necessary, flagmen shall be employed for the purpose of protecting the traveling public. Roadside operations may be specified by the Island County Engineer's representative.
8. During the construction and/or maintenance of this FACILITY, the FRANCHISEE shall comply with the *Manual on Uniform Traffic Control Devices for Streets and Highways (Federal Highway Administration)* and Washington modifications thereto. If determined necessary by the Island County Engineer, the FRANCHISEE shall submit a signing and traffic control plan to the Island County Engineer's representative for approval prior to construction or maintenance operations. No lane closures shall be allowed except as approved by the Island County Engineer's representative. Approvals may cause revision of special provisions, including hours of operation.

9. Whenever deemed necessary by the Washington State Department of Labor and Industries and/or the Island County Public Works Department for the safety of the workers and the protection of the highway pavement, the sides of the trench (or excavation) shall be adequately supported to reduce the hazard to workers and prevent any damage by cracks, settlement, etc., to the pavement. No other work in the trench or excavation area will be allowed until this requirement is met.
10. The FRANCHISEE shall provide emergency call out response 24 hours a day, seven days a week. The response time shall be one hour. If the FRANCHISEE does not respond in one hour, the Island County Engineer will bill the FRANCHISEE for costs of additional flagging or traffic control, if deemed necessary, caused by the delay in response beyond one hour.
11. In the event any right-of-way marker, fence or guardrail is located within the limits of this project and will be disturbed during construction, these items will be carefully removed prior to construction and reset or replaced at the conclusion of construction to the satisfaction of the Island County Engineer or his representative. All signs and traffic control devices must be maintained in operation during construction.

Section Four – Relocation of Facilities

1. Whenever necessary for the construction, repair, improvement, alteration or relocation of all or any portion of said County road right-of-way as determined by the Island County Engineer, any or all of said Facilities shall be removed and relocated within sixty (60) days of notification by the Island County Engineer.
2. Upon failure, neglect or refusal of the FRANCHISEE to perform any change, removal, relaying or relocating of said FACILITY or any repairs or reconstruction of said County road right-of-way within sixty (60) days of notification by the Island County Engineer, the COUNTY may undertake and perform such requirement and the cost and expense thereof shall be immediately repaid to the COUNTY by the FRANCHISEE.
3. If the FRANCHISEE fails to relocate water distribution lines within sixty (60) day notification period, the FRANCHISEE shall be responsible for any project delay claims resulting from their failure to relocate.
4. The work of constructing, removing and relocating any and all of said existing and/or future Facilities shall be done at the expense of the FRANCHISEE, and with the least possible interference with travel upon the said County road, and to the entire satisfaction and under the supervision of the Island County Engineer and none of such work shall be undertaken or carried on without ten days written notice having been first given to the Island County Engineer.

causes of action, which may arise from any act or omission of the FRANCHISEE, its agents, subcontractors, servants or employees in the performance of services under this FRANCHISE. The FRANCHISEE further agrees to indemnify, save harmless and defend the COUNTY, its agents, servants, and employees from and against any claim, demand or cause of action, in connection with or incident to the work performed under this FRANCHISE, of whatsoever kind or nature arising out of any conduct or misconduct of the FRANCHISEE, its agents, subcontractors, servants or employees for which the COUNTY, its appointed officers, or elected officers, or employees are alleged to be liable. Provided further that if the claims or suits are caused by or result from the concurrent negligence of (a) the FRANCHISEE, its agents, subcontractors, servants or employees and (b) the COUNTY, its appointed or elected officers or employees, this indemnity provision, with respect to claims or suits based upon such negligence, shall be valid and enforceable only to the extent of the FRANCHISEE'S negligence or the negligence of the contractor's agents, subcontractors, servants or employees. This requirement of the FRANCHISEE to indemnify and defend the COUNTY, its appointed and elected officers and employees shall not apply when the damages are caused by or result from the sole negligence of the COUNTY, its appointed or elected officers or employees. In the event of litigation between the parties to enforce the rights under this paragraph, reasonable attorney's fees shall be allowed to the prevailing party.

2. The FRANCHISEE shall maintain liability insurance in the amount of one million (1,000,000) dollars by a company authorized to do business under the laws of the State of Washington. All insurance required by this FRANCHISE to be maintained by the FRANCHISEE shall specifically include the COUNTY as an additional insured and shall not be canceled or reduced below the amounts required by this FRANCHISE without sixty (60) days written prior notice to the COUNTY.
3. Neither the application by the FRANCHISEE for any permit or authorization pertaining to the use or occupancy by the FRANCHISEE of any County road or other County right-of-way or pertaining to the performance on any County road or other County right-of-way of any work by the FRANCHISEE or by any of its agents, subcontractors, servants or employees, nor the acceptance by the FRANCHISEE of any such permit or authorization, nor the performance of any activity by the FRANCHISEE or any of its agents, subcontractors, servants or employees pursuant to any such permit or authorization, nor the acceptance or enjoyment by the FRANCHISEE of any benefit or privilege arising under any such permit or authorization shall be effective to enlarge or diminish the FRANCHISEE'S obligation or liability to indemnify or hold harmless the COUNTY or any of its appointed or elected officers and employees.
4. "No Limitation of Liability" clause.
The coverage limits identified herein are minimum requirements only and will not in any manner limit or qualify the liabilities or obligations of the FRANCHISEE under the Agreement. All insurance policy deductibles and self-insured retentions for policies

