

## SECTION 2

### 2. PERMITS

#### 2.01 Permit Process

No person(s), firm or corporation shall commence work on the construction, connection, alteration or repair of any facility located either in the public right-of-way or a public easement or any project or work which may jeopardize the City's infrastructure without first having been obtained from the City *all* necessary approvals and permit(s)

Any party requesting such approval or permit shall file a written Right-of-Way Use Application Form with the City at least 7 working days before construction activity is proposed to start. The application shall be made on the following form, available in the Castle Rock Public Works Department or the Castle Rock City Hall. In addition to the information below, **a complete application shall contain "proof-of-insurance" as per, Section 3.03 of these standards.** Fee for right-of-way permits shall be as established in the City of Castle Rock fee schedule.

#### **Application Denied - Appeal:**

- No permit shall be issued until the application has been approved by the Public Works Director or his/her designee
- No application shall be approved nor a permit issued where it appears that the proposed work, or any part thereof, conflicts with the provisions of this ordinance or any other ordinance of the City of Castle Rock, nor shall issuance of a permit be construed as a waiver of any ordinance requirements concerning the plan. Any permit issued in error shall be null and void.
- Appeal of a denied Application shall be to the Castle Rock City Council. Decision of the Council shall be final and binding on both parties.

#### **Application Approved:**

Upon approval of the aforementioned application and collection of all related fees, a Right-Of-Way Permit, as illustrated on the following pages.

The City shall be the applicant for Cowlitz County right-of-way permits required along county roads within the Castle Rock water service area. The party requesting the approval shall provide the project drawings to the City of Castle Rock Public Works Department and shall also reimburse the City of Castle Rock for all permit fees charged to the City by Cowlitz County.



**APPLICATION TO PERFORM WORK ON PUBLIC RIGHT-OF-WAY**  
**CITY OF CASTLE ROCK**  
**PUBLIC WORKS DIRECTOR/ENGINEERING**  
**360-274-7478**

The undersigned hereby makes application to:

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Location:

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And agrees to perform the work in strict compliance with the provisions enumerated below and states that he/she has read and will adhere to the general provisions applicable to permits contained on the **reverse** side of this form.

NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ FAX: \_\_\_\_\_

E-MAIL: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

Proposed starting date of installation: \_\_\_\_\_

Duration of Project: \_\_\_\_\_

Permission is hereby granted to perform the above described work subject to the general provisions on the reverse side of this form, and with the following special conditions:

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The Public Works Director (360-274-7478) must be contacted for inspection 24 hours before backfilling trenches or repairing pavement.

The Underground Utilities Locates (Phone #: 811) must be contacted three (3) working days before proceeding with any excavation associated with this permit.

A bond in the amount of \$ \_\_\_\_\_ is required to insure compliance with the above conditions, refundable upon satisfactory completion of work.

**No work shall be done under this permit until the party or parties to whom it is granted shall**

**have communication with and received instructions from:** \_\_\_\_\_

PERMIT ISSUED: \_\_\_\_\_, 20 \_\_\_\_ BY \_\_\_\_\_

INSPECTED: \_\_\_\_\_, 20 \_\_\_\_ BY \_\_\_\_\_

REMARKS: \_\_\_\_\_

**GENERAL PROVISIONS APPLICABLE TO ALL PERMITS**

In accepting this permit, the petitioner, his successors and assigns, agree to protect the City of Castle Rock, Washington, and save it harmless 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 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 structure and in case of any 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 of commencement of such action, defend the same at his or their own sole cost and expense and will satisfy any judgement after the said suit or action shall have finally been determined if adverse to the said city.

If the work done under this permit interferes in any way with the drainage of the area, the grantee shall wholly and at his/her own expense make such provision as the city may direct to take care of said drainage.

On completion of said work herein contemplated all rubbish and debris shall be immediately removed and the roadway shall be left neat and presentable and satisfactory to the City of Castle Rock.

The party or parties to whom this permit is issued shall maintain at his or their sole expense the structure or object for which this permit is granted in a condition satisfactory to the City of Castle Rock.

The City of Castle Rock may revoke, annul, change amend, amplify, or terminate this permit or any of the conditions herein enumerated if grantee fails to comply with any or all of its provisions, requirements or regulations as herein set forth or thru willful or unreasonable neglect, fails to heed or comply with notices given or if the utility herein granted is not installed or operated and maintained in conformity herewith or at all or for any cause or reason whatsoever.

All work areas shall be adequately barricaded according to MUTCD standards. Barriers shall be properly lighted at night. Prior to closing any street or alley to traffic, the following shall be notified:

- Castle Rock Public Works Department \_\_\_\_\_ \_360-274-7478
- Castle Rock Police Department \_\_\_\_\_ \_360-274-4711
- Castle Rock School Transportation Office \_\_\_\_\_ \_360-501-3126
- Fire District 6 \_\_\_\_\_ \_360-274-4413

All work within the City right of way shall comply with City requirements as outlined in the City of Castle Rock Engineering Standards, Development Policies and Public Work Standards.

Trench backfill and pavement restoration shall be per Chapter 4, Section 4.17 and Table 4.3.

<https://ci.castle-rock.wa.us/engineeringstandards.htm>

All work shall be conducted using current WISHA/OSHA regulations. Particular attention shall be paid to the requirements as they pertain to work in trenches, electrical work, work in high places and to safety apparel such as hard hats and safety vests.

The Public Works Director’s office (360-274-7478) must be contacted for inspection 24 hours before backfilling trenches or repairing pavement.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNATURE \_\_\_\_\_  
DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_\_

## 2.02 Construction Stormwater Permits

A Construction Stormwater NPDES Permit from the Washington State Department of Ecology (WSDOE) will be required for projects meeting the following criteria:

1. Clearing, grading and/or excavation which results in the disturbance of 1 or more acres, and discharges stormwater to surface waters of the state;
2. Clearing, grading and/or excavation on sites smaller than 1 acre which are part of a larger common plan of development or sale, if the common plan of development or sale will ultimately disturb one acre or more, and discharges stormwater to surface waters of the state.

The developer shall submit evidence of coverage by a Construction Stormwater NPDES Permit obtained from the WSDOE, prior to beginning construction activities. Temporary erosion and sediment control (TESC) plans meeting the minimum requirements of the Department of Ecology must be submitted to and approved by the City Engineer prior to the beginning of on-site construction activities.

## 2.03 Modifications

### A. Submittal

Requests to modify City Standards shall be submitted in writing by the developer's engineer, to the City Engineer. This written request shall state the desired modification(s), the reason(s) for the request(s) and a comparison between the specification(s), standard(s), and the modification(s).

Any request for modification or variance of City Standards should be documented with reference to nationally accepted specifications/standards.

### B. Review

The request to modify shall be reviewed by the City Engineer, who shall consult the appropriate review authorities and make one of the following decisions:

- Approve as is,
- approve with changes,
- or deny with an explanation.

The modification, if approved, is for project specific use. Approval of a request shall not constitute a precedent.

### C. Appeal

The applicant may appeal the City Engineer's decision to the City Council.

D. Criteria for Modification of Standards

The City Engineer may grant a modification to the adopted specifications or standards when any one of the following conditions are met:

- The specification or standard does not apply in the particular application.
- Topography, right-of-way, or other geographic conditions impose an economic hardship on the applicant and an equivalent alternative which can accomplish the same design is available that does not compromise public safety or accessibility for the disabled.
- A change to a specification or standard is required to address a specific design or construction problem which if not enacted will result in an undue hardship.