RIGHT-OF-WAY (ROW) USE INFORMATIONAL PACKET BLOCK PARTIES

Form #FE103
Updated
January 2020

Physical Address:	Mailing Address:	Webpage & Email:	Phone & Fax:
Auburn City Hall Annex, 2nd Floor 1 East Main Street	25 West Main Street Auburn, WA 98001-4998	www.auburnwa.gov aprice@auburnwa.gov	Phone: 253-931-3010 Fax: 253-931-3053

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City staff will be happy to meet with you in person, speak with you over the phone or communicate through e-mail if you have questions as to the process, requirements, fees, review or status of your particular request at any stage of your application. Please contact Amber Price, Right-of-Way Specialist at 253-804-3120 or aprice@auburnwa.gov.

RIGHT-OF-WAY USE PERMIT APPLICATION
BLOCK PARTY

Form #FE107
Updated
January 2020

Physical Address:	Mailing Address:	Webpage & Email:	Phone & Fax:
Auburn City Hall Annex, 2nd Floor 1 East Main Street	25 West Main Street Auburn, WA 98001-4998	www.auburnwa.gov aprice@auburnwa.gov	Phone: 253-931-3010 Fax: 253-931-3053

APPLICATION TYPE	APPLICATION FEES – All fees are non-refundable and due with the application.	FOR OFFICE USE ONLY
☐ Type B – Short Term – Up to 30 days.	$66.00 for any term up to 30 days.	Permit # Date Received
ADDITIONAL CLOSURE FEES		Total Fees $
☐ Street Closure	$100.00	
☐ Sidewalk Closure	$66.00	Receipt #
☐ Parking Closure	$66.00	
Applicant is responsible for providing all traffic control signs and barricades to close streets, parking or sidewalks including advance warning signs. The City does not provide this service.		Previous Permit # if applicable

APPLICANT INFORMATION (All information related to this application will be sent to this contact)		
Company Name		
Contact Person		
Address		
City, State, Zip		
Phone Number		
Fax Number		
E-Mail Address		
I hereby certify and declare under penalty of perjury under Washington law that the statements furnished by me on this application are true and complete to the best of my knowledge and that I will comply with the provisions of the Auburn City Code in doing business in Auburn.		
Date	**Signature**	**Title**

ADDITIONAL APPLICANT INFORMATION			
The City requires the name, daytime telephone and contact information of three (3) responsible persons from the Applicant, any of which can be contacted at any time during the life of the application and permit in the event the need arises.			
	1.	2.	3.
Company Name			
Contact Person			
Address			
City, State, Zip			
Phone Number			
Fax Number			
E-Mail Address			

PROJECT/APPLICATION INFORMATION
Location of right-of-way:
Date(s) requested for use:
Please explain your desired use of the right-of-way. If needed please attach a letter describing more detail regarding the request.

REQUIRED DOCUMENTS
☐ Initialed Notice to Applicant – Form FE189 ☐ Signed and Notarized Hold Harmless Agreement – Form FE166 ☐ Traffic Control Plan, Map, Diagram, Engineering Plans or Picture showing desired use of right-of-way. If request includes street, sidewalk or parking closures you must submit a traffic control plan that details how you intend to close all streets, sidewalk and parking per MUTCD standards. ☐ Signed Petition or Letters from abutting property owners or residents in support of application. Depending on the requested use, applicant may be required to obtain signed petition or letters in favor from all property owners or residents who utilize the requested right-of-way. ☐ Certificate of Insurance, including the Additional Insured Endorsements naming the City as an Additional Insured. Insurance Certificates and Endorsements may be submitted upon permit approval but are required prior to permit issuance. ☐ Financial Security/Performance Bond. If required, the amount of the security/bond will be determined by the City Engineer and must be in a form acceptable to the City Engineer. Securities/bonds may be submitted upon permit approval but are required prior to permit issuance. The City may require information and documentation at the applicants expense in addition to those items listed above in order to perform a complete review of your application. If required, the applicant will be informed and information is due as soon as possible so that City Staff can continue to review your application.

Acceptance of this application by the City and payment of any fees by the applicant does not constitute approval or compliance with the rules, regulations or requirement of any other jurisdictions, which may relate to the above project.

Right-of-Way Use Permits are of a wholly temporary nature and vest no permanent rights whatsoever. Right-of-Way Use Permits, if approved are for the location and applicant listed on the permit and cannot be transferred for another location of for another applicant.

Right-of-Way Use Permit Application generally take 3-4 weeks to process. Depending on the details of your particular request, the process could take less or significantly more time.

