

July 24, 1997  
DWG:jp rwutilord  
clerk 8/1/97

INTRODUCED BY ROB MCKENNA

PROPOSED NO. 97-475

ORDINANCE NO. **13015**

AN ORDINANCE approving and adopting the King County regulations for accommodation of utilities on county road rights-of-way, and repealing Ordinance 1711, Section 6, and K.C.C. 14.44.060.

PREAMBLE: In 1991 the County Road Administration Board (CRAB) extensively revised WAC 136-40 requiring each County to establish an utility policy regarding accommodation of utilities on county road rights-of-way. The goal of the policy is to be in compliance with WAC 136-40-020 and establish the relationship between the management of county road rights-of-way and the permitted use of the rights-of-way by utilities.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 1711, Section 6, and K.C.C. 14.44.060 are each hereby amended to read as follows: ((~~Washington Administrative Code (WAC) 136, Chapter 40, as amended, regarding accommodation of utilities on county road right-of-way, as published by the county road administration board, is readopted by reference as policy for use on all King County roads.~~))

1 Adoption. A. "King County regulations for accommodation of utilities on county road  
2 rights-of-way," 1997 is hereby approved and adopted as the King County policy for utility  
3 installation and maintenance operations within King County road rights-of-way.

4 INTRODUCED AND READ for the first time this 10<sup>th</sup> day of  
5 November, 1997.

6 PASSED by a vote of 12 to 0 this 23<sup>rd</sup> day of  
7 February, 1998.

8 KING COUNTY COUNCIL  
9 KING COUNTY, WASHINGTON

10 Genise Miller  
11 Chair

12 ATTEST:

13 Genesis  
14 Clerk of the Council

15 APPROVED this 7 day of March, 1998.

16 [Signature]  
17 King County Executive

18 Attachment: ~~None~~ Regulations

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**KING COUNTY REGULATIONS FOR  
ACCOMMODATION OF UTILITIES  
ON COUNTY ROAD RIGHT-OF-WAY  
1996**

**PURPOSE**

King County has adopted these Regulations in order to effectively administer its authority to:

1. Grant utility franchises and permits on County roads and bridges, as provided in Chapter 36.55 RCW;
2. Promulgate regulations governing the use and occupancy of County roads and bridges for telecommunication facilities by telecommunications companies in such manner and at such points as not to incommode the public use of the County roads and bridges, as provided in RCW 80.36.040;
3. Exercise overall responsibility for County roads and bridges, as provided in Chapter 36.75 RCW; and
4. Exercise its police power as a home rule charter county.

References herein to laws, codes, King County Code provisions, public rules, regulations, and the King County Road Standards refer to those now in effect or as hereafter amended, or as may be in effect at any point in time a Utility has facilities within a King County road right-of-way.

**CHAPTER 1**  
**GENERAL CONSIDERATIONS**

1.01 Organizations Affected:

- A. Public and Private Utilities
- B. King County Road Services Division, Department of Transportation
- C. King County Property Services Division, Department of Construction and Facilities Management
- D. King County Department of Development and Environmental Services
- E. County Road Administration Board
- F. Contractors

1.02 General References:

- A. W.A.C. 136-40
- B. RCW Title 80, 36.55, 19.122
- C. King County Road Standards, Chapter 8
- D. King County Code 6.27, 6.27A, 14.44, 14.42.060
- E. King County Franchise Agreements
- F. King County Public Rules Document Code Nos. PUT 10-2 (PR) Procedures for Requesting Variances from the King County Road Standards; RPM 14-1 (P-R) Permit Procedure for Overhead Utility Installations Within Existing or Proposed King County Right-Of-Way.
- G. "Application Procedures for Obtaining a Franchise on King County Rights-of-Way" as provided by Property Services Division of King County
- H. State Environmental Policy Act
- I. King County Environmental Standards and Ordinances
- J. King County Noise Code

1.03 Application:

These Regulations apply to the installation, replacement, adjustment, relocation, and maintenance of all above and below ground utilities located within all King County road rights-of-way.



1.04 Compliance:

All Utilities with facilities within King county road rights-of-way, whether or not the Utility holds a franchise from King County, shall comply with these Regulations and with all applicable federal, state and local laws, codes, rules and regulations including, but not limited to, the general references set forth in Section 1.02 of these Regulations.

1.05 Permit Requirement:

All construction and maintenance work by Utilities within the County road right-of-way requires a right-of-way construction permit, as provided in King County Code Chapter 14.44.

