

City of Port Orford

P.O. Box 310, Port Orford, Ore. 97465

(541) 332-3681 / Fax (877) 281-5307

CITY RIGHT-OF-WAY USAGE LICENSE

City Ordinance Chapter 12.24

Licensee Information:

Date: _____

Name: _____ Phone #: _____

Address: _____ Signature: _____

Property location: _____

Assessors Map: _____ Lot#: _____

Description of Improvements: Attach Drawings / Plans if available:

Agreements:

1. Licensee confirms they are the owner of the property adjacent to the City's right of way.
 2. Licensee agrees that this license is personal to the licensee, non-transferable and may be revoked by the City of Port Orford at any time and without notice to licensee.
 3. Licensee agrees that the use of the City's right of way is limited to the specific use authorized by this license.
 4. Licensee shall notify in writing any purchaser of the property of this revocable license.
 5. Licensee shall have all utilities and property lines located and marked at licensee's 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 licensee/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 licensee agrees that their performance under this permit is 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 permit 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 license in the public interest?
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OFFICE USE ONLY

PUBLIC WORKS REVIEW

Reviewed By: _____ Title: _____ Date: _____

Recommendation: Approve _____ Approve w/Conditions _____ Deny _____

Conditions _____

POLICE DEPARTMENT REVIEW

Name: _____ Title _____ Date _____

Recommendation: Approve _____ Approve w/Conditions _____ Deny _____

Conditions _____

CITY ADMINISTRATION REVIEW & FINAL DECISION

Recommendation: Approve _____ Approve w/Conditions _____ Deny _____

Conditions _____

If Applicant disagrees with City Administration Review and Final Decision, the matter may be appealed to the City Council. Appeals must be in writing, and requested within 30 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 an adversely affected citizen of the City of Port Orford.