City staff will be happy to meet with you in person, speak with you over the phone or communicate through e-mail if you have questions as to the process, requirements, fees, review or status of your particular request at any stage of your application. Please contact Amber Price, Right-of-Way Specialist at 253-804-3120 or aprice@auburnwa.gov.

RIGHT-OF-WAY USE PERMIT
BLOCK PARTY PETITION

Form #FE161
Updated
January 2020

Physical Address:	Mailing Address:	Webpage & Email:	Phone & Fax:
Auburn City Hall Annex, 2nd Floor 1 East Main Street	25 West Main Street Auburn, WA 98001-4998	www.auburnwa.gov aprice@auburnwa.gov	Phone: 253-931-3010 Fax: 253-931-3053

FOR OFFICE USE ONLY	
Permit #	**Date Received**

PROJECT/APPLICATION INFORMATION
Location of right-of-way:
Date(s) requested for use:
Please explain your desired use of the right-of-way. If needed please attach a letter describing more detail regarding the request.

APPLICANT INFORMATION (All information related to this application will be sent to this contact)		
Company Name		
Contact Person		
Address		
City, State, Zip		
Phone Number		
Fax Number		
E-Mail Address		
I hereby certify and declare under penalty of perjury under Washington law that the statements furnished by me on this application are true and complete to the best of my knowledge and that I will comply with the provisions of the Auburn City Code in doing business in Auburn.		
Date	**Signature**	**Title**

Applicant is required to secure the signature or all persons, property owners and residents whose access is affected by the use of the right-of-way. Contact information obtained for the purposes of this petition shall only be used by the City to verify and confirm petition in favor of the use and application.

If the applicant or any of the petitioners have questions regarding this petition, the application, the proposed use or the process for approval, please contact Amber Price, Right-of-Way Specialist at 253-804-3120 or aprice@auburnwa.gov.

The persons signed below are in favor of and hereby petition the City of Auburn Community Development and Public Works Department to use City right-of- way at the above listed location for the above listed date, time and purpose. Attach additional pages if needed.

Name (please print)	Signature	Address	Phone Number	E-Mail	Date

Name (please print)	Signature	Address	Phone Number	E-Mail	Date

RIGHT-OF-WAY USE NOTICE TO APPLICANT

Form #FE189
Updated
January 2020

Physical Address:	Mailing Address:	Webpage & Email:	Phone & Fax:
Auburn City Hall Annex, 2nd Floor 1 East Main Street	25 West Main Street Auburn, WA 98001-4998	www.auburnwa.gov aprice@auburnwa.gov	Phone: 253-931-3010 Fax: 253-931-3053

FOR OFFICE USE ONLY	
Permit #	**Date Received**

APPLICANT INFORMATION (All information related to this application will be sent to this contact)		
Company Name		
Contact Person		
Address		
City, State, Zip		
Phone Number		
Fax Number		
E-Mail Address		
I hereby certify and declare under penalty of perjury under Washington law that the statements furnished by me on this application are true and complete to the best of my knowledge and that I will comply with the provisions of the Auburn City Code in doing business in Auburn.		
Date	**Signature**	**Title**

Please read and initial your understanding next to each statement below and submit this form with the Right-of-Way Use Permit Application. If you have questions about this form please contact Amber Price, Right-of-Way Specialist at 253-804-3120 or aprice@auburnwa.gov.

Applicant Initials	Notice
	1. Applicant acknowledges receipt of "General Conditions for issuance of Right-of-Way Use Permits"
	2. Applicant acknowledges that Right-of-Way Use Permit application fees are non-refundable.
	3. Applicant is responsible for planning in advance of the requested permit to allow sufficient time for City review and determination that the application is complete and adequate for providing a staff recommendation and forwarding to the City Engineer for consideration.
	4. Applicant understands that submittal of an application and payment of the application fee does not guarantee approval of the permit or limit in any way the conditions the City may place on the permit, if approved.
	5. Applicant is solely responsible for providing all elements of the application as the City determines is necessary to provide a complete and adequate application.
	6. Applicant acknowledges full responsibility for any liabilities arising from their use of the right-of-way.

