

FERRY COUNTY
RESOLUTION No. 2015-11

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF FERRY COUNTY, WASHINGTON:

WHEREAS, RCW 36.55.020 states that any board of county commissioners may grant to any person the right to build and maintain cattleguards across the entire right-of-way on any county road, under such regulations and conditions as the board may prescribe, and

WHEREAS, the Board of Ferry County Commissioners desire to continue granting permission to install and maintain cattleguards in county right-of-way, and

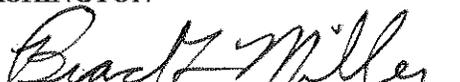
WHEREAS, to that end the Board has directed the County Engineer to develop standards and regulations in order to govern the installation and maintenance of cattleguards within county rights-of-way and the County Engineer shall be responsible for implementation of and compliance with these standards.

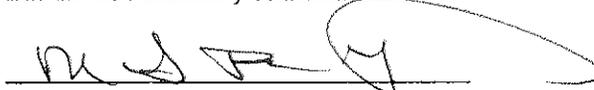
NOW, THEREFORE, BE IT RESOLVED that the Public Works Department is hereby directed to implement a process for applying the developed standards and tracking the installation and maintenance of all cattleguards within county rights-of-way.

BE IT FURTHER RESOLVED that the attached standards and permit application, as amended from time to time, shall hereby be adopted for the standardization and management of cattleguard installations on Ferry County road right-of-ways.

ADOPTED this 23rd day of February, 2015.

FERRY COUNTY BOARD OF COUNTY COMMISSIONERS
FERRY COUNTY, WASHINGTON


BRAD L. MILLER, Chairman


MIKE BLANKENSHIP, Vice-Chair


NATHAN DAVIS, Member

Attest:


Pamela Stoddard
Clerk of the Board

(ex #6)

CATTLEGUARD PERMITS:

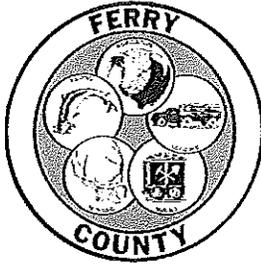
A. Cattleguard installations on county roads are authorized by RCW 36.55.020 to be permitted by the county. Minimum standards have been established for cattleguard installations and the County Engineer shall be responsible for implementation of and compliance with these standards.

B. STANDARDS

1. Minimum width for cattleguards shall be sixteen feet (16'). In no case shall the cattleguard width be less than the average of the traveled portion of the roadway. An eight foot (8') minimum length on all installations is required. The minimum standard strength shall be H-20 load carrying capacity.
2. Existing cattleguards in good condition that do not meet minimum width requirements may be permitted.
3. Wood cattleguards will not be permitted. Cattleguards shall be constructed of steel with bases (substructure) of concrete or concrete block.
4. Wings and by-pass gates are required at all installations.
5. Cattleguards will be installed by county forces in order to assure proper alignment. The county will maintain properly installed guards under a valid permit. The permit holder is required to maintain the wings and by-pass gate and road.
6. A functioning fence is required to be attached to the cattleguard in order for the permit to remain valid. Failure to maintain a functioning fence will initiate notice of removal options.

C. PERMITS

1. Determine if requested work applies to a current cattleguard or is a new installation.
2. Determine if applicant is land owner or leasee.
 - a. If leasee, land owner must be shown on and endorse application by signature on application or letter attached to application (subject to verification).
3. Inform applicant of the County's minimum standards pertaining to the specific work being proposed.
4. Inform applicant of permit fee.
5. Name, mailing address and telephone number of applicant is required.
6. Detailed drawing indicating the location information such as road number, road name and milepost of the proposed cattleguard is required.
7. All permit applications must be signed by the applicant.
8. Prior to approval by the County Engineer the area Foreman will review and indicate his findings.



FERRY COUNTY
DEPARTMENT OF PUBLIC WORKS
350 E. DELAWARE #8 ° REPUBLIC, WA 99166
(509) 775-5225 ° FAX: (509) 775-5226

APPLICATION FOR CATTLEGUARD PERMIT

Permit No. _____

Please Print *legibly* or type in the blanks.

