

City of Port Orford
P.O. Box 310
Port Orford, Ore. 97465
(541) 332-3681 / Fax (877) 281-5307

CITY RIGHT-OF-WAY USAGE PERMIT

City Ordinance Chapter 12.24

Licensee Information:

Date: _____

Name: _____ Phone #: _____

Address: _____ Signature: _____

Property location:

Street location: _____ Assessors Map: _____ Lot#: _____

Description of Improvements: Attach Drawings / Plans if available:

Agreements:

1. Permit holder confirms they are the owner of the property adjacent to the City's right of way.
2. Permit holder agrees that this permit is personal to the permit holder, non-transferable and may be revoked by the City of Port Orford at any time and without notice to permit holder.
3. Permit holder agrees that the use of the City's right of way is limited to the specific use authorized by this permit.
4. Permit holder shall notify in writing any purchaser of the property of this revocable permit.
5. Permit holder shall have all utilities and property lines located and marked at permit holders' expense before submitting permit. (Utility locate service 1-800-332-2344)
6. The City of Port Orford reserves the right to remove any ground cover, landscaping or structures without compensation to permit holder/property owner for utility installation/repair, Street maintenance/repairs, Street widening, Sidewalk construction and/or any other Street improvements, Right-of-way maintenance or any other actions deemed necessary by the City of Port Orford.
7. **HOLD HARMLESS CLAUSE:** The permit holder agrees that their performance under this permit at their own sole risk and that they shall indemnify the City of Port Orford, its agents and employees and hold harmless from any and all liability for damages, costs, losses and expenses resulting from, arising out of, or in any way connected with this license and from any loss arising from the licensee's use of the property, or from the licensee's failure to perform fully hereunder, and the licensee further agrees to defend the City of Port Orford, its agents, and employees, against all suits, actions or proceedings brought by any third party against them for which the permit holder would be liable hereunder.
8. If applicant disagrees with the action of City Staff, an appeal may be filed with the City Council within 14 days of the action, or the decision becomes final.
9. Criteria that will be used to evaluate proposed right of way use:
 - A) Potential impact on existing utilities (water, sewer, storm water, etc.) including potential future maintenance requirements for those utilities.
 - B) Will the proposed use negatively impact visibility for traffic on adjoining roadways?
 - C) Are there any other potential public safety concerns?
 - D) Will the proposed use be likely to create negative visual impact on adjoining properties?
 - E) Will the proposed use impact any other existing uses?
 - F) Is granting the ROW usage permit in the public interest?
 - G) The City does not allow business to be conducted in the City Right-Of-Way.

OFFICE USE ONLY

Recommendation from Planning: _____ Date: _____
Council Review / Consent Calendar: Approved Circle One Denied Date: _____

OFFICE USE ONLY

Public Works Review

Name: _____ Title: _____ Date: _____

Recommendation: Approve: _____ Approve with conditions: _____ Denied: _____

Conditions _____

Police Department Review

Name: _____ Title: _____ Date: _____

Recommendation: Approve: _____ Approve with conditions: _____ Denied: _____

Conditions _____

City Administration Review

Name: _____ Title: _____ Date: _____

Approved: _____ Approved with conditions: _____ Denied: _____

Conditions: _____

If Applicant disagrees with City Administration Review, the matter may be appealed to the city Council. Appeals must be in writing and requested within 14 days of the final administrative decision, or the decision becomes final. In order to have standing to appeal, you must be the applicant, an adjoining property owner, or and an adversely affected citizen of the city of Port Orford.