



CITY OF BLAINE PUBLIC WORKS DEPARTMENT

1200 YEW AVENUE • BLAINE, WA • 98230
PHONE: 360.332.8820 • FAX: 360.332.7124 • WEBSITE: www.cityofblaine.com

RIGHT-OF-WAY OBSTRUCTION PERMIT AND APPLICATION FORM

(Revised 5/14/2012 Previous editions are obsolete)

THIS APPLICATION REFLECTS THE REQUIREMENTS OF BLAINE MUNICIPAL CODE CHAPTER 12.27.

WHEN APPROVED ON PAGE 4, THIS FORM CONSTITUTES A PERMIT. WHEN APPROVED, PLEASE POST OR KEEP THE ORIGINAL NEAR OR ADJACENT TO THE OBSTRUCTED RIGHT-OF-WAY(S) FOR THE DURATION OF THE APPROVED OBSTRUCTION PERIOD.

COMPLETED BY CITY

DATE RECEIVED: _____

APPLICATION/PERMIT NO: _____

Applicant's Printed Name: _____

Organizational Affiliation: _____ OR Not Applicable

If affiliated, Organization's Status: Government ⁽¹⁾ Non-Profit ⁽¹⁾ Other ⁽¹⁾

Mailing Address: _____

Voice Number: _____ Fax Number: _____ Email: _____

SECTION A

AFFECTED RIGHT-OF-WAY(S) [ROW]				ROW IS		If ROW is "Opened", insert Purpose Code(s) from Section B on page 2	OBSTRUCTION PERIOD		
ROW No	Street/Alley	Between	And	OR Street Address	"Unopened" ⁽²⁾		"Opened" ⁽²⁾	Date (YYYY.MM.DD)	Time (if appl)
1					<input type="checkbox"/>	<input type="checkbox"/>	Start:		
							End:		
2					<input type="checkbox"/>	<input type="checkbox"/>	Start:		
							End:		
3					<input type="checkbox"/>	<input type="checkbox"/>	Start:		
							End:		
4					<input type="checkbox"/>	<input type="checkbox"/>	Start:		
							End:		
5					<input type="checkbox"/>	<input type="checkbox"/>	Start:		
							End:		
6					<input type="checkbox"/>	<input type="checkbox"/>	Start:		
							End:		

- (1) Per Resolution 1380-04, a \$25.00 application fee applies unless:
- The Applicant's Organizational Affiliation is "Government" or "Non-Profit", **and**
 - The Purpose Code(s) is/are A and/or B only.

- (2) "Unopened" means is NOT currently used for/accommodates pedestrian or vehicular traffic. "Opened" means is currently used for/accommodates pedestrian or vehicular traffic. If ROW is "unopened", go to Section C on page 2.

SECTION B

***Depending on the Purpose Code(s) selected , provide additional information below**:

FOR GENERAL RIGHT OF WAY OBSTRUCTIONS ⁽³⁾ (BMC 12.27.050):

Code	Purpose
A	Exhibition: _____ No of Exhibitors: _____
B	Parade/Event: _____
C	Temporary: <ul style="list-style-type: none"> <input type="checkbox"/> Scaffolding <input type="checkbox"/> Barricades/fencing <input type="checkbox"/> Pedestrian walkways during building construction <input type="checkbox"/> Transport large/heavy loads within City limits

(3) Note that any road closure requires minimum 3 day advance newspaper notice publication prior to closure.

FOR SIDEWALK/PLANTING STRIP OBSTRUCTIONS (BMC 12.27.090):

Code	Purpose
D	Bicycle racks Quantity: _____
E	Benches Quantity: _____
F	Planters/Landscaping Quantity: _____
G	Litter receptacles Quantity: _____
H	Merchandise Display (Special sales events only – max 7 consecutive days, or 14 days in any 30-day period, or 60 days in a calendar year)
I	Mobile Food Sales Cart (Identify specific street address above. Must provide litter receptacles.)
J	Building façade (max 6” encroachment allowed)
K	Sidewalk Café (maintain min 5’ wide unobstructed pedestrian pathway; also requires annual renewal)
L	Fence, retaining wall, terracing, other (specify): _____
M	Other private use with public benefit: _____

SECTION C

For **unopened** ROWs only. Describe proposed obstruction below. Attach additional pages if necessary. (BMC 12.27.040):

ROW No(s) _____: _____

ROW No(s) _____: _____

ROW No(s) _____: _____

ROW No(s) _____: _____

SECTION D

If proposing a sidewalk obstruction(s), describe method(s) of compliance:

Check one box below:

- Drawings and/or specifications are attached.
- Drawings and/or specifications are NOT attached.

