



Permit#: \_\_\_\_\_

# Yamhill County Public Works Department

2060 Lafayette Ave, McMinnville, OR 97128

Ph. 503.434.7515 Fax 503.472.4068 TTY 1-800-235-2900

Mark Lago  
Public Works Director  
[lago@yamhillcounty.gov](mailto:lago@yamhillcounty.gov)

Bill Anderson  
Permit Specialist  
[andersonb@yamhillcounty.gov](mailto:andersonb@yamhillcounty.gov)

Nick Wilkinson  
Roadside Vegetation Supervisor  
[wilkinsonn@yamhillcounty.gov](mailto:wilkinsonn@yamhillcounty.gov)

## Right-of-Way Access Permit

### PERMITS: Who needs one?

Any time an individual, contractor, or company needs to perform work within the public right-of-way, whether in the road, along the shoulder, in the ditch, or on trees, a Right-of-Way Permit is required.

Examples of work frequently performed in the right-of-way and requiring a permit include subdivisions, drainage issues, utility construction, driveway installation, and use changes, tree trimming, brush cutting, private situations and special events.

The purpose of the permit is to ensure that activities conducted in the right-of-way do not constitute a danger to the traveling public or the individuals involved and that the project does not degrade the right-of-way thereby increasing maintenance costs to the taxpayer.

### INSTRUCTIONS:

Complete the "APPLICANT INFORMATION" below and submit via email or in person to our office with a payment of \$184.00 if required. Insufficient information will delay processing. Include **ONE** set of plans and if required: (certificate of insurance, bond or guarantee of payment and any set fees). Read the reverse side of this form, then sign, and date your acknowledgement. Special provisions may be added to the permit if issued.

\*\*\*\*\*APPLICANT INFORMATION\*\*\*\*\*

**APPLICANT:** \_\_\_\_\_  
**COMPANY NAME:** \_\_\_\_\_  
**MAILING ADDRESS:** \_\_\_\_\_  
**E-MAIL ADDRESS:** \_\_\_\_\_  
**BUSINESS PHONE:** \_\_\_\_\_ **CELL:** \_\_\_\_\_ **FAX:** \_\_\_\_\_  
**WORK PERFORMED BY (check one) Company:** \_\_\_\_\_ **Subcontractor:** \_\_\_\_\_ **Self:** \_\_\_\_\_ **Other:** \_\_\_\_\_  
 Field Supervisors name: \_\_\_\_\_ Firm name: \_\_\_\_\_  
**PROJECT LOCATION: TOWNSHIP:** \_\_\_\_\_ **RANGE:** \_\_\_\_\_ **SECTION:** \_\_\_\_\_ **TAX LOT:** \_\_\_\_\_  
**PROJECT ADDRESS:** \_\_\_\_\_  
**PROJECT DESCRIPTION:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

## GENERAL PROVISIONS:

1. SEE YAMHILL COUNTY ORDINANCE 776 FOR SPECIFIC PROVISIONS, AND “ADDITIONAL CONDITIONS” THAT APPLY TO THE ISSUED PERMIT WHICH CAN BE FOUND ONLINE AT <https://www.yamhillcounty.gov/364/documents-forms>.
2. CALL YAMHILL COUNTY PUBLIC WORKS AT 503-434-7515, one working day prior to start of activity and no later than 7:00A.M. the day work commences TO SCHEDULE INSPECTION OF YOUR PROJECT. Give a contact name, call back phone number, location of work, type of work, time the work is scheduled to start and the permit number. Delays of work longer than one day require additional notification.
3. Oregon law requires excavators to follow rules adopted by the Oregon Utility Notification Center. Copies may be obtained by calling the center at 503-232-1987 or 1-800-322-2344 or visiting [www.digsafelyoregon.com](http://www.digsafelyoregon.com). Before you dig call 811 for locates.
4. A copy of an “APPROVED” permit and project plans must be posted at the project site while work is in progress.
5. Traffic control shall conform to the requirements of the Manual on Uniform Traffic Control Devices and page 3 of this permit.
- 6. Permits for construction expire 6 months from date of issue. Please call our office if an extension is needed.**
7. Yamhill County is allowing the requested work and improvements in the specified public right-of-way at the request of, and for the convenience of, the applicant. By accepting this permit the applicant agrees to indemnify and hold harmless Yamhill County, its Board of Commissioners, officers and employees from all suits, actions, or claims of any character, brought because of injuries or damages to persons, or the property of the applicant or a third party, when such arises out of the operations of the applicant or its agents, contractors or subcontractors in the public right-of-way or as a result of applicant's or its agents, contractors or subcontractors negligence or willful misconduct in performing the work authorized under this permit. Upon receipt of such claim, Yamhill County shall promptly notify the applicant and provide a copy of the claim. Either party may be entitled to participate in the defense of the claim with counsel of its own choosing. Yamhill County agrees not to settle any such claim without first providing applicant with notice. Notwithstanding the foregoing, applicant shall not be liable for (and the foregoing indemnity shall not cover) any claim, damage, loss, liability, cost, or expense to the extent the same resulted from the negligence, willful misconduct, or strict liability of any person other than the applicant or its agents, contractors, or subcontractors. Consistent with ORS 758.010 and subject to ORS 758.025, Yamhill County reserves the right to revoke this permit and to use the right-of-way for any public use and, in such a case, to remove or relocate, or require that the applicant remove or relocate all improvements and/or landscaping placed in the right-of-way by the Applicant.