CITY OF AUBURN WASHINGTON	**RIGHT-OF-WAY USE** **INDEMNIFICATION AND HOLD HARMLESS**	Form #FE166 Updated January 2020

Physical Address:	Mailing Address:	Webpage & Email:	Phone & Fax:
Auburn City Hall Annex, 2nd Floor 1 East Main Street	25 West Main Street Auburn, WA 98001-4998	www.auburnwa.gov aprice@auburnwa.gov	Phone: 253-931-3010 Fax: 253-931-3053

FOR OFFICE USE ONLY	
Permit #	**Date Received**

INDEMNIFICATION AND HOLD HARMLESS AGREEMENT

Permit Holder releases and shall defend, indemnify and hold harmless Auburn, its heirs, successors, and assigns, and the respective directors, officers, employees, contractors, and agents of Auburn and its heirs, successors, and assigns (collectively referred to as the "Indemnitees") from any and all claims, losses, costs, liabilities, damages and expenses (including, but not limited to, reasonable attorneys' fees) arising (whether before or after termination of the Term) out of or in connection with performance of this right-of-way permit, the enforcement of this permit by Auburn, any default under or breach of this permit by the Permit Holder or the acts or omissions of the Permit Holder or any of its suppliers, contractors or subcontractors of any tier, the respective successors and assigns of the Permit Holder or any such suppliers, contractors or subcontractors, the directors, officers, employees and agents of each of the foregoing, or anyone acting on the Permit Holder's behalf in connection with this permit. To the fullest extent permitted by applicable law, the foregoing release, indemnity and hold harmless shall apply regardless of any act, omission, fault, negligence or strict liability of the Indemnities; provided, however, that the Permit Holder shall not be required to so indemnify any Indemnitee(s) against any claim, loss, cost, liability, damage or expense to the extent the same is caused by or results from the sole negligence of any Indemnitee(s). In connection with any action to enforce this indemnification, the Permit Holder waives any immunity, defense, or protection under any workers' compensation, industrial insurance or similar laws (including, but not limited to, the Washington Industrial Insurance Act, Title 51, of the Revised Code of Washington). Auburn is willing to grant this permit only in consideration of and in reliance upon such release, indemnity and hold harmless. Consequently, such release, indemnity and hold harmless shall be construed broadly in favor of the Indemnitees.

DATED THIS _____ DAY OF _____, 20___.

_____
SIGNATURE OF PERMIT HOLDER

_____
COMPANY OR ORGANIZATION

STATE OF WASHINGTON)
) ss.
County of _____)

On this day personally appeared before me _____, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that _____ signed the same as a free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this _____ day of _____, 20___.

_____
_____
NOTARY PUBLIC IN AND FOR THE STATE OF
WASHINGTON, RESIDING AT _____

MY COMMISSION EXPIRES _____

RIGHT-OF-WAY (ROW) USE PERMIT PROCESS

Form #FE036
Updated
January 2020

Physical Address:	Mailing Address:	Webpage & Email:	Phone & Fax:
Auburn City Hall Annex, 2nd Floor 1 East Main Street	25 West Main Street Auburn, WA 98001-4998	www.auburnwa.gov aprice@auburnwa.gov	Phone: 253-931-3010 Fax: 253-931-3053

FOR OFFICE USE ONLY	
Permit #	**Date Received**

1. Submit a Right-of-Way (ROW) Use Application to:
   Amber Price, Right-of-Way Specialist
   Public Works Department
   City of Auburn
   25 West Main
   Auburn WA 98001

2. Once the City receives your ROW Use Application, the Community Development and Public Works Department staff will review the ROW Use Application and determine if additional information is needed. You will receive a phone call or e-mail requesting any additional information.

3. Once the City receives all the additional information, staff will review the request once again. Staff review generally takes between five and fourteen days to complete. If the request is something that impacts the general public (i.e.: parade, road closure, use over 30 days) then it could take longer for staff to review the request.

4. Periodically a ROW Use Application is approved contingent upon certain conditions being met. These conditions will be set forth in the ROW Use Permit. Some conditions may be required to be met prior to the permit being issued. These conditions could include but are not limited to; submittal of insurance documents, financial securities, or other documentation such as plans, licenses, agreements, etc. The ROW Use Permit will not be issued by the City Engineer until all conditions have been met.

5. Once the ROW Use Permit is issued the applicant will be notified and sent a copy of the approved permit via e-mail.

6. If you have questions as to the status of your particular ROW Use application, please feel free to contact Amber Price, Right-of-Way Specialist, at 253.804.3120 or aprice@auburnwa.gov.

7. The ROW Use Permit process takes approximately three to four weeks from application to permit issuance, if no problems arise and if requests for additional information are received in a timely manner.

CITY OF AUBURN WASHINGTON	**GENERAL CONDITIONS FOR ISSUANCE OF RIGHT-OF-WAY (ROW) USE PERMITS**	Form #FE035 Updated January 2020

Physical Address:	Mailing Address:	Webpage & Email:	Phone & Fax:
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FOR OFFICE USE ONLY	
Permit #	**Date Received**

CONTRACTORS

1. Must be licensed with the State of Washington.
2. Provide Bond of 150% of job cost.
3. Must provide Hold Harmless Agreement for the City.
4. Must abide by insurance requirements below.
5. Must have additional insurance for "collapse", “underground" and "explosion" and "products and/or completed operations".
6. All subcontractors working for the contractor shall be covered by items 1-5 above.
7. Must submit a traffic control plan, consisting of a map of the area and indicating placement of cones and/or barricades. Cones and barricades must be supplied by the applicant.
8. Must comply with any special conditions/provisions.
9. If work is an emergency repair, Contractor agrees to comply with requirements under this section, on the next working day.