1.06 Objectives:

- A. It is recognized that there is a need to accommodate utility companies in their provision of public services; however, King County must insure that the primary purpose of the roadway, passage of vehicular, bicycle, and pedestrian traffic, is maintained to the greatest extent possible. The use of the roadway corridors by utility companies is secondary to the movement of traffic. These Regulations strikes a balance between the public need for efficient, safe transportation routes and Utility services within these routes.
- B. The County must ensure that public safety is maintained during all utility related work and minimize the effect such work has on the public.
- C. The County must protect the County owned infrastructure by establishing standards for all utility related work and by enforcing a quality control program of inspection.
- D. The County wishes to facilitate utility work within the road right-of-way through the standardization of utility placements and the maintenance of an efficient permit process.

1.07 Limitations:

- A. In the event of a conflict between these Regulations and the specifications established in a Utility's franchise

and/or right-of-way construction permit, the terms of the franchise and/or right-of-way construction permit shall control.

- B. Compliance with these Regulations does not relieve the Utility or its representative from the responsibility of meeting other applicable codes, standards or regulations, and does not preclude the need for acquisition of any pertinent federal, state or local permits. Identification of required permits and applicable regulations is the sole responsibility of the Utility or its representative.
- C. These Regulations cannot address all situations and conditions that may be encountered. Specific provisions contained herein may not be appropriate for all locations and existing conditions. These Regulations are intended to assist, but not substitute for, competent work by both road and utility design and installation professionals. These Regulations are not intended to limit any innovative or creative effort which could result in better quality, better cost savings or improved safety characteristics.
- D. Except as provided for elsewhere in these Regulations, deviation from these Regulations may only be granted by the County. The decision to grant, deny, or modify the proposed deviation shall consider the following criteria:
  - 1. The deviation will achieve the intended result with a comparable or superior design and a better quality of finished product.
  - 2. The deviation will not adversely affect safety and/or operation.
  - 3. The deviation will not adversely affect maintainability.
  - 4. The deviation will result in a pleasing appearance.

1.08 Responsibility for Compliance:

- A. It shall be the responsibility of any Utility installing or relocating any of its facilities to comply with the requirements and conditions of these Regulations. The Utility shall be responsible for the design, construction, operation and maintenance of the facility and for public safety during the facility's installation, operation, or

maintenance. This responsibility shall include, in addition to the integrity of the proposed utility facility, provisions for public safety during the course of construction, as well as consideration of traffic safety and accident potential for the life of the installation.

- B. All permits for the operation, maintenance, repair or construction of a Utility's facilities within the County road right-of-way shall be applied for and given in the name of the Utility, which will be responsible for all work done under the permit, including but not limited to, paving, patching, grading, and any other reasonably necessary repair or restoration to the road right-of-way. The Utility remains responsible whether the work is done by the Utility, its contractors, or by third parties.

1.09 Standards and Codes:

All utility installations shall be designed, constructed and operated in accordance with the standards, codes and regulations applicable to the type of utility. The methods of installation and materials used shall conform to the codes and standards of the Federal, State and County government and of the industry. This shall also include any road standards which the County deems necessary to provide adequate protection to the safe operation, appearance and maintenance of the road.

## CHAPTER 2 DEFINITIONS

- "Abandonment" means action by a Utility to cease operation of a structure or facility, subject to the Utility maintaining ownership and responsibility for the structure or facility.
- "Appurtenance" means equipment and/or accessories which are a necessary part of an operating utility system or subsystem.
- "Arterial" means street designated by the County as principal or minor which provide the high speed, high volume network for travel between major points in both rural and urban areas.
- "Backfill" means compacted materials used to replace excavated materials.
- "Boring" means method of installing a pipe or casing under a road without disturbing the surrounding medium by using grade and alignment control equipment.
- "Carrier" means pipe used for transmitting a fluid or gas.
- "Casing" means pipe with a greater diameter than the carrier, enclosing a carrier for the purpose of providing structural or other protection to the carrier and/or allowing for carrier replacement without re-excavation, jacking or boring.
- "Coating" means protective material applied to the exterior of a pipe or conduit to prevent or reduce abrasion and/or corrosion damage.
- "Collector" means street which connects local streets to arterial streets.
- "Conduit" means enclosed tubular runway for protecting wires or cables.
- "Contractor" means entity hired to perform work.
- "The County" means King County or its designee.
- "County Road Engineer" means King County Road Engineer, having authorities specified in RCW 36.75.050 and 36.80, or his/her

designee.

"Cover" means material placed above top of pipe, conduit, casing or gallery below the grade of a road or ditch.

"Drain" means appurtenance to discharge accumulated liquids from casings or other enclosures.

"Encasement" means structural element surrounding a pipe or conduit for the purpose of preventing future physical damage to the pipe or conduit.

"Franchise" means occupancy and use document granted by the County required for occupancy of road rights-of-way in accordance with RCW 36.55, RCW 80.32 and King County Codes 6.27, and 6.27A.

