

**BOARD OF COUNTY COMMISSIONERS
Grant County, Washington**

**RESOLUTION TO: INCREASE THE
FRANCHISE APPLICATION FEE FROM
\$75.00 TO \$150.00 PER APPLICATION**

RESOLUTION No. 11-⁰⁰⁷-CC

WHEREAS, it is the desire of the County to amend Franchise Application fees to reflect current agency costs; and

WHEREAS, the current fee of \$75.00 has been deemed insufficient to cover the cost of paper, administration time, and newspaper advertising costs; and

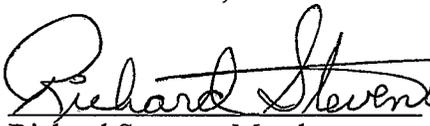
NOW, THEREFORE, BE IT HEREBY RESOLVED THAT the franchise application fee be increased to \$150.00 per application.

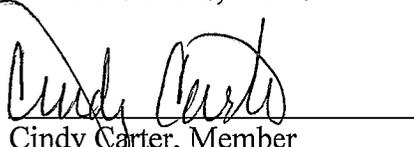
DATED this 8th day of February, 2011.

**BOARD OF COUNTY
COMMISSIONERS
GRANT COUNTY, WASHINGTON**

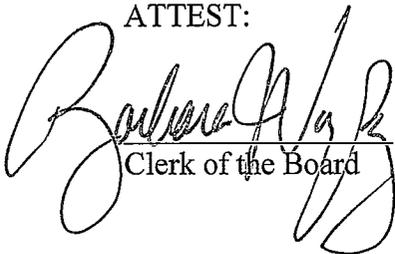
Yea Nay Abstain


Carolann Swartz, Chair


Richard Stevens, Member


Cindy Carter, Member

ATTEST:


Clerk of the Board

GRANT COUNTY
PUBLIC WORKS DEPARTMENT

124 Enterprise St. S.E.
Ephrata, Washington 98823



June 12, 2001

Serial No. 01-365

TO: WHOM IT MAY CONCERN

FROM: DEREK POHLE, P.E.
DIRECTOR OF PUBLIC WORKS/COUNTY ENGINEER 

SUBJECT: FRANCHISE APPLICATION PROCESS

Pursuant to the authority provided in RCW 36.55 the Board of Grant County Commissioners may grant a non-exclusive franchise to place pipelines and/or buried underground wires within the County Road right of way. If you wish to apply for a franchise please complete the forms included in the application package and submit to this office along with a \$150.00 processing fee.

This office will review all applications received and, if complete, schedule a public hearing date and time with the Board of County Commissioners. Scheduling a hearing on the application with the Board of County Commissioners does not imply this Department is for or against the issuance of a franchise, only that the application contains sufficient information to proceed to a public hearing.

Please remember to attach a detailed map or plan showing the general location of the proposed facility to the application form and to have the form signed by the appropriate person and notarized. All blank sections on the forms included in the application package should be filled in, except for the date and time of hearing on the Notice of Hearing.

If you have other questions concerning the process or how to complete the forms, please call this office. The process will probably take thirty (30) days from the date a complete application is received until a public hearing is held and final consideration of your application can be given by the County Commissioners.

Information (509) 754-6082
Fax (509) 754-6087
E-mail gcpwd@moseslake-wa.com
Derek Pohle, P.E., Director/County Engineer . Ext. 504
Dave Heilman, Assistant Director Ext. 502

Bob Bersanti, Construction Engineer Ext. 503
Greg Cardwell, Assoc. Construction Engineer. Ext. 113
Zola Myers, Accountant Ext. 105
Vic Levesque, Foreman-Sign Shop ... (509) 754-6085
Phil Slaugh, Supervisor-Solid Waste .. (509) 754-4319

Dennis Collier, Supervisor-Dist. No. 1 . (509) 639-2621
Bill Lobie, Supervisor-Dist. No. 2 (509) 765-4172
Ron Bews, Supervisor-Dist. No. 3 (509) 787-2321
Mike Phelps, Supervisor-Central Shop (509) 754-6086

INSTRUCTIONS TO APPLICANTS FOR FRANCHISE ON GRANT COUNTY ROADS AND BRIDGES

In compliance with your request, the following forms are enclosed to assist you in preparing the required papers as follows:

Application For Franchise	Original plus 2 copies (including all attachments)
Notice of Hearing	Original
Order Granting Franchise and Franchise	Original

The amount of surety required will be determined by the County at the time of hearing.

For informational purposes County Road Franchises are governed by the following sections of the Revised Code of Washington.

36.55.010 PIPE LINE AND WIRE LINE FRANCHISES ON COUNTY ROADS

Any board of county commissioners may grant franchises to persons or private or municipal corporations to use the right of way of county roads in their respective counties for the construction and maintenance of waterworks, gas pipes, telephone, telegraph, and electric light lines, sewers and any other such facilities (1963 c 4 - 36.55.010. Prior; 1961 c 55 - 2; prior; 1937 c 187 - 38, part; RRS 6450 - 38, part)

36.55.030 FRANCHISE ON COUNTY BRIDGES

Any board of county commissioners may grant franchises upon bridges, trestles, or other structures constructed and maintained by it, severally or jointly with any other county or city or town of this state, or jointly with any other state or any county, city or town of any state in the same manner and under the same provisions as govern the granting of franchise on county roads. (1963 c 4 - 36.55.030. Prior; 1937 c 187 - 40; RRS 6450 - 40.)