GENERAL CONDITIONS OF THIS PERMIT:

The applicant shall provide, and maintain in force, a certificate of insurance, or a bond of like amount, with the City named as an additional insured, insuring against property damage or personal injury, with limits of not less than One Million Dollars (\$1,000,000) per incident, One Million Dollars (\$1,000,000) per person personal injury, and Five Hundred Thousand Dollars (\$500,000) property damage, except for benches, litter receptacles, bicycle racks, and private planters, other landscaping, fences, walls and others so exempted by the City Engineer. On recommendation of the City Engineer and City Attorney, this amount can be increased if warranted by the proposed use of the right-of-way.

The property owner or applicant shall maintain the obstruction in compliance with the standards and conditions imposed upon the placement of the obstruction by the City. Maintenance of the obstruction shall include the removal of litter and/or debris which may accumulate on or around the obstruction.

For permanent structures placed in the right-of-way, including but not limited to fences higher than thirty inches (30"), rockeries, walls, stairs and ramps, the City reserves the right to require the removal of any structures for any reason the City deems necessary with written notice from the City Engineer. BMC 12.27.140. The applicant (property owner) shall guarantee removal of the encroaching improvements upon public rights-of-way within sixty (60) days' written notice from the City Engineer. Such work shall be done in accordance with the requirements deemed necessary by the City Engineer and at the cost of the property owner. If the obstruction is not removed, the obstruction shall be declared a nuisance to be abated pursuant to provision of the Blaine Municipal Code, Chapter 12.27.

Any permit issued is subject to termination upon written notification by the City Engineer at any time, without cause.

Any person who has a permit terminated by the City Engineer may appeal such termination to the City Council, by giving written notice of such appeal, within ten (10) working days of mailing by Certified Mail, or ten (10) working days by personal delivery, of the termination by the City Engineer.

Any person, firm or corporation violating any of the provisions of BMC 12.27, or who creates, keeps or maintains any nuisance as defined in BMC 12.27 shall upon first conviction be fined in any sum not exceeding Two Hundred Fifty Dollars (\$250). For conviction of a second violation, which is a misdemeanor, the fine shall not exceed Five Hundred Dollars (\$500), with a maximum imprisonment of ninety days, or both such fine and imprisonment at the discretion of the court. For conviction of a third or subsequent offense, the fine shall not exceed One Thousand Dollars (\$1,000), with a maximum imprisonment of one year, or both such fine and imprisonment at the discretion of the court. For each act prohibited in BMC 12.27 of a continuing nature, each day shall be considered a separate offense.

The applicant hereby agrees to defend, indemnify and save harmless the City, its appointed and elected officers and employees from and against any and all liability, loss, costs, damage and expense, including costs and attorney fees in defense thereof because of actions, claims or lawsuits for damages resulting from personal or bodily injury, including death at any time resulting therefrom, sustained or alleged to have been sustained by any person or persons and on account of damage to property, arising or alleged to have arisen directly or indirectly out of or in consequence of the actions, events, devices or structures placed or constructed as applied for within this permit due to the negligence of the undersigned, its contractors, employees, agents, successors or assigns.

NOTICE

By my signature below I certify that I have read and examined this Application, that I will comply with all provisions of the Permit, including Blaine Municipal Code 12.27 and all other laws which may be applicable.

Signature of Applicant

Date

THIS PAGE COMPLETED BY CITY

QUESTION	NO	YES	AMOUNT	ATTACHED?		Date
				NO	YES	
Proposal conforms to BMC 12.27?	<input type="checkbox"/>	<input type="checkbox"/>				
Permit required?	<input type="checkbox"/>	<input type="checkbox"/>				
Fee applicable? ⁽¹⁾	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
Map required?	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
Standard insurance required?	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
Additional insurance required?	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
Road closure newspaper notice & local posting required (see RCW 47.48.020)?	<input type="checkbox"/>	<input type="checkbox"/>				
Provisions to remove permanent structures – See Special Conditions below	<input type="checkbox"/>	<input type="checkbox"/>				Owner Initial: _____

⁽¹⁾ WAIVED if Applicant's Organizational affiliation is either **Government** or **Non-Profit** AND obstruction purpose is either **Exhibition** or **Parade/Event** as checked on page 1.

Special Conditions: {Insert here}

APPROVED **DENIED**

Director, Public Works Department Date

CONCURRENCE REQUIRED? Yes No

Director, Public Safety Department Date

Reason for denial, if applicable: _____

Denials may be appealed to City Council for review within 10 working days of denial date by Certified Mail or personal delivery to: City Clerk, 344 H Street, Blaine, WA 98230.

THIS PERMIT EXPIRES ON: _____ **UNLESS RENEWED BELOW**

PERMIT RENEWAL

INSPECTION		REMARKS	APPROVED		DENIED	
DATE	BY		DATE	BY	DATE	BY

PAYMENT HISTORY

Revenue Account: 101-000-040-344-95-00-00

AMOUNT	DATE	RECEIPT No.	BY