"Gallery" means underpass for two or more utility lines.

"Jacking" means method of installing pipe or conduit under roadways by hydraulic force to avoid excavating or cutting.

"Local Street" means street or cul-de-sac which provides direct access to adjacent property or individual homes.

"Manhole" means opening in an underground utility system permitting workers access for the purpose of making installations, inspections, repairs, connections, cleaning and testing.

"Pavement" means asphalt concrete or Portland cement concrete used as the surfacing course on a roadway.

"Pipe" means structural tubular product designed, tested, and produced for transmitting liquids and gases under specific conditions.

"Plowing" means direct burial of utility lines by means of a 'plow' type mechanism which breaks the ground, places the utility line at a predetermined depth, and closes the break in the ground.

"Pressure" means force exerted by a fluid or gas on the pipe wall in pounds per square inch (psi).

"Private Line" means utility facility owned, operated and maintained by a single or group of individuals devoted exclusively to the use of the owner.

- "Relocation" means removal of an existing pipeline, pole, structure or other facility and installation of that facility in an alternate location.
- "Replacement" means removal of an existing element that has been damaged or is worn or obsolete, and installation of a like or improved element of a utility system or subsystem.
- "Restoration" means work necessary to replace, repair or otherwise restore the road rights-of-way and all features contained within to the same or better condition as existed prior to any construction activities that uprooted, destroyed or otherwise altered the original condition.
- "Right-of-Way Construction Permit" means a document issued under the authority of the King County Property Services Division (see King County Code 14.44) which provides specific authorization, requirements and conditions for specific utility work at specific locations within the road rights-of-way.
- "Road" means facility providing public or private access including the pavement width and any non-paved shoulders and all other improvements within the Right-of-Way.
- "Road Right-of-Way" means public land, property, or interest therein, usually in a strip, as well as bridges, trestles or other structures, acquired for or devoted to transportation or secondary purposes, such as the accommodation of utilities. This does not include recreational or nature trails except where they intersect with or are located within road rights-of-way.
- "Roadway" means street, road, or other public way, as well as bridges, trestles or other structures, including shoulders, designated for the purpose of vehicular traffic.
- "Sleeve" means short casing through a pier, wall or abutment of a highway structure used for protection.
- "Standards" means most recently adopted version of King County Road Standards.
- "Telecommunications" is the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means, as defined in RCW 80.04.010. As used in this definition, "information" means knowledge or intelligence represented by any form of writing, signs, signals, pictures, sounds, or any other symbols.
- "Traffic Control" means activities necessary to safeguard the general public, as well as all workers, during the construction and

maintenance of utility facilities within the road rights-of-way.

"Utility" means private or public agency providing a public service, including but not limited to gas, all petroleum products, steam, chemicals, electric power, telecommunications, water, sewer, drainage, irrigation, or cable television.

"Variance" means a proposed departure from the County Road Standards.

"Vent" means appurtenance to discharge gaseous contaminants from casing or other enclosures.

**CHAPTER 3**  
**WORKING HOURS, ROAD CLOSURES, LOCATION**

**3.01 Working hours and road closures:**

- A. Working hours shall comply with the requirements of the county noise ordinance, unless the utility obtains a variance.
- B. There will be no road closures or detours unless the utility obtains approval from the county.
- C. Further restrictions on working hours, road closures and detours may be applied as conditions of permit approval, and will be evaluated on a case by case basis.

**3.02 Location:**

- A. Utility installations shall be located to minimize the need for later adjustments to accommodate future roadway improvements and to permit access to servicing such installations with minimum interference to roadway traffic. The County shall make available to Utilities a copy of its six-year transportation improvement program in order to minimize both utility customer and road user inconvenience should future road improvements require adjustment or relocation of the utility facilities. Said Utilities shall, within the limits of standard business practice, make available appropriate short and long range development plans to the County.
- B. Installations that are required for a road purpose, such as street lighting or traffic signals, are to be located and designed in accordance with these Regulations.
- C. Where existing facilities are in place, new facilities shall be compatible with the existing installations and conform to these Regulations as nearly as practicable.
- D. In order to expedite county road construction, the County may acquire additional road rights-of-way to accommodate Utilities.



**CHAPTER 4**  
**ADJUSTMENT AND RELOCATION OR ABANDONMENT**  
**OF FACILITIES**

**4.01** Adjustments and Relocations

The Utility shall be responsible, at no expense to the County, to repair, remove or relocate all existing facilities within County road right-of-way if such installation, repair, removal, or relocation is required by the County for any purpose, including, but not limited, to road or drainage work funded by the County. If the Utility fails or refuses to do so, the County reserves the right to order its own agents or representatives to accomplish the required work, and all costs of such installation, repair, removal or relocation shall be borne by the Utility.