Section Five – Maintenance and Construction of Facilities

1. Prior to any construction and/or upgrade of the water line, plans and specifications and documentation from the appropriate public health authority confirming the approval of the water system, its proposed construction and/or upgrade must be presented to the Island County Public Works Department.
2. Prior to the beginning of construction, a pre-construction conference shall be held at which the Island County Engineer or his representative and the FRANCHISEE and FRANCHISEE'S engineer, contractor, and inspector shall be present.
3. The FRANCHISEE is responsible for properly marking all structures in the County right-of-way owned by the FRANCHISEE. In compliance with the COUNTY'S continuing road maintenance activity. Structures shall be cleared, by the FRANCHISEE, of tall grass, brush and/or other obstacles within a five (5)-foot radius at all times so County employees in maintenance equipment may easily see said structures. Damage to County equipment due to undisclosed fixtures, non-cleared pedestals, or facilities will be charged to the FRANCHISEE. Failure by the FRANCHISEE to comply with the clearing requirements of this paragraph on any occasion with respect to any structure owned by the FRANCHISEE in the County road right-of-way will eliminate the fiscal responsibility of the COUNTY to replace such undisclosed, non-cleared structure damaged due to maintenance on that occasion.
4. Work within the right-of-way shall be restricted to between the hours of 8:00 a.m. and 3:00 p.m., and no work shall be allowed on the right-of-way Saturday, Sunday, or holidays, unless authorized by the Island County Engineer or his representative. Any lane closures must be submitted for approval in advance of use. The hours of permitted closure may differ from the above noted hours.
5. The construction that is authorized through the granting of this FRANCHISE shall be commenced within one year from the date hereof; otherwise the FRANCHISE shall be null and void and terminated upon notice as provided by law. Time is the essence of this provision.
6. Upon completion of any new construction and/or upgrade to the FACILITY, a stamped as-built plan and a letter of certification verifying the project was constructed according to plans and specifications must be completed by the responsible party and submitted to the Island County Public Works Department.

Section Six - Indemnification

1. The FRANCHISEE shall indemnify and save harmless and defend the COUNTY agencies of Island County and its appointed and elected officers and employees from and against any and all claims, liability, losses, costs (including attorney's fees), and/or

maintained under the Agreement shall be paid by the FRANCHISEE. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the COUNTY, its elected and appointed officials, officers, employees, or agents. The FRANCHISEE'S insurance shall apply separately to each insured against whom a claim is made, or suit is brought, subject to the limits of the insurer's liability.

5. "Title 51 – Waiver of Immunity" clause

Industrial Insurance Waiver: Per respect to the performance of this CONTRACT and as to claims against COUNTY, its officers, agents and employees, the FRANCHISEE expressly waives its immunity under Title 51 of the Revised Code of Washington, the Industrial Insurance Act, for injuries to its employees and agrees that the obligations to indemnify, defend and hold harmless provided in this CONTRACT extend to any claim brought by or on behalf of any employee of the FRANCHISEE. This waiver is mutually negotiated by the parties to this CONTRACT.

Section Seven – Compliance with Federal, State and Local Regulations

1. The granting of this FRANCHISE shall place no obligation upon the Island County Engineer and/or the County Commissioners to warrant or defend the rights hereby granted.
2. The FRANCHISEE must comply with the "Accommodations of Utilities on County Road Right-of-Way for Island County" policy that was accepted and approved by the Board of County Commissioners May 15, 1996, which is by this reference incorporated herein and made a part hereof.
3. The FRANCHISEE must comply with the Recommended Standards for Water Works (2007 Edition - Policies for the Review and Approval of Plans and Specifications for Public Water Supplies - A Report of the Water Supply Committee of the Great Lakes-Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers), the Criteria for Sewage Works Design, Water Quality Program (State of Washington Department of Ecology Publication # 98-37 WQ, August 2008) and/or other requirements of the Island County Health Department.
4. The FRANCHISEE, as an owner of an underground utility facility, is required to subscribe to the statewide toll-free telephone one-number locator service, a service through which a person can notify utilities and request field-marking of underground facilities prior to the commencement of excavation, in accordance with the provisions of chapter 19.122 RCW – Underground Utilities.
5. The FRANCHISEE shall install detector tape or cable approximately twelve (12) inches above the underground facility. The tape shall conform to the standards of the *American Public Works Association Uniform Color Code*.

6. All material and workmanship shall conform to the Washington State Department of Transportation *Standard Specifications for Road, Bridge and Municipal Construction*, current edition, and amendments thereto, and may be subject to inspection by the Island County Engineer or his representative.
7. The FRANCHISEE of this FRANCHISE should remove any asbestos pipe from the County right-of-way. However, it may be abandoned in place subject to the responsibility to remove and dispose of said asbestos pipe at some future date as may be required by the COUNTY should future road maintenance constructions or improvement so dictate.

Section Eight – Annexations and Vacations

1. Whenever any of the streets, avenues, alleys, roads, highways, rights-of-way or public places designated in such franchise shall be eliminated from the COUNTY jurisdiction by reason of the incorporation or annexation to a city, then all the rights, privileges and franchises so granted shall terminate in respect to the streets, avenues, alleys, roads, highways, rights-of-way, and public places so eliminated.
2. If at any time the COUNTY vacates any County street, avenue, alley, road, highway, right-of-way, or other County property which is subject to rights granted by the FRANCHISE and the vacation is for the purpose of acquiring the fee or other property interest in the road, right-of-way, or other property interest in the road, right-of-way, or other County property for the use of the COUNTY, in either its proprietary or governmental capacity, then the Board of County Commissioners may, at its option, by giving ninety days' written notice to the grantee and after granting an alternate route, terminate this FRANCHISE with reference to such County road, right-of-way, or other County property so vacated, and the COUNTY shall not be liable for any damages or losses to the grantee by reason of such termination and the grantee shall move its franchise at its own cost.
3. In the event the COUNTY vacates any portion of the FRANCHISE AREA during the term of this FRANCHISE, and the COUNTY does not grant an alternate route under No. 2, above, the COUNTY shall, in its vacation procedure, reserve a public utility easement for the FRANCHISEE'S Facilities, unless it is determined by the Board of County Commissioners not to do so for good and/or lawful cause.