36.55.040 APPLICATION - NOTICE OF HEARING

An application being made to the board of county commissioners for franchise, the board shall fix a time and place for hearing the same, and shall cause the county auditor to give public notice thereof at the expense of the applicant, by posting notices in three public places in the county seat of the county at least fifteen days before the day fixed for the hearing. The board shall also post a like notice two times in an official newspaper of the county, the last publication to be not less than five days before the day fixed for the hearing.

The notice shall state the name or names of the applicant or applicants, a description of the county roads by reference to section, township and range in which the county roads or portions thereof are physically located, to be included in the franchise for which the application is made, and the time and place fixed for the hearing. (1963 c 4 - 36.55.040. Prior; 1961 c 55 - 3; prior; 1937 c 187 - 38, part; RRS 6450 - 38, part)

36.55.050 HEARING - ORDER

The hearing may be adjourned from time to time by the order of the board of county commissioners. If, after the hearing, the board deems it to be for the public interest to grant the franchise in whole or in part, it may make and enter a resolution to that effect and may require the applicant to place his utilities in such a location on or along the county roads as the board finds will cause the least interference with other uses of the road. (1963 c 4 36.55.050. Prior; 1961 c 55 - 4; prior; 1937 c 187 - 38, part; RRS 6450 - 38, part)

35.55.060 LIMITATIONS UPON GRANTS

(1) Any person constructing or operating any utility on or along a county road shall be liable to the county for all necessary expenses incurred in restoring the county road to a suitable condition for travel. (2) No franchise shall be granted for a period of longer than fifty years. (3) No exclusive franchise or privilege shall be granted. (4) The facilities of the holder of any such franchise shall be removed at the expense of the holder thereof, to some other location on such county road in the event it is to be constructed, altered or improved or becomes a primary state highway and such removal is reasonably necessary for the construction, alteration, or improvement thereof. (1963 c 4 - 36.55.060. Prior; 1961 c 55 - 5; prior; 1937 c 187 - 38, part; RRS 450 - 38, part)

**BEFORE THE HONORABLE BOARD OF COUNTY COMMISSIONERS
OF GRANT COUNTY, WASHINGTON**

IN THE MATTER OF APPLICATION OF

_____ **APPLICATION FOR FRANCHISE**
for a franchise to construct , operate and maintain

_____ **(name of facility)**
on certain County Road Rights of Ways within
the County of Grant, State of Washington, for
the purpose of

_____ **(as required)**

_____ makes application to the Honorable Board of County Commissioners
of the County of Grant, State of Washington, for a franchise authorizing and empowering the said _____
_____ to enter upon _____ Road(s) within Grant
_____ **(name of county road)**

County, Washington, outside the corporate limits of towns and cities of said County, for the purpose of
_____ Certain road(s) within Grant

(constructing, operating & maintaining facility over, across, along as required)
County, State of Washington for the purpose of _____ in connection with the
(carrying water or as required)
business of said _____ as follows to wit:

_____ **(applicant)**
_____ **(description of location desired)**

There is attached hereto and made a part hereof, a detailed map showing the location of the proposed facility and a proposed order granting franchise and franchise. Should the Board of County Commissioners approve this application and sign the order granting franchise and the franchise, the said applicant agrees to fully comply with the terms of the order granting franchise and franchise.

The applicant hereby requests the Board of County Commissioners to fix a time and place for hearing on this application and also direct that the Grant County Auditor give notice of hearing as required by law.

DATED AT _____ this _____ day of _____ 20 _____

Subscribed and sworn to before me
this _____

Notary Public
in and for _____

(signature of applicant)

(type or print name and title)

Address

(Original Only)

**BEFORE THE HONORABLE BOARD OF COUNTY COMMISSIONERS
OF GRANT COUNTY, WASHINGTON**

In the matter of the Application of

for a franchise to enter upon, construct,
operate and maintain certain facilities
upon County Roads in Grant County

***NOTICE OF HEARING
ON
APPLICATION FOR A COUNTY ROAD
FRANCHISE***

NOTICE IS HEREBY GIVEN that _____ ,

has filed with the Board of County Commissioners of Grant County , Washington , an application for a
franchise for a period of fifty (50) years to construct, operate and maintain _____
(Facility)

_____ certain County roads in Grant County ,
(over, under, across, along)

Washington lying within the following described portion of the County , to-wit:

NOTICE IS FURTHER GIVEN that the Board of County Commissioners of Grant County ,
Washington, has fixed the hearing on said application for the franchise for the ___ day of ___, 20 ___
at the hour of ___ o'clock ___ in the Board of County Commissioners' room in the Grant County
Courthouse in Ephrata , Grant County , State of Washington , and any person may appear at this time
and place to be heard for or against the granting or denying of said franchise or any part thereof.