Notwithstanding reinforcement or protection otherwise provided, a Utility shall be responsible for the security of any existing pipelines and utilities within a road construction zone. Where there are unusual utility hazards or where heavy construction equipment will be used, the Utility shall provide adequate temporary protection. In restoring the right-of-way, the Utility shall give due consideration to the protection of previously placed utilities in the right-of-way without sacrificing the geometrics of the road.

**4.02** Abandonment

Except for asbestos pipe, Utilities may abandon existing underground facilities or structures that do not pose a hazard to the public use of the road right-of-way, subject to the requirement that Utilities maintain ownership and responsibility for the facilities or structures.

A Utility proposing to cease operation of an asbestos pipe system shall remove the abandoned system from the road right-of-way upon the completion of its use or shall obtain a formal waiver from the County Road Engineer.

As a condition of the waiver, the Utility shall be required to retain the responsibility for the ultimate disposal of the pipe. If required by the County Road Engineer, the Utility shall remove the abandoned asbestos pipes and restore the roadway to the same or better condition at its own expense. The use of new asbestos pipe is not permitted within King County.

**CHAPTER 5**  
**UNDERGROUND UTILITIES**

5.01 Location and Alignment

- A. For all roadway crossings, the angle of crossing should be as near a right angle to the road centerline as practicable.
- B. Where practicable, crossings should avoid deep cuts, footings of bridges and retaining walls, or locations where highway drainage would be affected.
- C. Longitudinal installations should run parallel to the roadway and shall comply with the King County Road Standards and with the requirements of right-of-way construction permits.
- D. Where irregularly shaped portions of the road right-of-way extend beyond the normal road right-of-way limits, a uniform alignment of facilities may be allowed, subject to approval by the County Road Engineer.
- E. Open cut requests shall be reviewed on a case by case basis and, when allowed, shall be completed as described in Section 8.03 of the King County Road Standards.

5.02 Cover

The grade, depth and material of resulting cover for an underground utility shall be in compliance with applicable Federal, State and County road standards unless otherwise specified.

5.03 Encased Carriers

- A. Casings shall be installed for roadway crossings where required by appropriate industry code.
- B. Casings may be required for the following conditions:
  - 1. As an expediency in the insertion, removal, replacement, or maintenance of a carrier line crossing or other locations where it is necessary in order to avoid open trench construction.

2. As protection for carrier lines from external loads or shock either during or after construction of a road.
- C. Within the road right-of-way, where practicable, casing pipes shall extend beyond the toe of fill slopes, back of roadway ditch, or outside of curb or sidewalk.
- D. Other than for necessary vents and/or drains, casing pipes shall be sealed at both ends.
- E. Casing pipes shall be designed to support the load of the road and superimposed loads thereon and, as a minimum, shall equal the structural requirements for road drainage facilities. Casing materials shall be selected based on their durability to withstand conditions to which they may normally be exposed.

#### 5.04 Uncased Carriers

- A. The carrier pipe shall conform to the material and design requirements of the appropriate utility industry and applicable Federal, State, and County codes and specifications.
- B. The carrier pipe shall be designed to support the load of the road, plus superimposed loads thereon, when the pipe is operated under all ranges of pressure from zero to maximum internal pressure.

#### 5.05 Appurtenances

- A. Vents required by Federal safety standards for casings and galleries enclosing carriers of fuel should be located and constructed so as neither to interfere with maintenance of the road nor to be concealed by vegetation. Preferably, vent standpipes should be located by a fence or on the road right-of-way line.
- B. Drains shall be required for casings, tunnels or galleries enclosing carriers of liquid, liquefied gas, or heavy gas. Drains for carriers of hazardous materials shall be directed to natural or artificial holding areas to prevent the potential for surface or ground water contamination. Drains for which only water or other non-hazardous liquids may discharge may be directed into the roadway ditch or natural water course at locations approved by the County. The drain outfall shall not be used as a wasteway for routine purging of the carrier unless specifically authorized by the County.

C. Location markers and emergency information should be used when required by applicable State and Federal standards.

D. Manholes should be designed and located in a manner that will cause the least interference to other utilities or future road expansion.

5.06 Installations

A. Installations shall ensure safety of traffic and preservation of the roadway structure. Required construction shall, unless otherwise provided in an approved variance attached to the Right-of-Way Construction Permit, be in accordance with Chapter 8 of the County Road Standards.

B. Care shall be taken during utility installations to avoid disturbing existing drainage facilities. Underground utility facilities shall be backfilled with pervious materials and outlets shall be provided for entrapped water. Underdrains should be provided where necessary.