Section Nine – Default and Revocation

Any breach of any of the conditions and requirements herein made, or failure on the part of the FRANCHISEE of this FRANCHISE to proceed with due diligence and in good faith after its acceptance, with construction work hereunder, shall subject this FRANCHISE to cancellation after a hearing before the County Commissioners, of which said hearing the FRANCHISEE shall be given at least ten (10) days written notice,

if at that time the FRANCHISEE is a resident and doing business in the State of Washington. Said written notice shall be by certified mail, return receipt requested, if at the time the FRANCHISEE is a resident or a corporation and doing business in the State of Washington. Otherwise said notice shall be by publishing a notice of said hearing once a week for two consecutive weeks in a newspaper of general circulation in Island County, Washington, the last publication to be at least ten days before the date fixed for said hearing.

Section Ten – Non-exclusive Franchise

This FRANCHISE is non-exclusive and the COUNTY reserves the right to grant franchises to other persons or companies to use the County road rights-of-way or any part thereof covered by this FRANCHISE for the same purposes authorized by law.

Section Eleven – Franchise Term

This FRANCHISE is and shall remain in full force and effect for a period of ten (10) years. And if agreed upon in writing by the FRANCHISEE and the COUNTY and subject to the terms and conditions, the franchise may be extended for an additional ten (10) years, after the effective date of the executed FRANCHISE; provided, however, the FRANCHISEE shall have no rights under this FRANCHISE nor shall the FRANCHISEE be bound by the terms and conditions of the FRANCHISE unless the FRANCHISEE shall, within twenty (20) days after the effective date of the FRANCHISE, file with the COUNTY its written acceptance of the FRANCHISE.

Section Twelve - Assignment

1. No assignment or transfer of this FRANCHISE in any manner whatsoever shall be valid nor vest any rights hereby granted until the Island County Engineer shall have been furnished with written evidence of such transfer or certified copies thereof, together with written acceptance of the terms of the FRANCHISE by the Assignee, and unless and until the County Commissioners shall have granted their consent in writing to such assignment or transfer. Failure to comply with this provision shall be cause for cancellation as herein provided.
2. The FRANCHISEE shall, within twenty (20) days from receipt of a copy of this order, file with the Island County Engineer at Coupeville its written acceptance of the terms and conditions of this FRANCHISE.

Section Thirteen - Subletting

The FRANCHISEE shall not sublet use of its Facilities within the FRANCHISE AREA without the prior written consent of the COUNTY. Such consent shall not be unreasonably withheld. Prior to the date of any sublet, the sublettee shall file written

notice with the COUNTY of the proposed sublet and shall apply for all applicable permits and franchises together with its written acceptance of all terms and conditions of this FRANCHISE. The sublettee may not use the Facilities until all approvals, permits, and franchises are granted and in effect.

Section Fourteen – Severability

If any term, provision, condition or portion of this FRANCHISE shall be held to be invalid, such invalidity shall not affect the validity of the remaining portions of this FRANCHISE, which shall continue in full force and effect. The headings of sections and paragraphs of this FRANCHISE are for convenience of reference only and are not intended to restrict, affect or be of any weight in the interpretation or construction of the provisions of such sections or paragraphs.

Section Fifteen – Modification and Amendment

1. This FRANCHISE may be amended only by written instrument, signed by both parties, which specifically states that it is an amendment to this FRANCHISE and is approved and executed in accordance with the laws of Washington State.
2. If, during the term of this FRANCHISE, there becomes effective any change in federal or state law including changes approved by the Washington Utilities Transportation Commission which:
 - a. affords either party the opportunity to negotiate in good faith a term or condition of this FRANCHISE which term or condition would not have, prior to such change, been consistent with federal or state law; or
 - b. pre-empts or otherwise renders null and void any term or condition on this FRANCHISE which has theretofore been negotiated in good faith;

then, in such event, either party may, within one hundred and eighty (180) days of the effective date of such change, notify the other party in writing that such party desires to commence negotiations to amend this FRANCHISE. Such negotiations shall encompass only the specific term or condition affected by such change in federal or state law and neither party shall be obligated to re-open negotiations on any other term or condition of this FRANCHISE. Within thirty (30) days from and after the other party's receipt of such written notice, the parties shall, at a mutually agreeable time and place, commence such negotiations. Pending completion of such negotiations resulting in mutually agreeable amendment of this FRANCHISE, adoption of such amendment by the Board of County Commissioners and accepted by the FRANCHISEE, and except as to any portion thereof which has been pre-empted or otherwise rendered null and void by such change in federal or state law, the FRANCHISE shall remain in full force and effect.

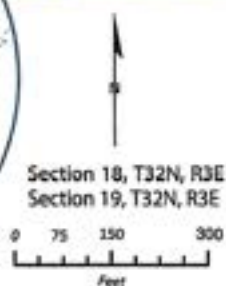
Section Sixteen – Miscellaneous

1. The FRANCHISEE will be subject to any future charge as may be authorized by the Board of County Commissioners through a public process for ordinance adoption that may be required of franchise holders for their use of COUNTY right-of-way.
2. This FRANCHISE is granted under the provisions and subject to the conditions and requirements of Chapter 36.55 RCW Franchises on Roads and Bridges as now in effect or as hereinafter amended.

DATED at Coupeville, Washington this 15th day of July, 2025.

