

**LAKE COUNTY ROAD DEPARTMENT**

COUNTY USE ONLY

P.O. BOX 908  
LAKEVIEW, OREGON 97630

**APPLICATION FOR RIGHT-OF-WAY PERMIT**

**LAKE COUNTY, OREGON**

APPLICANT'S NAME: \_\_\_\_\_

DATE: \_\_\_\_\_

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

PHONE #: \_\_\_\_\_

The above named applicant hereby applies for a right-of-way permit for the purpose of:

Power/ Telephone Lines

Road Approach

Pipe Line

Water or Irrigation Facility

Other (Specify)

Type of Permit Requested:

Temporary

Permanent

Is this permit requested for an addition or modification of an existing permit?

Yes

No

Briefly explain the nature of proposal, use of requested right-of-way, and type of facility to be served.

I have read the requirements for application for Lake County Right-of-Way Permits, Section 1 through 8, and hereby submit an application together with the drawings and maps as required therein.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

# LAKE COUNTY RIGHT-OF-WAY PERMITS

The following procedures for County Road right-of-way use permits have been adopted by the Lake County Board of Commissioners. Use permits are required for any agency or individual requesting use on, to, or through any established County right-of-way. Typical uses where permits are required include, but are not limited to, pole lines, buried cables, pipe lines, irrigation structures, irrigation ditches, signs, road approaches and crossings, and other miscellaneous operations.

## **SECTION 1: Allocation of Costs.**

A. The entire cost and incidental expenses of installing, operating, maintaining, repairing, or utilizing a permitted right-of-way use or miscellaneous operation shall be paid by the applicant.

B. In addition to paying for the above costs, the applicant shall reimburse Lake County for any reasonable and necessary expense that the County may incur in connection with the uses or operations authorized by the permit. Such reimbursement shall be made within ten days after receiving a statement from Lake County.

## **SECTION 2: Responsibility of Applicant.**

The applicant shall be solely responsible for all construction and other improvements authorized by the permit, and shall insure that construction is completed in compliance with standards and requirements of the County. The applicant shall assume all liability for, and hold the County harmless from, any liability imposed as a result of applicant's activities on the County right-of-way.

## **SECTION 3: Improvement Guarantee.**

The County may require the applicant to post a bond or cash deposit to insure timely and sufficient completion of the improvements proposed.

## **SECTION 4: Construction and Location Details.**

A. The applicant shall submit with his permit application adequate drawings or sketches showing in detail the location of the proposed uses or operation as described in the permit application as related and applicable to existing and/or planned County road improvement, the traveled way, the right-of-way lines, the access control lines, and approved access points. Such drawings shall be drawn to scale and include a vicinity map. Where the proposed use or operation involves attachment to an existing structure, a new structure, or creates a possible hazard to the public property and welfare, detailed drawings prepared by a licensed engineer may be required. Determination of the need for such detailed drawings will be made by the County Commission, County Engineer, or County Roadmaster.

B. Where the use or operation is located by relationship to a County road right-of-way line, a land survey conducted by a licensed surveyor, performed in accordance with the laws of the State of Oregon, will be required, if determined necessary by the County Commission, County Engineer or County Roadmaster.

C. The applicant's completed uses or operations shall be in substantial compliance with the drawings or sketches referred to in Section 4A and 4B above, unless special permission is obtained from the County to vary from them during installation. When such permission is obtained the applicant shall furnish the County two sets of "as constructed" drawings or sketches detailing any such variances.

## **SECTION 5: Removal, Relocation, or Repair.**

A. The permit is issued pursuant to the agreement and understanding that Lake County may subsequently require the applicant to remove, relocate, or repair the pole line, buried cable, pipe line, sign, or other uses or operations covered by the permit, at the sole cost of the applicant.

B. Upon receiving notice from Lake County to remove, relocate, or repair the permitted pole line, buried cable, pipe line, sign or other use or operation, the applicant shall make arrangements within 30 days at his sole cost, and in accordance with said written notice and instructions received from Lake County. Before beginning said removal, relocation or repair, the applicant shall furnish such insurance and post such bond as the County may consider necessary at that time in the manner provided for in Section 3. Failure to comply with the direction of the notification from Lake County will cause the County to make the necessary removal, relocation, or repair with the applicant liable for all costs incurred by the County.

## **SECTION 6: Maintenance and Operation.**

A. Applicant shall, at all times, keep use or operation authorized by the permit in a good state of repair, both structurally and visually.

B. In the event that it is necessary for the applicant to make a substantial change in the physical characteristics of the use or operation, an application for a new permit or an amendment to the existing permit is required.

## **SECTION 7: Effective Period of Permit.**

A. Unless otherwise proved in the special provisions on the permit, it shall be perpetual from and after the date issued, unless revoked by mutual consent, or by Lake County for failure of the applicant to abide by the terms and conditions of the permit, or by operation of the law.

B. Failure of the applicant, within a reasonable time after written notice from Lake County to comply with any of the terms and conditions of the permit, shall be sufficient cause for cancellation of the permit.

C. If the applicant fails to begin construction or installation of the proposed use or operation covered by the permit within twelve months from the date the permit is issued, said permit shall be deemed null and void and all privileges thereunder forfeited, unless a written extension of time is obtained from Lake County.

## **SECTION 8: Special Provisions of Permit.**

Sections 1 through 8 are intended to be general in nature and apply to all permits for use of Lake County right-of-way. Specific requirements may be required for certain conditions or uses and such requirements shall be covered in the special provisions of each individual permit. These special provisions will be included with each permit when issued and shall become binding on the applicant for fulfillment of his obligations. Failure to abide by the special provisions shall make the permit null and void and the applicant may be required to remove the requested use or operation.

## **SPECIAL PROVISIONS**

### **LAKE COUNTY RIGHT-OF-WAY PERMIT**

This permit will be approved contingent on the following regulations:

1. Permittee will have all work in the county right-of-way performed by a licensed and bonded contractor or the Town of Lakeview Street Department.
2. All work must be inspected and cannot be covered until authorized by the County Roadmaster.
3. Backfill shall be completed in 8-inch lifts compacting by mechanical means to 95% compaction. Backfill material shall be ¾-0" crushed rock meeting OSHD standard gradation or as shown on approved plans. The trench shall be filled to the level of the existing grade. All power and telephone utilities must be buried at a depth of 36 inches. If the gravel in the trench moves in any way, the permittee or the contractor will immediately replace the gravel to its original condition.
4. If it is an asphalt road, the contractor will lay a 4" minimum layer of asphalt on the compacted backfill (16" of ¾-0 rock) to the same elevation that the street or road was prior to excavation.
5. The permittee and the contractor will be responsible for the asphalt patch for one year after it has been applied. If the asphalt in the trench moves in any way, the permittee or the contractor will immediately repair the patch to its original condition.
6. The permittee will be responsible for traffic control and all liability occurring from this work.
7. The permittee will be responsible for re-seeding the disturbed area with an appropriate dryland grass seed mixture.
8. All utilities need to be installed at the back edge of the right-of-way. The county's r-o-w typically is 30 feet from the center line. This will allow for proper maintenance of ditches.
9. Water and sewer installations or repair must have engineered approved plans and work must be overseen by engineer or Town of Lakeview.

I have read and agree to the requirements of the Special Provisions.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**PLOT PLAN:**

Sketch of property, showing dimensions, existing and proposed structures, roads, driveways, property lines, well and sewage disposal system locations and other application features. (A separate sheet may be used if necessary.)

Scale: \_\_\_\_\_ inch equals \_\_\_\_\_ foot