5.07 Utility Identification

Utilities shall be located and identified in accordance with Title 19 RCW, Chapter 19.122, sections 19.122.010 through 19.122.900. The one-call number is 1-800-424-5555.

5.08 Overlay Requirements

A. Any utility installation parallel to the centerline in a traveled lane shall require a full width overlay as described in Section 8.03 of the County Road Standards.

B. If a County road has been previously identified by the Pavement Management System as needing resurfacing, the County may resurface that road after a utility installation at no cost to the Utility.

5.09 Cuts, Trenching and Backfill

- A. Pavement cuts, trenching, and backfill compaction shall be performed in accordance with Section 8:03 of the County Road Standards.
- B. In no case shall a Utility or their contractor cut into the pavement of a signalized intersection without having contacted Department of Transportation Maintenance and Operations seventy-two (72) hours prior. Maintenance and Operations will locate buried loop detection devices so as to protect them from damage. Any contractor who damages a loop detector will have the loop repaired or be charged for the repair or reinstallation of the device.

5.10 Lane Striping and Painting

Lane striping or other painted and affixed delineators which are removed by a Utility shall be replaced by the Utility before restoration will be considered complete. The utilities inspector will notify the Utility of the product (traffic paint, thermoplastic, raised pavement markers, lane tape) and applications, and the County Traffic Engineer will approve all traffic delineation materials.

5.11 Sidewalks

- A. Sidewalks damaged by Utilities shall be removed and replaced in full sections. A section's size will be determined by the adjacent section or the County Inspector, but in any case no section shall be less than five feet (5') in length.
- B. Should damage to the County sidewalks be observed after the work has been completed, the utility company shall be notified to perform the repairs in a timely manner. Where sidewalk sections are removed at street corners, the sidewalk and adjacent curb shall be restored as a curb cut handicapped ramp. Construction of the ramp shall be in accordance with King County standards.

5.12 Driveway Aprons

Driveway aprons will not be "patched" following utility work. The Utility will notify the inspector when a concrete apron is to be disturbed; they will agree on the extent and restoration method. In any event, all edges of concrete restoration shall be sawcut and the property owner's access to his property shall not be unreasonably denied. In the event of a repair

being necessary, an apron will be repaired with the same material from which it was made (i.e. exposed aggregate aprons will be repaired with exposed aggregate concrete).

5.13 Curb and Gutter Replacement

When curb and gutter is replaced, it will be restored in full ten-foot (10') sections. Match existing curb elevations and ensure constant grade and positive drainage. Expansion material will be used at joints. Should the work include removal of a section which was finished with a dummy joint, the contractor will saw cut the joint prior to forming and pouring the new section.

5.14 Street/Road Crossings

- A. The approved method of crossing a street within King County will be by jacking or boring the new pipe, service line or system extension under the street crossed. In some cases, it may be determined that a street can be crossed with an open cut to the pavement. All installations shall comply with requirements of Section 8.03 of the King County Roads Standards.
- B. These standards may include the use of road plating and a controlled density fill material to insure uniform compaction as well as the ability to reopen the street to traffic at the earliest possible time. At no time should it be assumed that the County will permit an open pavement cut; these may be permitted but only as considered on a case-by-case basis.

5.15 Utility Marking

Utility marks shall be large enough and frequent enough so as to be seen by the contractor, but not so as to become graffiti on the pavements, curbs, and sidewalks. Marking of valve box and service locations shall be made neatly and be less than four inches square. As the use of concrete pavers increases, the Utility companies are specifically cautioned to be discrete with marks on these surfaces, whether on County-owned or private property. Only white paint shall be used to mark proposed construction.

**CHAPTER 6**  
**ABOVE GROUND UTILITIES**

6.01 Joint use of poles

- A. Single-pole construction and joint use of the pole by Utilities is desirable and should be utilized whenever feasible.
- B. In the event of pole relocation, replacement, or removal, all utilities using the original pole shall transfer to the new pole within six months of the pole installation. The Utility responsible for the original installation of the pole under permit, shall remain responsible for the coordination of transference.

6.02 Power and Communication Lines

- A. Where irregularly shaped portions of the road right-of-way extend beyond the normal road right-of-way limits, a uniform alignment of facilities may be allowed subject to approval by the County Road Engineer.
- B. The vertical clearance for overhead power and communication lines above the road and the lateral and vertical clearance from bridges shall conform with the following chart:

Type of Utility Line	Line Crossing Roadway (feet)	Longitudinal Line (feet)
Communications	18'	14'
Electrical		
0-750 Volts	18'	18'
751-22,000 Volts	20'	20'
22,000 - 50,000 Volts	21'	21'

- C. The minimum vertical clearance of a line crossing the road shall be measured from the lowest portion of the line crossing the road.