By: [Signature], Chair
Board of County Commissioners
Island County, Washington

Island County Public Works



Section 18, T32N, R3E
Section 19, T32N, R3E



Roads Proposed for
Franchise



Plat of Pleasant View
Divisions 1 & 2

Franchise Transfer
PW2024-0173

Pleasant View
Water Co.
Vicinity Map

12/3/2024



Island County Public Works

Ed Sewester, P.E., County Engineer

Matthew Lander, P.E., Assistant County Engineer

1 NE 7th St, Coupeville, WA 98239

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August 6, 2025

NOTICE

TO ALL FRANCHISE UTILITY COMPANIES PRIVATE or PUBLIC and UTILITY DISTRICTS

The Island County Road Division's annual mechanical mowing and brush cutting program is an ongoing program throughout the year. In the early spring, it consists of mowing grasses and weeds and continues through to late summer. This procedure overlaps our brush cutting operation, which usually begins in late summer and continues through fall and occasionally into the winter months, weather permitting.

Any franchise holder who has structures placed within COUNTY rights-of-way is responsible for clearing a *minimum* of five (5) feet around fixtures, pedestals, and other facilities to prevent damages by County equipment during the course of our mowing and brush cutting operations.

It shall be the responsibility of the franchise holder to clear around fixtures, pedestals, or facilities. The County will not assume any liability caused by the franchise holder's failure to properly maintain its fixtures, pedestals, or facilities.

Respectfully,

Ed Sewester, P.E.
County Engineer
Island County Public Works

By: Sarah Gooding
Sarah Gooding
Administrative Assistant III

ACCOMMODATION OF UTILITIES ON COUNTY ROAD RIGHT-OF-WAY FOR ISLAND COUNTY

1. PURPOSE

The purpose of this document is to establish a County policy to provide administrative and procedural guidance needed to accommodate the installation and relocation of all above and below ground utilities which are located within the County road right-of-way.

Such accommodation of utilities shall place primary emphasis on road traffic operation and safety; utilities shall be accommodated in such a manner as not to materially degrade or adversely affect traffic operation, safety, and structural integrity of the roadway.

2. APPLICATION

This policy shall apply to all new franchises and permits issued pursuant to RCW 80.32.010, RCW 80.36.040 and RCW 36.55, to all public and private utilities, and to all installation and relocation of utilities within the County road right-of-way, including but not limited to electric power, telephone, television, telegraph, communication, water, gas, all petroleum products, steam, chemicals, sewage, drainage, irrigation and similar pipes, lines or cables.

This policy cannot address all situations and conditions that may be encountered. Specific provisions contained herein may not be appropriate for all locations and existing conditions. The policy is intended to assist, but not substitute for, competent work by both road and utility design and installation professionals. This policy is not intended to limit any innovative or creative effort which could result in better quality, better cost savings or improved safety characteristics. The County Engineer is authorized to issue written guidelines, as required, to more specifically define the preferred location of utilities, the standards, codes, and regulations to be followed and the materials to be used. The written policies would address those situations and conditions not specifically covered herein.

It shall be the responsibility of any utility installing or relocating any of its facilities to ascertain and abide by the requirements and conditions of this policy.

3. DEFINITION OF TERMS

Unless otherwise stated, words and phrases used herein shall have the following meanings:

ACCOMMODATION OF UTILITIES ON COUNTY ROAD RIGHT-OF-WAY FOR ISLAND COUNTY

- a. Appurtenance - Equipment and/or accessories which are a necessary part of an operating utility system or subsystem.
- b. Backfill - replacement of excavated material with suitable material compacted as specified around and over a pipe, conduit, casing or gallery.
- c. Bedding - replacement of excavated material with suitable material compacted as specified around and over a pipe conduit casing or gallery.
- d. Boring - grade and alignment-controlled mechanical or other method of installing a pipe or casing under a road without disturbing the surrounding medium.
- e. Carrier - pipe directly enclosing a transmitted fluid or gas.
- f. Casing - a larger pipe enclosing a carrier for the purpose of providing structural or other protection to the carrier and/or to allow for carrier replacement without re-excavation, jacking or boring.
- g. Coating - protective material applied to the exterior of a pipe or conduit to prevent or reduce abrasion and/or corrosion damage.
- h. Conduit - an enclosed tubular runway for protecting wires or cables.
- i. Cover - depth to top of pipe, conduit, casing or gallery below the grade of a road or ditch.
- j. Direct Burial - installation of a utility underground by means of plowing.
- l. Ditch - a trench that has been dug in the earth, usually for drainage purposes.
- l. Drain - appurtenances to discharge accumulated liquids from casings or other enclosures.
- m. Emergency Repair - any sudden, unusual, unexpected occasion or occurrence by an Act of Nature or deterioration causing the failure of a utility line or structure that requires the immediate repair or replacement to avoid the destruction or failure of the traveled roadway structure posing a safety threat to the public.
- n. Encasement - structural element surrounding a pipe or conduit for the purpose of preventing future physical damage to the pipe or conduit.

ACCOMMODATION OF UTILITIES ON COUNTY ROAD RIGHT-OF-WAY FOR ISLAND COUNTY

- o. Franchise - occupancy and use document granted by the County required for occupancy of road rights-of-way in accordance with RCW 36.55 and RCW 80.32.
- p. Gallery - underpass for two or more utility lines.
- q. Manhole - an opening in an underground utility system into which workers or others may enter for the purpose of making installations, inspections, repairs, connections, cleaning and testing.
- r. Pavement - the combination of subbase, base course, and surfacing placed on a subgrade to support the traffic load and distribute it to the subgrade.
- s. Permit - a document issued under the authority of (1) the County Engineer (or Public Works Director). The permit provides specific requirements and conditions for specific utility work at specific locations within the right-of-way.
- t. Pipe - a structural tubular product designed, tested and produced for the transmittance of specific liquids and gases under specific conditions.
- u. Plowing - direct burial of utility lines by means of a 'plow' type mechanism which furrows the ground, places the utility line at a predetermined depth in the furrow and closes the furrow in the ground.
- v. Pressure - internal gage pressure in a pipe in pounds per square inch, gage (psig).
- w. Private Lines - privately owned, operated and maintained utility facilities devoted exclusively to the use of the owner.
- x. Relocation - planned change of location of an existing facility to a more advantageous place without changing the character or general physical nature of the facility.
- y. Replacement - installation of a like element of a utility system or subsystem in the same or near-same physical location normally due to damage, wear or obsolescence of the element.
- z. Restoration - all work necessary to replace, repair or otherwise restore the right-of-way and all features contained within to the same or equal condition as before any change or construction thereto.

