

Ferry County, Washington

Statement of Procedure

Regarding: Amendments to Existing Franchises

Adopted: May 7, 2012

Revised: November 5, 2012

Franchises are required for persons or private or municipal corporations wishing to use county rights-of-way for the construction and maintenance of waterworks, gas pipes, telephone, telegraph, electric lines, sewers and any other facilities.

Application:

All holders of Franchises on County Road Rights-of-Way wishing to amend the existing franchise to include proposed extensions of previously franchised facilities or to include proposed new facilities shall complete the Application form and forward to the Board of County Commissioners who will fix a time and place for hearing the application and taking public testimony on same.

The Board will direct the Public Works Department to give public notice of the application and hearing by posting notices of same in three (3) public places in the county seat and at least one (1) public place in the vicinity of the application area at least fifteen (15) days before the day fixed for the hearing. Public Works shall also cause to be published like information at least two (2) times in the official county newspaper and a newspaper of general circulation serving the application area, the last publication to be not less than five (5) days before the days of the hearing.

The published and posted notices shall state the identity of the applicant and describe the application area by reference to Section, Township, and Range, a brief description of the proposed work and/or facility to be installed and the time and place of the hearing.

All costs incurred by the County in posting and publishing the required notices shall be reimbursed by the applicant.

HEARING:

The hearing shall be open to the public for testimony to be heard both for and against the granting of the franchise applied for.

The hearing may be adjourned from time to time by order of the Board in order to obtain sufficient testimony to consider in granting the application.

CONDITIONAL GRANTING OF FRANCHISE AMENDMENT

If the applicant provides adequate documentation that all adjoining landowners are agreeable to the placement of the proposed facilities the Board may, if it deems it to be in the public interest, grant, prior to conducting the public hearing or receiving any written testimony, a conditional amendment to the franchise, conditioned on successful completion of the public hearing process.

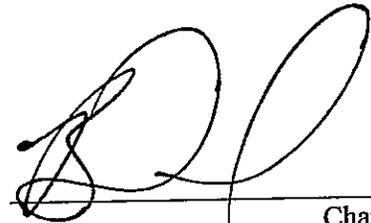
GRANTING OF FRANCHISE AMENDMENT

If the Board deems that it is in the public interest to grant the franchise amendment in whole or in part, it will make and enter a resolution to that effect and may place limitations upon the grant as to the placement of the facilities on or along the county roads minimizing the interference with other uses of the road or existing operations on adjacent lands and properties in addition to the following limitations:

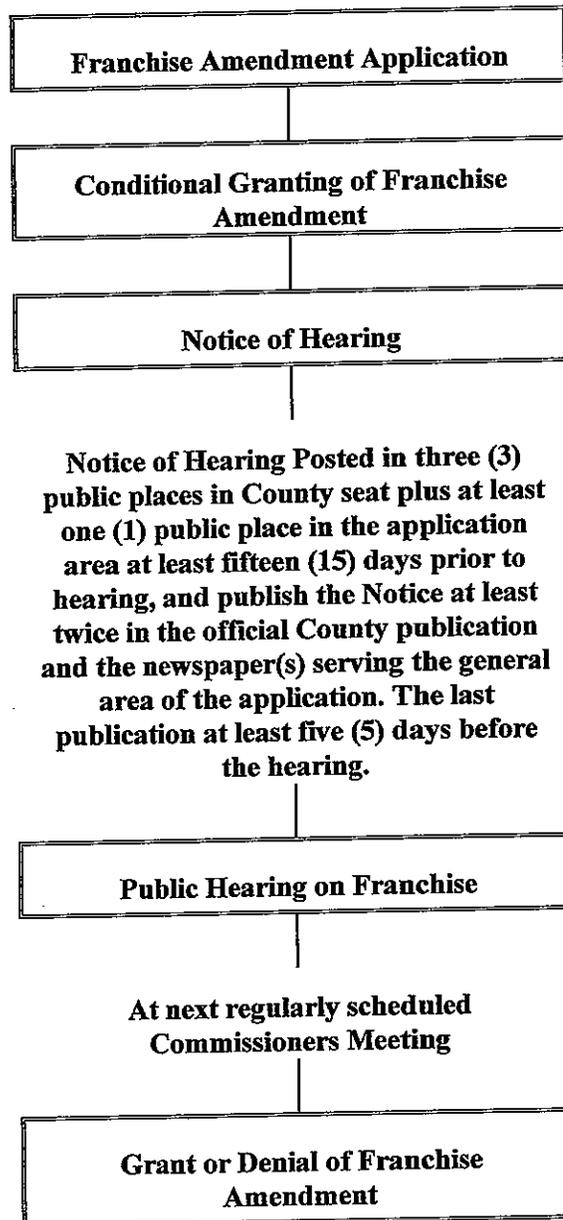
1. Any person constructing or operating any facility on or along a county road shall be liable to the county for all necessary expense incurred in restoring the roadway to a suitable condition for travel as near the original condition as practicable.
2. No exclusive franchise or privilege shall be granted.
3. The facilities of the holder of any such franchise shall be removed at the expense of the holder, to some other location on such county road in the event the county road is to be reconstructed, altered or improved.

RECORD OF FRANCHISES:

The Board of County Commissioners shall cause to be recorded with the county auditor a complete record of all current franchises in Ferry County in accordance with RCW 36.55.080. Additionally the Ferry County Department of Public Works shall record and maintain information regarding all active franchises within the County affecting county rights-of-way.



Chairman
Board of County Commissioners



NOTE: The entire process from application to granting or denial of the franchise will normally require 30 to 45 days to complete, this time frame includes only one (1) public hearing. Complicated or County wide franchises may require additional hearings.