ALL OTHER APPLICANTS

1. Must abide by insurance requirements below.
2. Must provide Hold Harmless Agreement for the City.
3. May need to submit a traffic control plan, consisting of a map of the area and indicating placement of cones and/or barricades. Cones and barricades must be supplied by the applicant.
4. Must comply with any special conditions/provisions.
5. If the use involves blocking a street or portion of a street for a block party, carnival, sale, etc., the applicant must provide a petition signed by all persons whose access is affected by the use of the right-of-way.

FEE SCHEDULE

Right-of Way Use Permit Fees: *(Per Ordinance No. 6125 and Resolution No. 5255)*

Type A – Banner:	$56.00
Type B – Short term:	$66.00
Type C – Long term:	$275.00 for the 1st year or any term longer than 30 days and less than 1 year $110.00 for each additional year, or portion thereof, up to 5 years.
Type D – Hauling:	$110.00 + estimated staff time @ $100.00 per hour

The following additional fees may apply to Type B and Type C permits:

Street Closure – Type B or C:	$100.00
Sidewalk Closure – Type B or C:	$66.00
Parking Closure – Type B or C:	$66.00

Permits for 30 days or longer shall expire at the end of five years from date of issuance unless otherwise specified on the permit or sooner terminated by the City. The applicant must ensure that the City has a current insurance certificate to be kept in the permit file at all times.

The application fee for a right-of-way use permit shall be paid at the time the application is filed, provided however, bona fide governmental agencies of the federal government or the State of Washington or subdivisions thereof shall be exempt from payment of said fee.

REFUNDS
Right-of-Way Use Permit application fees are non-refundable.

APPROVALS

1. All ROW Use Permit Applications shall be reviewed by City staff and approved by the City Engineer.
2. For certain uses the City Engineer may direct staff to draft a formal agreement that would require approval by the City Council where the City Engineer determines there may be future public concerns with the use that are not known at the time of the application.
3. The City may require a financial security that guarantees the safe removal and restoration of ROW once the permit expires or terminates. A financial security in a form acceptable to the City Engineer in the amount established by the City Engineer may be required at the discretion of the City Engineer. A staff review of the proposal will determine the need for such securities.

INSURANCE REQUIREMENTS FOR ROW USE PERMITS (unless otherwise noted in the special conditions for your permit)
The Applicant shall procure and maintain for the duration of the Permit, insurance against claims for injuries to persons or damage to property which may arise from or in connection with operations or activities performed by or on the Applicant's behalf with the issuance of this Permit.

No Limitation
Applicant's maintenance of insurance as required by the agreement shall not be construed to limit the liability of the Applicant to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.

Verification of Coverage
Applicant shall furnish the City with original certificates and a copy of the amendatory endorsements, including the additional insured endorsement, evidencing the insurance requirements of the Applicant before issuance of the Permit.

Acceptability of Insurers
Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

Minimum Scope of Insurance
Applicant shall obtain insurance of the type described below:

1. Commercial General Liability insurance shall be written on Insurance Services Office (ISO) occurrence form CG 00 01 and shall cover products liability. The City shall be named as an insured under the Applicant's Commercial General Liability insurance policy using ISO Additional Insured-State or Political Subdivisions-Permits CG 20 12 or a substitute endorsement providing equivalent coverage.
2. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.

Minimum Amounts of Insurance
Applicant shall maintain the following insurance limits:

1. Commercial General Liability insurance shall be written with limits no less than $1,000,000 each occurrence, $2,000,000 general aggregate and a $2,000,000 products- completed operations aggregate limit.
2. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of $1,000,000 per accident.

Other Insurance Provisions
The insurance policies are to contain, or be endorsed to contain, the following provisions for Commercial General Liability insurance:

1. The Applicant's insurance coverage shall be primary insurance as respect the City. Any Insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess of the Applicant's insurance and shall not contribute with it.

2. The Applicant's insurance shall be endorsed to state that coverage shall not be cancelled by either party, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.

CONTACT INFORMATION

For questions regarding ROW Use Permit Applications please contact Amber Price, Right-of-Way Specialist, Engineering Services, at (253) 804-3120 or send an email to: aprice@auburnwa.gov .

Public Works, Engineering Services (253) 931-3010
Office hours are Monday through Friday, except holidays, 8:00am-5:00 pm.