D. The minimum vertical clearance of longitudinal lines shall be measured from the ground line.



CHAPTER 7  
INSTALLATIONS ON ROADWAY BRIDGES AND STRUCTURES

7.01 Installations on Roadway Bridges and Structures:

Any attachment of a utility to a County bridge, trestle or other structure shall require a right-of-way construction permit. The attachment of utility lines must conform to sound engineering considerations for preserving the roadway structure and its safe operation, maintenance and appearance. The attachment shall be in accordance with the following:

- A. Attachment of a utility shall not be considered unless the structure in question is of a design that is adequate to support the additional load and can accommodate the utility facility without compromise of highway features, including reasonable ease of maintenance.
- B. Manholes and other utility access panels should be avoided within the roadway portion of the structure.
- C. Attachment to a structure of a pipeline carrying a hazardous material shall be avoided where practicable.
- D. The utility attachment shall not reduce the clearance of a structure where such clearance is critical. Attachment to the outside of a structure should be avoided where there are reasonable alternatives.
- E. Utility attachments shall be of a type which shall not create noise resulting from vibration.
- F. The hole created in a structure abutment shall be sleeved, shall be of the minimum size necessary to accommodate the utility line, and shall be sealed to prevent any leakage of water or backfill material.
- G. The utility line back of the abutment shall curve or angle out to align outside the roadbed area in as short a distance as is operationally practicable.
- H. Communication and electrical power line attachments shall be suitably insulated, grounded, and preferably carried in protective conduit or pipe from point of exit from the ground to re-entry. Carrier pipe and casing pipe shall be properly isolated from electric power line attachments.

I. Attachments to traffic rails or supports should be avoided where there are reasonable alternatives. All connections to the structure shall be galvanized and designed to carry the load.

**CHAPTER 8**  
**RESTORATION OF COUNTY ROAD RIGHTS-OF-WAY**

8.01 Utility Responsibility

Upon completion of work by a Utility on, under or adjacent to road right-of-way, the Utility is responsible for and shall leave all road right-of-way in as good or better condition as they were in before any work was done, including the removal of refuse and debris. In the event that the Utility, its contractors, or third parties working under permit should fail to restore road right-of-way to the satisfaction of the County Road Engineer, the County may make such repairs or restorations as are necessary to return the county road right-of-way to its pre-work condition. Upon the presentation of an itemized bill for repairs or restorations, including the costs of labor and equipment, the Utility will pay the bill within thirty (30) days. If suit is brought upon the Utility's failure to pay for repair and restoration, and if judgment in such a suit is entered in favor of the County, then the Utility shall pay all of the actual costs, including interest from the date the bill was presented, disbursements, and attorney's fees and litigation related costs incurred.

8.02 Preservation, Restoration and Cleanup

- A. The size of disturbed area affected by the installation of a utility shall be kept to a minimum.
- B. Restoration methods shall be in accordance with the specifications of the County and/or special provisions of the franchise, permit, or agreement.
- C. Care shall be taken to protect areas surrounding the job site including areas chosen to park maintenance vehicles, avoiding any damage to sidewalks and or landscaping. Upon completion of work, these areas shall be restored to as good or better condition as they were before any work was done. Equipment or vehicles shall not be located to obstruct entrance or exit from a driveway.
- D. The Utility shall take precautions to prevent sediments from entering storm drain systems. And, shall comply with all regulations for temporary erosion control and water quality specified in the King County Surface Water Management Design Manual.

**CHAPTER 9**  
**AEESTHETIC AND SCENIC CONSIDERATIONS**

9.01 Aesthetic and Scenic Considerations

- A. Utility installations shall be designed and constructed to minimize the adverse effect on existing roadside, manmade or natural amenities. Special efforts shall be taken to minimize any potential negative impact on areas of scenic beauty such as scenic strips, viewpoints, rest areas, recreation areas, public parks and historic sites.
- B. Overhead utility installation shall be permitted in areas of scenic beauty only when underground utility locations are not available, not technically feasible, unreasonably costly, or less desirable from the standpoint of visual quality.
- C. If the Utility intends to use chemical sprays to control or kill weeds and brush in scenic areas, prior written approval must be obtained from the County Road Engineer on a minimum annual basis. The County may limit or restrict the types, amounts, and timing of application if a significant negative impact on the aesthetics or environment of the area is anticipated, provided such limitations or restrictions are not in conflict with State law governing Utility right-of-way maintenance and the King County Code related to sensitive areas.