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- aa. Right-of-Way - a general term denoting public land, property, or interest therein, usually in a strip, acquired for or devoted to transportation purposes.
- bb. Road (or Roadway) - a general term denoting a street, road or other public way, including shoulders, designated for the purpose of vehicular traffic.
- cc. Road Cut - trenching across a roadway to install underground utility lines or to cut through a pavement surface to install valves or appurtenances.
- dd. Sleeve - short casing through a pier, wall or abutment of a highway structure.
- ee. Traffic Control - those activities necessary to safeguard the general public, as well as all workers, during the construction and maintenance of utility facilities within the right-of-way.
- ff. Trenched - installation of a utility in an open excavation.
- gg. Untrenched - installation of a utility without breaking the ground or pavement surface such as by jacking or boring.
- hh. Vent - appurtenance to discharge gaseous contaminants from casings or other enclosures.

4. GENERAL CONDITIONS AND REQUIREMENTS

A. LOCATION

- (1) Utility installations shall be located so as to minimize need for later adjustment to accommodate future roadway improvements and to permit access to servicing such installations with minimum interference to roadway traffic. Counties shall make available to utilities a copy of their six-year transportation improvement program (or capital facilities and transportation plan where required) in order to minimize both utility customer and road user inconvenience should future road improvements (on existing or new alignment) require adjustment or relocating of the utility facilities. Said utilities shall, within the limits of standard business practice, make available appropriate short and long range development plans to the County.

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- (2) Unless otherwise approved by the County, all above-ground utilities and their appurtenances as well as all above-ground appurtenances of below-ground utilities that may constitute a roadside obstacle for traffic using the road shall be located as close as practicable to the edge of the right-of-way line. If an appurtenance within the right-of-way would constitute an unacceptable roadside obstacle, said obstacle may be:
 - a. relocated to another place within the right-of-way,
 - b. converted to a break-away design,
 - c. crash-protected,
 - d. relocated to another location off the road right-of-way, or
 - e. buried below the ground.
- (3) Installations that are required for a road purpose, such as street lighting or traffic signals, are to be located and designed in accordance with this policy.
- (4) Where existing facilities are in place, new facilities shall be compatible with the existing installations and conform to this policy as nearly as practicable.
- (5) Franchise holders will be subject to any future charge as may be authorized by the Board of County Commissioners through a public process for ordinance adoption that may be required of the franchise holders for their use of County right-of-way.

B. DESIGN - GENERAL

- (1) The utility shall be responsible for the design of the utility facility being proposed. This responsibility shall include, in addition to the integrity of the proposed utility facility, provisions for public safety during the course of construction as well as full consideration of traffic safety and accident potential for the life of the installation.
- (2) For work requiring application to the County, the County may review and approve the utility's plans with respect to:
 - a. location,
 - b. the manner in which the utility facility is to be installed,
 - c. measures to be taken to preserve safe and free flow of traffic,

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- d. structural integrity of the roadway, bridge, or other structure,
 - e. ease of future road maintenance, and
 - f. appearance of the roadway.
- (3) Provision shall be made for known or planned expansion of the utility facilities, particularly those located underground or attached to bridges or other structures within the right-of-way.
- (4) Granting of a franchise or "Authorization to Perform Work on County Right-of-Way" (Utility Permit) shall not imply nor be construed to mean the County shall be responsible for the design, construction, or operation of the facility or for public safety during its installation, operation and maintenance.
- (5) Whenever any of the streets, avenues, alleys, roads, highways, rights-of-ways, or public places designated in a utility franchise are eliminated from the County jurisdiction by reason of the incorporation or annexation to a city, then all the rights, privileges and franchises so granted for County roads so incorporated shall terminate in respect to the streets, avenues, alleys, roads, highways, rights-of-way and public places so eliminated. The utility shall be responsible to obtain a new franchise with the city covering the avenues, alleys, roads, highways, rights-of-ways and public places so annexed.

C. STANDARDS AND CODES

All utility installations shall be designed in accordance with the standards, codes and regulations applicable to the type of utility. The methods of installation and materials used shall conform to the codes and standards promulgated by government and by the industry. This shall also include any road design standards which the County shall deem necessary to provide adequate protection to the road, its safe operation, appearance and maintenance.

D. ADJUSTMENT AND RELOCATION OF EXISTING FACILITIES

- (1) Existing underground utilities on County road right-of-way may be required to be removed or relocated when road work funded by the County would disturb the existing underground utility. All such removal or relocation shall be at the sole expense of the owning

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utility and all work must be accomplished by the same permitting process as for new installations.

- (2) Notwithstanding reinforcement or protection otherwise provided, a permittee shall be responsible for the security of each existing pipeline and utility within a road construction zone. Where there are unusual utility hazards or where heavy construction equipment will be used, the permittee shall provide adequate temporary protection. In replacing the roadway, the design should give due consideration to the protection of previously existing utilities in the roadway section without sacrificing the geometrics of roadway design.
- (3) If, at any time, the County vacates any county street, avenue, alley, road, highway, right-of-way, or other County property which is subject to rights granted by a franchise and the vacation is for the purpose of acquiring the fee or other property interest in a new road, right-of-way or other County property for the use of the County, in either its proprietary or governmental capacity, the Board of County Commissioners may, at its option, by giving ninety days written notice to the utility and after granting an alternate route, terminate a franchise with reference to such County road right-of-way or other County property so vacated and the County shall not be liable for any damages or losses to the utility by reason of such termination and, if required, the utility shall move its franchise at its own cost. If, at any time, the County vacates any county street, avenue, alley, road, highway, right-of-way, or other County property the County shall also refer to Island County Code Chapter 12.03.070 Retention of Easements.