NAME OF APPLICANT: _____ DATE: _____

The undersigned hereby applies for a permit to have Ferry County install a cattleguard for the applicant's use at the following location in the indicated Ferry County Road:

Ferry County Road Name and No. _____ Milepost _____

Quarter Section: _____ Section: _____ Township _____ North, Range _____ E.W.M.

Associated with Assessor's Parcel No. _____

If the applicant is not the property owner of record documentation is required demonstrating the property owner's concurrence in the request and installation of the cattleguard.

The applicant agrees to reimburse FERRY COUNTY for the full cost of the installation of a Ferry County cattleguard, by-pass road and by-pass gate as estimated herein and further states he/she has read and will adhere to the general provisions applicable to permits contained on the following page.

ADDRESS: _____ PHONE: _____

SIGNED: _____ BY: _____

NAME: _____

PERMIT

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

Upon approval (below) Ferry County agrees to install a steel cattleguard _____ feet wide by eight feet long, with wings, a by-pass road and gate at the following location on Ferry County Road No. _____ Milepost _____ at its earliest convenience, provided a functional fence is in place and ready to be connected to the cattleguard. At any time the functional fence shall be determined to be non-functional the permit holder will be contacted and provided 30 days to repair said fence or the cattleguard removal process will be commenced.

A deposit in the amount of _____ is required to cover the estimated cost of the installation of the proposed cattleguard. Costs incurred over and above the deposited funds will be billed to the permit holder, remaining funds will be reimbursed.

Ferry County reserves the right to remove, relocate or change the standard of the cattleguard when necessary due to road relocation or improvement.

Ferry County shall retain ownership of said cattleguard; as said cattleguard is installed on county right-of-way.

APPROVED BY: _____ DATE _____

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 across any county road, bridge, wharf, trestle, public place, street, avenue or alley on property in the County, shall first file with the County Engineer, his or their application to do such work.

Such applications shall be accompanied by drawings and details sufficient to describe the proposed work. 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 in plats, or subdivisions of sections, township and range.

The actual location of the work to be done under this permit shall be approved by the County Engineer before any work shall be done.

PERMIT CONDITIONS

1. The applicant, designated herein as the permittee, his successors and assign, shall have the right and authority to enter upon the right of way of the County 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 County Engineer.
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 County Engineer prior to start of work and shall be subject to the inspection of the County Engineer so as to assure proper compliance with the terms of this permit.
3. In case of any damage to any roads, streets, public places, structures or public property of any kind on account of said operation of the cattleguard by the permittee, he will at once repair said damage at his own sole cost and expense.
4. The County Engineer, 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 Permittee's facility or its operation as permitted herein, and upon demand the permittee shall pay to the County all costs of such work and material. Ferry County will maintain the cattleguard and the permit holder will be required to maintain the wings, the b-pass gate and road and the functional fence.
5. No changes, reconstruction or relocation by the permittees shall be done.
6. This grant or privilege shall not be deemed or held to be exclusive, nor prohibit the County from granting other permits or franchise rights of like or other nature to other public or private utilities, nor shall it prevent the county 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.
7. All the provisions, conditions, regulations and requirements herein contained shall be binding upon the successors and assigns of the permittee and all privileges of the permittee shall inure to such successors and assigns as if they were specifically mentioned.
8. The County Engineer may revoke, annul or terminate this permit if permittee 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.

Ferry County Cattleguard Permit

9. The Board of County Commissioners 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 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 permittee fails to comply with any such changes.

10. In accepting this permit the applicant, his successors and assigns, agrees to protect and save harmless the County from all claims, actions or damages of every kind and description which may accrue to or be suffered by any person or persons, corporation or property by reason of the operation and in case any such suit or action is brought against said County for damages arising out of or by reason of any of the above causes, the applicant, 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 county.

11. Notwithstanding the expiration of this instrument, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding to the holder, its successors, or assigns, until they have fully satisfied the obligations and /or liabilities accruing herein before or on account of the expiration, or prior termination of the utility permit.

All pages of this permit and accompanying drawings / plans must be returned with appropriate signatures in order to be a valid permit.