The Applicant hereby applies to Yamhill County Public Works Department for permission to perform operations within the right-of-way under Yamhill County jurisdiction. This is subject to and with full knowledge of the appropriate General Provisions contained in Yamhill County Ordinance 776 and supplemented by design standards and/or modified by any special provisions. It shall be the obligation of the applicant to obtain a copy of Ordinance 776 before commencement of any project covered under a permit and to comply with all applicable requirements.

## **RIGHT-OF-WAY ACCESS PERMIT TRAFFIC CONTROL GUIDELINES**

1. All Traffic Control Plans shall be prepared in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) current version.
2. Traffic control signs and devices as set forth on approved traffic control plans are to be installed by the Contractor prior to any construction within the project site.
3. All existing signs in conflict with the construction signs shall be covered in place.
4. Barricades and other devices shall have sandbags or weights placed on their bases, as appropriate to prevent from being knocked or blown over.
5. Retro-reflectorized signs and flashing beacons shall be installed on contractor signs for night-time use.
6. A minimum of one current state certified Traffic Control Supervisor (TCS) must be present on-site during traffic control.
7. Taper lengths, offset widths, cone spacing, and traffic control sign spacing may vary from ODOT standards if approved by Yamhill County.
8. Flaggers are required to control traffic whenever contractor must interrupt traffic flow to access the work site with materials and equipment.
9. Where no closure is necessary but where there is construction alongside a roadway under construction, the contractor shall place a min. 36" x 36" "Road Work Ahead" or "Shoulder Work Ahead" sign to alert the public to the construction activities.
10. The contractor shall maintain two-way traffic at night, on weekends, on holidays, and or as directed by the County.
11. The Contractor shall be responsible for always maintaining Emergency Vehicle access.
12. Hours of restrictions allowed Monday thru Friday between 8:30 am and 4:00 PM or as approved by the County.
13. Maximum delay shall not exceed 15 minutes per vehicle.
14. Maximum length of work zone shall be restricted to the amount of work than can be completed in one day.
15. All travel lanes shall be open to traffic at the end of each day.
16. Travel lanes shall be a minimum of 10 feet wide.
17. Pedestrians and bike traffic must be safely escorted through construction sites whenever present.
18. Contractor to always provide access to driveways or businesses.

**PERMIT TO WORK WITHIN THE COUNTY RIGHT OF WAY  
PRIVATE USE OF PUBLIC RIGHT-OF-WAY**

In addition to the above provisions and the requirements, conditions, and limitations of Yamhill County Ordinance 776, the following conditions also apply to and govern work in, and continued use of, public right-of-way for private purposes.

1. Soil Stabilization and Noxious Weed Control: The applicant shall implement appropriate soil stabilization methods, such as seeding, mulching, erosion control blankets, or compacted gravel to prevent erosion and protect disturbed areas from further degradation. Stabilization measures must be applied promptly after work completion. The applicant is responsible for preventing the spread of noxious weeds in the work area. All equipment used shall be cleaned prior to entering the site to avoid transferring invasive species.
2. Applicant acknowledges and agrees that there is sensitive, endangered and/or protected habitat areas in Yamhill County where the conservation of certain species of plants and insects is of critical concern to citizens and governing entities. Applicant further acknowledges and agrees that these areas may be legally preserved and protected and cannot be encroached upon without incurring potential liability.
3. Public Works staff will review all permit applications received to determine whether the proposed activity would occur within the county's endangered and/or protected habitat areas. If so, prior to issuance of a permit and prior to performing the proposed work within the county managed right-of-way, applicants shall be responsible for obtaining required permits and approvals from federal and/or state regulatory agencies, including but not limited to the US Fish and Wildlife Service and the Oregon Department of Agriculture. Failure to do so may be a violation of federal and/or state law. Yamhill County shall require proof of such permits or approvals before issuing a permit.
4. If the applicant inadvertently impacts a legally protected/regulated resource or area, the applicant shall be responsible for all mitigation and/or rehabilitation costs. Applicant shall follow all state and federal regulations while working near any legally protected and/or regulated environmental resource or area, including compliance with all applicable federal and state laws, including the Federal and State Endangered Species Acts.

**By signing below, you agree to all the terms and conditions of this Access Permit, and you acknowledge that you have been given the opportunity to read it before signing.**

**APPLICANTS SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**\*\*\*\*\*COUNTY USE ONLY\*\*\*\*\***

**SPECIAL PROVISIONS:**

**PERMIT SPECIALIST:**

**DATE:**

**PERMIT ISSUED BY:**

**DATE:**

**\*\*\*\*\*COUNTY USE ONLY\*\*\*\*\***

**SPECIAL PROVISIONS:**

**ROADSIDE VEGETATION APPROVAL:**

**DATE:**