

MASON COUNTY ORDINANCE NO. 232

REGULATING UTILITIES ON ROAD RIGHTS-OF-WAY

AN ORDINANCE by the Board of Commissioners of Mason County, hereinafter called the Board, adopting regulations to govern the placing of facilities on Mason County rights-of-way and platted areas where rights-of-way will be dedicated to the County.

WHEREAS, it is necessary that Mason County preserve the integrity of its roads and rights-of-way for the benefit of the general public and to provide for the orderly control and development of installations by divers agencies, utilities, or others legally enjoying multiple use occupancy of Mason County rights-of-way, and

WHEREAS, the exercise of proper standards and supervision to coordinate location and construction will reduce economic loss, and

WHEREAS, it is deemed equitable that those agencies, utilities or individuals who derive a permanent lasting benefit through the occupation of such rights-of-way should share a portion of the cost of administering and supervising the program necessary to insure such integrity and orderliness, and

WHEREAS, in exercising its responsibilities to coordinate location and inspect construction, it is necessary for the Board to be informed of the precise location of each utility placed on or under a right-of-way owned and/or maintained by Mason County and platted areas where rights-of-way will be dedicated to the County. Therefore, this ordinance is adopted to provide a means for Mason County to regulate construction and maintenance of and to ascertain and maintain records of precise locations for all proposed installations, and

WHEREAS, the County Engineer has presented to the Board of County Commissioners for its consideration and approval, "Policy on Accommodation of Utilities on County Road Right of Way" Washington Administrative Code Chapter 136-40 adopted by the County Road Administration Board on July 9, 1971, and

WHEREAS, it is the finding of the Board that the adoption of said policy is in the best interest of Mason County:

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MASON COUNTY, as follows:

Section I. The Policy on Accommodation of Utilities on County Road Right of Way, as adopted by the County Road Administration Board on July 9, 1971, be and the same is hereby ADOPTED.

Approved V. R.
 Recorded LR
 Compared LR
 Passed V. R.

Section II. A permit, to be known as the "Utility Permit", is required prior to installation by a utility company or others of any utility, EXCEPT 1) aerial drops, 2) guys and appurtenances, 3) Main line aerial axial extensions less than 500 feet, and 4) normal maintenance. The term "utility" shall include, but not be limited to: Gas lines, electricity, telephone cables, water pipes and sewer lines. Permit applications shall be submitted in writing to the Mason County Engineer on forms provided by that office. Installation of utilities will not be undertaken until after receipt of the returned, approved permit and notification is made to the Engineer indicating when work will commence. In emergencies only, permission may be granted by the Engineer for commencement of work prior to receipt by the utility of the approved permit. The provisions of this chapter shall apply only to utilities installed on or under properties owned or controlled by Mason County and properties that will be dedicated to the County for road rights-of-way.

Section III. In order to offset the costs of administering the Policy for Accommodation Utilities on County Road Right of Way, including the orderly recording and maintenance of records of utilities, the schedule of costs to be borne by the applicant is hereby adopted as follows:

COSTS: (1) The applicant shall pay the reasonable cost to Mason County for investigating, handling and granting the franchise or permit, including basic overhead charges upon the application as follows:

For each new franchise	\$25.00
For renewal of franchise	10.00
For amendment of franchise	20.00
For assignment of franchise	10.00
For each permit	10.00

together with an additional charge in the amount of expenses, if any, actually incurred by the County in investigation of the application; provided that no charge shall be made for applications for franchise or permit where the applicant is the United States or any of its agencies, or a utility anticipating relocation from its private easement acquired or to be acquired by the County for construction or reconstruction of a county road.

(2) The applicant shall pay an additional cost charged for inspection and recording of underground utilities based on the lineal footage of underground utility to be installed; this charge shall be calculated as follows:

- a. Three cents (3¢) for each foot to and including 1,000 feet.
- b. One cent (1¢) for each additional foot over 1,000 feet to and including 10,000 feet.
- c. One-half cent ($\frac{1}{2}$ ¢) for each additional foot over 10,000 feet.

- (3) An equitable portion of the added costs of design and construction of highway structures which may be required to accommodate utilities shall be charged to any utility company for any necessary relocation of its facilities and/or to any utility company making new installations.
- (4) Before any construction work is started, a surety bond in an amount required by the Board, but not less than \$500.00, written by a surety company authorized to do business in the State of Washington may be required to insure completion of construction, including the restoration of surfacing, slopes, slope treatment, top soil, landscape treatment, drainage facilities and cleanup of right-of-way for a period ending not more than one (1) year after date of completion. A blanket surety bond may be maintained covering multiple franchise or permits in lieu of individual bonds at the Board's discretion. A blanket surety bond shall be in an amount required by the Board but not less than \$5,000.00. Bond will not be required of the United States Government or any of its agencies or of any municipal corporation or department of the State of Washington and its local subdivisions.

In the event two or more utilities are to occupy a common trench, a basic permit fee will be required for each such utility, but only one inspection fee will be charged.

All monies shall be paid to the Mason County Road Fund and no part shall be refundable.

Section IV. Installation of all utilities shall conform to the locations and specifications designated by the applicant and approved by the Engineer on the application for the permits issued hereunder. This ordinance is in the best interest of good government and shall take effect immediately upon its passage and date of first publication.

DATED this ^{17th} ~~3rd~~ day of April, 1972.

BOARD OF COUNTY COMMISSIONERS
OF MASON COUNTY, WASHINGTON

William O. Hunter
Chairman

Martin Queth

John Basekran

ATTEST:

Ruth E. Boyesen
Mason County Auditor

APPROVED AS TO FORM:

Byron E. McClanahan
Prosecuting Attorney

RECORDED FILED
REEL 90 FRAME 968-970
MASON COUNTY
RUTH E. BOYSEN

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REQUEST OF

cc: - Eng 3/19
BK. Publ. Co. - 3/19
Aud.

Mason Co. Commissioners