E. RISK MANAGEMENT

- (1) By law (RCW 36.55.060) all franchise holders are liable to the County for all costs of (a) restoring the County road to a suitable condition after utility installation, and (b) removing and/or relocating utility installations when road work of any kind requires such removal or relocation, whether or not such requirements are included in the permit. At its option the County may also include such language in a franchise or permit.

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- (2) The County may specify the effects of non-compliance with the franchise or permit conditions, such as non-liability for improper installations.
- (3) The County may prescribe limitations on its liability for damage to the utility, including its non-responsibility for lost revenue, third party damages, etc.
- (4) In accepting a franchise or permit the applicant and the applicant's successors and assigns agree to protect and save harmless the County, its officials and its employees 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 construction, repair, improvement, or alteration work under a franchise or permit, including, but not limited to (1) work performed by the County or its contractors when the County has asked the utility owner to locate the utility and the utility owner has failed to do so; (2) the character of materials used or manner of installation, maintenance or operation; or (3) improper occupancy of rights-of-way or public places or public structures. In case any suit or action is brought against said County for damages arising out of or by reason of any of the above causes, the applicant and the applicant's successors or assigns will, upon notice or commencement of such suit or action, defend the County at his or their sole cost and expense and will fully satisfy any judgment should the said suit or action be determined adversely to the County.

5. PERMITS

A. GENERAL REQUIREMENTS

For work authorized by franchise, comprehensive plan, or other agreement, an approved utility permit shall be required for the physical installation of the utility facilities. No facility shall be used for other than the purpose stated in the franchise unless written approval is granted by the County.

No work may commence to install the franchised utility prior to utility permit approval by the County Engineer.

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B. SPECIFIC REQUIREMENTS

When required, utility permit applications shall be submitted in a standard format as prescribed by the County. At a minimum the permit application shall require the applicant to provide the following:

- (1) an agreement to all pertinent provisions of this policy and to such special conditions as the County may deem appropriate;
- (2) a general description of the facilities to be installed as to size, type, nature, operating pressure, transmittant and extent of installation;
- (3) adequate exhibits depicting existing or proposed location of the facility in relation to the road including right-of-way or easement lines, relationship to currently planned road revisions if applicable, and all locations and situations for which deviations in depth of cover (including the proposed method of protection) or other locational standards are anticipated; and
- (4) a summary of the effect the installation will have on the aesthetics of the road right-of-way and visible natural features.

6. SPECIFIC REQUIREMENTS - UNDERGROUND UTILITIES

A. UNDERGROUND UTILITIES - LOCATION AND ALIGNMENT

- (1) For all crossings the angle of crossing should be as near a right angle to the road centerline as practicable. However, lesser angles may be permitted based upon economic considerations of practical alternatives.
- (2) Crossings shall avoid deep cuts, footings of bridges and retaining walls, or locations where highway drainage would be affected.
- (3) Longitudinal installations shall run parallel to the roadway and lie as near as practicable to the highway right-of-way line. Installations which cannot be so installed will be allowed within the right-of-way, provided that:
 - a. the installation will not adversely affect the design, construction, stability, structural integrity, traffic safety or impede normal maintenance operations as pertains to roadway, shoulder, ditch lines and backslopes;

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- b. failure to allow such installation will create an undue hardship or financial burden upon the utility;
- (4) where irregular shaped portions of the right-of-way extend beyond the normal right-of-way limits, a uniform alignment of facilities may be allowed; and
- (5) preferred locations shall be as described in ICC 11.01.080 Utilities a., b., and c. Nothing herein shall be construed to preclude the County Engineer from directing the installation of utilities to be placed in/at a specific location, depth or alignment in concurrence with Provision No. 4 GENERAL CONDITIONS AND REQUIREMENTS.

B. UNDERGROUND UTILITIES - COVER

- (1) The grade of and resulting cover for an underground utility shall be in compliance with applicable federal, state and county requirements unless otherwise specified.
- (2) The cover of the underground utility shall not be less than 36 inches (42 inches for fiber-optic cables) below the actual surface point of the installation within the road right-of-way including ditch bottoms, except that a lesser cover may be permitted where the utility is installed into solid rock.
- (3) Where less than the minimum cover is made necessary to avoid obstacles, the utility shall either be rerouted or protected with a casing, concrete slab or other method acceptable to the County.
- (4) Cover for utilities carrying transmittants which are flammable, corrosive, expansive, energized, or unstable shall not be reduced below the safety limits specified in the appropriate industry standards and specifications.

C. UNDERGROUND UTILITIES - ENCASEMENT

- (1) Casings shall be installed for underground roadway crossings where required by appropriate industry code.
- (2) Casings may be required for the following conditions:
 - a. as an expediency in the insertion, removal, replacement or maintenance of a carrier line crossing or other locations

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where it is necessary in order to avoid open trench construction;

- b. as protection for carrier lines from external loads or shock either during or after construction of a road; or
 - c. for jacked or bored installations of coated carrier lines unless assurance is provided to the County that there will be no damage to the protective coating.
- (3) Within the road right-of-way, where practicable, casing pipes shall extend beyond the toe of fill slopes, back of roadway ditch, or outside of curb.
 - (4) Other than for necessary vents and/or drains, casing pipes shall be sealed at both ends.
 - (5) Casing pipes shall be designed to support the load of the road and superimposed loads thereon and, as a minimum, shall equal the structural requirements for road drainage facilities. Casings shall be composed of materials of sufficient durability to withstand conditions to which they may normally be exposed.