DATED this _____ day of _____, 20 _____

Auditor of Grant County , Washington

BY _____
Deputy

**BEFORE THE HONORABLE BOARD OF COUNTY COMMISSIONERS
OF GRANT COUNTY, WASHINGTON**

IN THE MATTER OF APPLICATION OF

(applicant)
for a franchise to construct, operate and maintain

ORDER GRANTING FRANCHISE
AND
FRANCHISE

(name of facility)
on certain County Road Rights of Ways within the
County of Grant, State of Washington, for

(purpose of facility)

THIS CAUSE being regularly heard before the above entitled Board of County Commissioners of Grant County, Washington, upon the application of _____
for a franchise authorizing and empowering the said petitioners to enter upon, construct, operate, and maintain _____

(description of facility) (over, under, across, and/or along)
certain County roads in Grant County, Washington described as follows:

Said franchise to be for a period of fifty (50) years from the date of granting the same; and it appearing to the Board of County Commissioners that due and proper notice of the time and place of the hearing of said application has given as provided by statute, and it further appearing that no objections to the granting of said franchise as applied for have been either filed or heard by this Board; and the Board being fully advised in the premises and deeming it for the public interest to grant said franchise; now therefore.

IT IS HEREBY ordered that _____
(applicant)

their successors and assigns, be, and they hereby are, granted the right, power, privilege and authority, for the period of fifty (50) years from the date hereof, to enter upon, construct, operate, and maintain

(pipeline or other facility, as required) (parallel to, under, across, as required)

certain County road(s) in Grant County, Washington, as referenced in said application and notices, and as particularly described above, subject to the following conditions:

1. The franchise shall terminate within one year from the date of issue, unless the Grantee furnishes a certificate of completion to the Director of Public Works within one year from the date of any permits issued pursuant to the franchise.
2. The _____
(applicant)
hereinafter referred to as the applicant, their successors and assigns, agree to hold the County of Grant, State of Washington, harmless and free from any and all damages, costs, and expenses, including indemnity for any settlements or judgements, defense costs, and attorney's fees, caused in whole or in part by the construction, maintenance, or operation of the facility covered by this franchise including but not limited to all underground facilities and appurtenances as well as any and all damages, costs, and expenses, including indemnity for any settlements or judgements, defense costs, and attorney's fees caused in whole or in part by the exercise of any right granted hereunder.
3. The applicant shall, within a reasonable length of time, repair any damages which may be done to said road(s) herein described by reason of laying, construction, operating or maintaining the franchised facility and shall restore road(s) in as good condition as before they were disturbed by the aforesaid operations.
4. The applicant shall furnish Grant County a bond, certified check or cash deposit in the sum of \$ _____ to insure that said road repairs will be made to the satisfaction of the County Engineer, it being agreed that upon the expression of such satisfaction, said bond, check, or cash deposit shall be returned forthwith to the applicant.
5. The applicant shall make application for and obtain a permit to perform work on the right of way from the County Engineer to place all facilities authorized by this franchise.
6. The applicant shall comply with all conditions imposed on the permit and reimburse the County for the cost of any inspections felt necessary by the County to assure compliance with the provisions of the permit and this franchise.
7. The applicant shall give notice to the Grant County Engineer when the traveled portion of the affected roads are to be interfered with when locating, constructing, operating, and maintaining the facility, said notice to be given at least two (2) days before the work is performed.
8. In locating, constructing, operating, and maintaining the facility, the applicant, their successors, and assigns, shall at all times leave at least one half of the traveled portion of the roadway open to traffic unless written authorization to close the roadway(s) is granted by the Grant County Engineer, adequate detour signage is erected, and a Public Notice of Closure is published in the newspaper serving the area at least three (3) days in advance of the closure.
9. When, by reason of the construction, repair, improvement, alteration, or relocation of said County roads, or any portion thereof, it shall appear necessary in the opinion of the Board of

County Commissioners of Grant County, State of Washington, to remove, lower, or relocate said facility from said roads, the applicant, their successors, and assigns, agree to remove, lower, or relocate said facility immediately at their own expense to the place or places designated by the said Board of County Commissioners.

10. In the event that said County roads or portions thereof as described, shall become a State Highway and therefore by reason of the construction, repair, improvement, alteration, or relocation of all or any portion of said roads as a State Highway, as determined by the Department of Transportation of the State of Washington, it shall become necessary in the opinion of the said Department to remove, lower, or relocate said facility from said highway, the applicants, their successors, and assigns, agree to remove, lower, or relocate said facility immediately at their own expense to the place or places designated by said Department.
11. The County reserves the right to revoke the privileges granted by this franchise and to seek legal remedies for failure of the franchise holder to comply with the conditions set forth above and/or to correct any deficiency after being given thirty (30) days written notice of correction by the County.

DATED this _____ day of _____ 20____

BOARD OF COUNTY COMMISSIONERS
GRANT COUNTY, WASHINGTON

CHAIRMAN

COMMISSIONER

COMMISSIONER

ATTEST:

Clerk of the Board

Approved as to Form:

Prosecuting Attorney
of Grant County, Washington

Presented By: _____