**CHAPTER 10**  
**TRAFFIC CONTROL AND PUBLIC SAFETY**

**10.01 Traffic Control and Public Safety**

- A. Traffic controls for all utility work shall conform with the currently applicable "Manual on Uniform Traffic Control Devices for Streets and Highways" (MUTCD). The Contractor is responsible for ensuring that all traffic control devices are maintained throughout the construction, seven days a week, 24 hours a day.
- B. Detours and road closures will not be allowed without prior approval of the County Road Engineer. Work shall be planned so that closure of intersecting streets, road approaches, or other access points is held to a minimum.
- C. All construction and maintenance operations shall be planned to keep interference with traffic to a minimum.
- D. Open excavations shall be covered and protected so that they do not present a hazard to vehicular and pedestrian traffic. Safeguards may include barricades, fences, sheets, lights, flaggers, or other protective devices as may be necessary.
- E. The storage of materials on roadways shall not be allowed, and parking of vehicles on roadways shall be kept to a minimum.

**CHAPTER 11**  
**EMERGENCY REPAIRS**

**11.01 Emergency Repairs**

- A. All utility facilities shall be kept in a good state of repair. Emergency repairs shall be undertaken in a timely manner.
- B. If emergency repairs disturb the road rights-of-way, such repairs may be immediately undertaken and the road right-of-way restored. When it becomes necessary to work on the road right-of-way to make an emergency repair such as a broken water main, power or communication lines downed in a storm, or any legitimate emergency, the Utility may proceed immediately with their repair and notify the Utility Inspection Unit and the Property Services Division by phone as soon as feasible, but no later than the next working day., as described in Section 14.02 of these Regulations.

**CHAPTER 12**  
**PERMIT APPLICATION AND INSPECTION FEES**

**12.01 Utility Plans**

For work performed by a Utility within King County right-of-way, the County may review and approve or require amendment to the utility's plans with respect to:

1. location,
2. the manner in which the utility facility is to be installed,
3. measures to be taken to preserve safe and free flow of traffic,
4. structural integrity of the roadway, bridge, or other structure,
5. ease of future road maintenance, and appearance of the roadway.
6. scheduling of construction to coordinate with ongoing County projects, where feasible.

**12.02 Right-of-Way Construction Permits**

As required by King County Code 14.44, applications for Right-of-Way Construction Permits shall be submitted in a standard format as prescribed by the County.

**12.03 Certification of Conformance**

As specified in the County Road Standards, any utility placing poles within the road right-of-way will complete a Certification of Conformance Form or obtain a variance from the County Road Engineer. See General References at Section 1.02F of these Regulations for procedures.

12.04 Permit and Inspection Fees

The County may impose reasonable permit and inspection fees to offset permit review and inspection expenses, as provided in King County Code 14.44.



**CHAPTER 13**  
**ROAD VACATIONS**

**13.01 Road Vacations**

If at any time King County, in accordance with RCW Chapter 36.87, vacates any County road right-of-way, King County will not be liable for any damages or loss to a Utility by reason of such vacation. When a right-of-way is vacated, it ceases to be a County road and the Utility's authority from King County to have its facilities within such right-of-way is extinguished. King County will use its best efforts to notify any Utility that may have facilities within the right-of-way to be vacated in order to allow the Utility an opportunity to negotiate an easement for its facilities.

## CHAPTER 14 PROCEDURES

### 14.01 Non-Emergency Procedure

#### A. Utility:

1. Applies for and obtains franchise in accordance with King County code 6.27 or 6.27A. RCW Title 80, 36.55 and " Application Procedures for Obtaining a Franchise on King County Rights-of-Way."
2. Applies for any variances to the King County Road Standards, if necessary, in accordance with King County Code 14.42 and King County Public Rule Doc. No. PUT 10-2(PR) and submits to the County Road Engineer. Attaches an approved, signed variance approval to the application for Right-of-Way construction permit, if requesting a variance.
3. Obtains all other necessary permits, e.g. shorelines, clearing, grading, etc.
4. Submits completed right-of-way construction permit to Property Services Division at 500-A, King County Administration Building, 500 4th Avenue, Seattle, WA 98104.
5.
  - a. Includes description of the facilities to be installed, including a description of the work location indicating the starting and ending locations using street designations, County roads to be used, the number of poles or linear feet of line, pipe, or cable to be installed, and bridge crossings.
  - b. Includes three copies of maps and plans using a scale of 50 to 100 feet/inch depicting existing or proposed location of the facility in relation to the centerline, fogline and edge of the road; relationship to currently planned road revisions, if applicable; and all locations and situations for which deviations in depth of cover (including the proposed method of protection) or other local standards are anticipated. The plans shall be highlighted to show new facilities as distinct from existing ones.
  - c. Signs permit agreeing to all pertinent provisions of these Regulations and to such special conditions as the County may deem appropriate to fulfill obligations of the franchise agreements or the County Road Standards.

