

## Right-of-Way (ROW) Utility Permit FAQs

Q. When do I need to apply for a ROW Utility Permit?

A. If you are working in the public ROW or otherwise using/impacting public ROW to accomplish your work, you will need to apply for a ROW Utility Permit. Exceptions would be for utilities parking vehicles in legal parking locations and not impacting travel lanes while performing general maintenance within a street level cabinet or while performing a visual inspection.

Applicants requesting permits to occupy City property with utilities, or holders of granted franchise rights who are planning construction work upon, along, over, under or across any public place NOT within the public ROW must file an additional separate application with the City of Kenmore Development Services Dept. by contacting [permittech@kenmorewa.gov](mailto:permittech@kenmorewa.gov).

Q. How and where do I submit a ROW Utility Permit application?

A. Use the City of Kenmore standard application form that can be found at the following page of the City's website:

<https://www.kenmorewa.gov/government/departments/public-works/utilities-and-waste-management/franchise-utility-right-of-way-permits>

Application packets should be emailed to [utilitypermit@kenmorewa.gov](mailto:utilitypermit@kenmorewa.gov), and must include **separate documents** for the following:

- Application (with all fields completed)
- Site plan showing the work to be performed
  - Drawings drawn to working scale, commonly 20 to 60 feet per inch
  - Describe the nature of the work, show the location of same on a map, with names or numbers of streets, and width of same
  - Location of existing utility(ies) which may be affected
- Traffic Control Plan (TCP) showing how traffic will be managed while the work is being performed
  - Must include:
    - compass showing north
    - legend, if applicable
    - street names
    - Project name

- Traffic control supervisor name and contact
  - Signage and barriers must conform to current Manual of Uniform Traffic Control Devices for Streets and Highways (MUTCD)
  - Road closure requests must be submitted on “Form 630 Road Closure Notification” and are considered only if the work cannot be completed without a road closure. Absent the submission of Form 630, at least one lane of traffic shall be open at all times.
- If there will be any ground disturbance, a GIS Map of work location captured from the City’s GIS mapping system located here is required:  
<https://www.arcgis.com/apps/OnePane/basicviewer/index.html?appid=d3ac27d72cc44daf97bf537fec038f13>

**Include these layers:** FEMA Flood Zone, Addresses, Streams, Parcels, Critical Areas, Streets, and most recent Kenmore Aerial (currently 2019 Kenmore Aerial)

Q. Why do you require a GIS map?

A. The Engineering Department wants to know you are aware of the location of FEMA flood zones, streams, erosion hazards, and critical areas in relation to your project. Additional review may be required by the City’s Development Services department if surface disturbance will occur.

Q. Isn’t utility work exempt from the provisions of Kenmore Municipal Code (KMC) 18.55 regulating critical areas?

A. Per KMC 18.55.150 Exemptions A.3., Normal and routine maintenance, operation and reconstruction of existing roads, streets, utilities and associated rights-of-way and structures are exempt from the provisions of KMC 18.55.150; provided, that reconstruction of any structures may not increase the impervious surface area or remove flood storage capacity. In addition, per 18.55.150 Exemptions: “Exempt activities shall avoid impacts to *critical areas*. All exempted activities shall use reasonable methods to avoid potential impacts to *critical areas*. **To be exempt from this chapter does not give permission to degrade a *critical area* or ignore risk from natural hazards. Any incidental damage to, or alteration of, a *critical area* shall be restored, rehabilitated, or replaced at the responsible party’s expense to prior condition or better.**”

Q. How do permit fees accrue, and when do I pay for the ROW Utility Permit?

A. Permit fees are applied to a permit at the following times:

Permit Application fee	When application packet is received*
Permit Review fee (hourly)	When application, site plan, tcp, and GIS Map are reviewed

Permit Inspection fee (hourly)	When inspection occurs
Accelerated job start fee	When short notice job start is approved or when work is performed on an approved permit without the proper job start notification
Work w/o Permit	When work is performed without an approved permit
Permit Extension	When permit extension is approved

\*Application fee is waived if permit application is canceled before permit is issued. Review fee may still apply if canceled between review and issuance of permit.

Permit fees are billed after permit closeout, following the end of the quarter during which closeout occurs. Closeout date is the date of final inspection, and a closeout email is sent to the utility and contains all inspection notes, processing notes, and fees. Payment is due within 30 days of the receipt of invoice.

- Q. Once the permit is approved, when can I start work?
- A. Work is not allowed until a job start confirmation has been received by the requester. The Engineering department requires job start requests to be submitted to [utilitypermit@kenmorewa.gov](mailto:utilitypermit@kenmorewa.gov) **before 10am two full business days in advance of the requested start date.** For example, a request for a Monday start must be received by 10am on the prior Thursday. **City holidays don't count as a business day.** A job starting on the Tuesday following a Monday holiday must be received prior to 10am on the prior Thursday.
- Q. Why do you require 2 days advance notice for job starts?
- A. The City of Kenmore has one ROW Inspector and two days' advance notice allows him to create and manage a schedule that best serves utilities.
- Q. What if something comes up and we (the utility) can't start on the confirmed date?
- A. Email [utilitypermit@kenmorewa.gov](mailto:utilitypermit@kenmorewa.gov) in advance in order to avoid an hourly inspection fee. The engineering department understands that sometimes this happens, and we'll work with you to reschedule.
- Q. What if we start the work but can't finish the same day or on consecutive days?
- A. If there is a gap in work, the construction site must be secured for safety and a new job start request is required before you resume the work.
- Q. What if the work isn't completed by the expiration date of the permit?
- A. One permit extension is allowed (\$300 fee as of 1/1/2022 per City of Kenmore Fee Schedule), which extends the expiration date to one year from date of issuance. If the

work is not complete by the expiration date, either original or extended, as applicable, a new permit application packet is required and new fees will be charged.