D. UNDERGROUND UTILITIES - UNCASED CARRIERS

- (1) The carrier pipe shall conform to the material and design requirements of the appropriate utility industry and governmental codes and specifications.
- (2) The carrier pipe shall be designed to support the load of the road plus superimposed loads thereon when the pipe is operated under all ranges of pressure from maximum internal to zero pressure.
- (3) Suitable bridging, concrete slabs, or other appropriate measures as approved by the County shall be used to protect existing carriers which by reason of shallow bury or location makes them vulnerable to damage from road construction or maintenance operations.
- (4) Existing carriers may remain in place without further protective measures if they are of adequate depth and do not conflict with road construction or maintenance and provided that the utility and the County mutually agree that the lines are, and will remain, structurally sound and operationally safe.

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E. UNDERGROUND UTILITIES - APPURTENANCES

- (1) Vents shall be required for casings, tunnels and galleries enclosing carriers of fuel where required by federal safety standards. Vent standpipes should be located and constructed so as neither to interfere with maintenance of the road nor to be concealed by vegetation. Preferably standards should stand by a fence or on the right-of-way line.
- (2) Drains shall be required for casings, tunnels or galleries enclosing carriers of liquid, liquefied gas or heavy gas. Drains for carriers of hazardous materials shall be directed to natural or artificial holding areas that will prevent the potential for surface or ground water contamination. Drains for which only water or other non-hazardous liquids may discharge may be directed into the roadway ditch or natural water course at locations approved by the County Engineer. The drain outfall shall not be used as a wasteway for routine purging of the carrier unless specifically authorized by the County.
- (3) Location markers and emergency information should be used when required by applicable state and federal standards. The County will not be liable for damage to concealed/unmarked appurtenances due to maintenance/mowing activities in County right-of-way.
- (4) Manholes should be designed and located in a manner that will cause the least interference to other utilities or future road expansion. Where practicable, installations in the pavement or shoulders should be avoided.
- (5) Manholes/meter covers placed in the roadway surface shall be placed so the manhole lid/meter cover is flush with the paved surface. If the County repaves a surface, resulting in a higher or lower pavement surface elevation, the utility shall adjust its manhole/meter cover elevation at its own expense and shall coordinate the manhole/meter cover elevation adjustment with the paving operation.
- (6) For all installations of fiber optic communication cables, a buried marker tape identifying the nature of the installation shall be included and placed 18 inches below the finished ground surface. If the cable is non-metallic, a metal locating wire shall also be required and be placed at the same depth as the fiber optic cable.

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F. UNDERGROUND UTILITIES - INSTALLATION

Installations shall ensure safety of traffic and preservation of the roadway structure, and required construction shall, unless otherwise provided in the approved permit, be in accordance with the following controls.

- (1) Road Cuts, trenched construction and backfill:
 - a. where the pavement must be removed, it first shall be cut in vertical (or undercut) continuous straight lines using appropriate procedures prescribed by the County;
 - b. trenches shall be cut to have vertical faces, where soil and depth conditions permit, with a maximum width of outside diameter of pipe plus 2 feet (shoring shall comply with Department of Labor and Industries Safety Code);
 - c. the pipe or carrier shall be installed and the trench backfilled in a manner assuring no deformation of the pipe likely to cause leakage and destruction of the structural integrity of the roadway structure (specific standards for trench backfill requirements regarding suitable materials and methods shall be provided by the County);
 - d. when trenching is approved on paved roads, the pavement shall be restored as required by the County; and
 - e. where possible, utilities should be placed in the same trench when trenching across County road surfaces is necessary. This will reduce the number of crossings and the adverse affects trenching tends to have on road surfaces.
- (2) Untrenched construction may be required for pipelines crossing roads paved with asphalt concrete or cement concrete and for roads paved with bituminous surface treatment when directed by the County.
 - a. If sufficient right-of-way exists, the length of untrenched construction shall extend a minimum of 4 feet from the edges of pavement except that a lesser distance may be permitted by the County Engineer where conditions warrant.

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- b. Backfill over utility line breaks, unused holes, or abandoned casings shall be placed as directed by the County Engineer.
 - c. Water boring (jetting) under roadways shall not be permitted.
 - d. Carriers and conduit installed under a roadway may be physically located prior to pipeline installation.
- (3) Plowing of communication and electrical lines on or adjacent to existing roads by means of a vibratory plow may be allowed by the County provided that the structural integrity of the roadway is not impaired and the required minimum cable lay depth can be achieved.

G. UNDERGROUND UTILITIES - ONE CALL SYSTEM

- (1) Utility facilities shall be located and identified in accordance with Title 19 RCW. Chapter 19.122, sections 19.122.010 through 19.122.900 (Washington State One Call System).
- (2) The County shall require the uncovering of a fiber optic cable by the utility company for a visual locate when the depth and location cannot be adequately determined by a surface locate. In the event a utility chooses not to physically expose their underground fiber optic cable for visual locate as requested by the County the utility company shall assume all responsibility for any and all costs associated with the repair and/or replacement of said fiber optic cable if damage should occur.