5. Completes a Certification of Conformance Form, if necessary, for pole installation and submits to the Department of Development and Environmental Services (DDES).
  6. Posts a bond to the County, if required (in a form approved by the county) in the amount sufficient for any road repair or restoration. The amount of the bond shall be set by the County Road Engineer and must be filed with Property Services Division before a permit is issued. Utilities may post a blanket bond in lieu of an individual bond for each permit. This bond would cover all permits as long as the bond is in place.
- B. Property Services Division:
1. Checks application, certification forms, and plans/drawings for completeness, correctness, and code compliance. Notes use of road right-of-way on plans/drawings.
  2. Prepares permit to perform work on King County road right-of-way.
  3. Sends one copy of plans, permit and certification forms to the Department of Transportation Utility Inspection Unit.
  4. Sends one copy of plans and permit for water and sewer main extensions to DDES where it is inspected for conformance to the King County Comprehensive Plan and the Utility's water or sewer comprehensive plan.
  5. Reviews permit applications to determine that applicant has obtained other necessary permits, e.g. shorelines permit.
- C. Utility Inspection Unit:
1. Reviews plans, certification forms, and permit. Signs inspector review form and returns it and the permit to Property Services Division with approval or denial and any conditions added.

D. Property Services Division:

1. Types added conditions, if any, onto permit. Obtain approvals from County Road Engineer and Manager of Property Services Division.
2. Retains one copy of all Forms and plans; sends approved permit to Utility; sends copy of approved permit and plans to Utility Inspection Unit.

E. Utility:

1. Performs approved work in road right-of-way after notification of Utility Inspection Unit as described on face of permit.

F. Utility Inspection Unit:

1. Inspects work for conformance to the permit.

14.02 Emergency Procedures:

A. Utility

1. Performs emergency repair work on road right-of-way.
2. Notifies Property Services Division by phone as soon as feasible, but not later than the next working day from day in which work was performed.

B. Property Services Division

1. Gives Utility a permit number and prepares permit.
2. Retains copy of permit; sends permit to Utility; sends copy of permit to Utility Inspection Unit.

C. Utility

1. Notifies Utility Inspection Unit of permit number and location of work performed.

D. Utility Inspection Unit

1. Inspects work performed by Utility.

## CHAPTER 15

### RESPONSIBILITIES

#### 15.01 Utilities are responsible for:

- A. Ascertaining and abiding by the requirements and conditions set forth in these Regulations.
- B. Applying for and obtaining a right-of-way franchise agreement, if applicable.
- C. Applying for and obtaining a right-of-way construction permit before entering the road rights-of-way for the purpose of operating, maintaining, repairing, or constructing its transmission, distribution and service lines and appurtenances.
- D. Obtains all other necessary permits, e.g., shorelines, clearing, grading, etc.
- E. Performing work in the County road right-of-way as approved on the right-of-way construction permit and appropriate plans/drawings.
- F. Leaving all road right-of-way in as good or better condition as it was in before any work was done upon the completion of work on, under or adjacent to the road right-of-way.
- G. Abiding by all terms and conditions of any applicable ordinances, franchises, and permits.
- H. Obtaining any other required permits for work in King County right-of-way (e.g. Shoreline Permit).

#### 15.02 King County Property Services Division is responsible for:

- A. Enforcing conditions of King County Road Standards and these Regulations pertaining to the review, evaluation, approval and issuance of right-of-way construction permits.
- B. Preparing permit to perform work on King County road right-of-way and sending permit to Utility Inspection

Unit.

- C. Answering applicant's calls regarding the status of permits and public inquiries.
- D. Maintaining a file of bonds and completed permits.
- E. Collecting permit application fees.
- F. Reviewing and processing all franchise applications and maintaining franchise files.
- G. Accepting calls for emergency permits.
- H. Routing water and sewer main extensions to the Department of Development and Environmental Services (DDES).
- I. Enforcing regulations set forth in the Sensitive Areas Ordinance (SAO), Grading and Clearing Ordinance, and Shoreline Management Act.

15.03 County Road Engineer is responsible for:

- A. Setting the amount of the bond posted by the Utility and filing it with the Property Services Division before a right-of-way construction permit is issued.
- B. Granting road variance applications.
- C. Approving all work performed by the Utility.

15.04 Department of Transportation Utility Inspection Unit is responsible for:

- A. Enforcing conditions of King County Road Standards and these Regulations through review of plans and inspection of work in King County road right-of-way.

B. Collecting inspection fees.



**APPENDICES:**

- Certification of Conformance Form
- Right-of-Way Construction Permit Application

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