7. SPECIFIC REQUIREMENTS - OVERHEAD UTILITIES

A. POWER AND COMMUNICATION LINES

- (1) Single pole construction and joint use of the pole is desirable and should be used whenever feasible.
- (2) The vertical clearance for overhead power and communication lines above the road and the minimum lateral and vertical clearance from bridges shall be in compliance with the National Electrical

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Safety Code and Washington State Department of Labor and Industries "Electrical Construction Code," and/or with the clearances as shown below, whichever is greater:

<u>Line Type</u>	<u>Roadway Crossing</u>	<u>Longitudinal</u>
Communications ^f	18'	14'
Electrical		
0 - 750 Volts	18'	15'
751 - 15,000 Volts	20'	18'
15,001 - 50,000 Volts	22'	20'

- (3) Where irregularly shaped portions of the right-of-way extend beyond the normal right-of-way limits, a uniform alignment of facilities shall be allowed.
- (4) Unless otherwise approved by the County, all above ground appurtenances that may constitute a roadside obstacle for traffic using the road shall be located as close as possible to the edge of the right-of-way line. Any above ground appurtenances so placed as to create a traffic safety hazard shall be moved by the utility/owner within 30 days of written notice from the County. If this is not done the utility/owner must hold harmless the County and defend the County in the event of a liability suit resulting from an accident. If, due to narrow right-of-way or other conditions as may be determined by the County, an adjacent to the right-of-way appurtenance still constitutes an unacceptable roadside obstacle, said obstacle must be (a) relocated to another place within the right-of-way, (b) converted to a breakaway design, (c) crash-protected, or (d) relocated to another location off the road right-of-way. If applicable, actions (a), (b), and (c) must be approved by the County Engineer as a condition of permit approval.
- (5) Guy wires to ground anchors and stub poles shall not be placed between a pole and the traveled way unless approved by the County Engineer in writing. Guy wires shall be sleeved from ground level up ten (10) feet to allow mower operators a means for distinguishing the guy wire from vegetative growth.

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8. AESTHETIC/SCENIC CONSIDERATIONS

- A. Utility installations shall be designed and constructed to minimize any adverse effect on existing roadside amenities, natural or manmade. Special efforts shall be taken to minimize any negative impact on areas of scenic beauty (i.e., scenic strips, viewpoints, rest areas, recreation areas, public parks, or historic sites, etc.)
- B. Overhead utility installations shall be permitted in areas of scenic beauty when other utility locations are not available, are not technically feasible, are unreasonably costly, or are less desirable from the standpoint of visual quality.
- C. If the utility intends to use chemical sprays to control or kill weeds and brush, prior approval must be granted at least annually by the County. The County may limit or restrict the types, amounts, and timing of applications if a significant negative impact on the aesthetics of the area is anticipated, provided such limitations or restrictions are not in conflict with State law governing utility right-of-way maintenance.
- D. Refuse and debris resulting from the installation or maintenance of the utility facilities shall be promptly removed once work is completed.

9. INSTALLATIONS ON ROADWAY BRIDGES AND STRUCTURES

- A. Attachment of utility lines to a roadway structure (including bridges) may be allowed where such attachment conforms to sound engineering considerations for preserving the roadway structure and their safe operation, maintenance and appearance.
- B. Any attachment shall be in accordance with the following:
 - (1) attachment of a utility shall not be considered unless the structure in question is of a design that is adequate to support the additional load and to accommodate the utility facility without compromise of highway features, including reasonable ease of maintenance;
 - (2) manholes and other utility access panels should be avoided within the roadway portion of the structure;
 - (3) attachment on a structure of a pipeline carrying a hazardous transmittant shall be avoided where practicable;

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- (4) utility attachments shall not reduce the clearance of a structure where such clearance is critical and attachment to the outside of structures should be avoided where there are reasonable alternatives;
- (5) utility mountings shall be of a type which shall not create noise resulting from vibration;
- (6) any hole created in a structure abutment shall be sleeved, shall be of the minimum size necessary to accommodate the utility line and shall be sealed to prevent any leakage of water or backfill material;
- (7) the utility line back of the abutment shall curve or angle out to align outside the roadbed area in as short a distance as is operationally practicable;
- (8) communication and electrical power line attachments shall be suitably insulated, grounded, and preferably carried in protective conduit or pipe from point of exit from the ground to re-entry and carrier pipe and casing pipe shall be properly insulated from electric power line attachments; and
- (9) the utility shall be responsible for any restoration or repair of any portion of a structure or roadway disturbed by the utility installation or use.

10. MISCELLANEOUS PROVISIONS

A. PRESERVATION, RESTORATION AND CLEANUP

- (1) The size of any disturbed area necessary to install a utility shall be kept to a minimum.
- (2) Restoration methods shall be in accordance with the specifications of the County and/or a special provisions of the franchise, permit, or agreement.
- (3) Unsatisfactory restoration work shall be promptly corrected by the utility. If necessary, unsatisfactory restoration work may be corrected by the County and billed to the utility.

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FOR ISLAND COUNTY

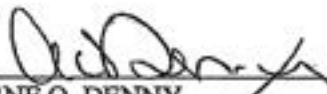
B. TRAFFIC CONTROL AND PUBLIC SAFETY

- (1) Traffic controls, including detours for all utility work, shall conform with the currently applicable "Manual on Uniform Traffic Control Devices for Streets and Highways."
- (2) All construction and maintenance operations shall be planned to keep interference with traffic to an absolute minimum. On heavily traveled roads, construction operations interfering with traffic should not be scheduled during periods of peak traffic flow. Work shall be planned so that closure of intersecting streets, road approaches or other access points is held to a minimum.

C. EMERGENCY REPAIRS

- (1) All utility facilities shall be kept in a good state of repair. Emergency repairs shall be undertaken in a timely manner.
- (2) If emergency repairs disturb the right-of-way, such repairs and any required restoration may be immediately undertaken. Approval as to the manner of final restoration of the right-of-way shall be secured from the County in a timely fashion.

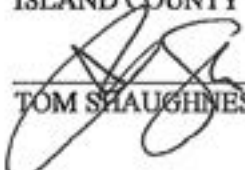
APPROVED AS TO FORM:


ARNE O. DENNY
DEPUTY PROSECUTING ATTORNEY
ISLAND COUNTY, WASHINGTON

APPROVED the 15th day of MAY, 1996


ROY L. ALLEN, P.E.
ISLAND COUNTY ENGINEER

APPROVED the 15th day of MAY, 1996
BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY WASHINGTON


TOM SHAUGHNESSY/CHAIRMAN