

RIGHT-OF-WAY USE: NON-FRANCHISE PERMIT

City of Tukwila - Permit Center
6300 Southcenter Blvd, Suite 100
Tukwila, WA 98188
www.tukwilawa.gov/departments/permit-center/



OVERVIEW

A **Right of Way Use – Non-Franchise Permit (PW)** authorizes temporary or long-term construction, maintenance, and improvement activities within the **public right-of-way (ROW)** or on private property that connects to or affects public infrastructure.

The Non-Franchise subtype applies to work performed by **private developers, contractors, or property owners and utilities that do not have a valid franchise agreement with the City.**

Utilities that do not have a valid franchise agreement and would like to explore this benefit for future work should contact PublicWorks@TukwilaWA.gov to start the process.

This permit ensures that all work in or adjacent to public streets, sidewalks, and easements is done safely, maintains public access, and restores City infrastructure to its original or improved condition. It also ensures coordination among City departments, minimizes impacts to traffic and neighboring properties, and protects public assets.

Typical activities permitted under this category include:

- **Utility work:** installation, replacement, or repair of sewer, water, or storm drainage systems.
- **Surface work:** paving, asphalt patching, painting and striping, and grading.
- **Frontage and access improvements:** sidewalks, driveways, curb ramps, and frontage landscaping.
- **Infrastructure installation:** conduit placement, utility vaults, culverts, or other structures within or affecting the ROW.
- **Excavation and trenching:** underground work to access or install infrastructure.
- **Temporary uses:** short-term construction staging, temporary closures, or access modifications.

All work performed under this permit must comply with the [City of Tukwila’s Infrastructure Design and Construction Standards](#), [Tukwila Municipal Code Chapter 11: Right of Way Use](#), and all applicable state and federal safety regulations.

Important: Public Works/Right-of-Way (PW) permits related to a subdivision **cannot be applied for until after the subdivision receives preliminary plat approval.**

Applicable Regulations:

- [Tukwila Title 11 – Right of Way](#)

Resources:

- [City Maps](#)
- [Construction Permits Portal](#)

ROW: NON-FRANCHISE PERMIT CHECKLIST

2

SUBMITTAL CHECKLIST

A PDF of each document is required at time of submittal. All items are required as part of a complete application, unless marked with an “*”. Please label files as listed below:

CHECKLIST	FILE NAME	DESCRIPTION
DOCUMENTS		
	Business License	Copy of current of City of Tukwila Business License.
	Contractor’s License	Proof of a valid contractor’s license with the Washington State Department of Labor & Industries.
	<u>Indemnification and Hold Harmless</u>	Completed and notarized "Indemnification and Hold Harmless" agreement.
	<u>Request for Alternate Method or Material*</u>	Formal request for the City of Tukwila to consider alternate materials or construction methods to comply with the applicable standards.
	<u>Engineering Deviation Request*</u>	Formal request to the City of Tukwila Public Works Director to consider a deviation request for approval to depart from the City’s adopted code or infrastructure design and construction standards.
	Proof of Insurance¹	(See next page for more information)
	Geotechnical Report*	If site is on or adjacent to steep slopes, or is within a designated critical area.
	Performance Bond*	Completed <u>Performance Bond Template</u> with associated <u>Developer’s Project Warranty</u> form (if disturbing hard surface in the right-of-way).
PLAN SETS		
	Site Plan	A detailed plan identifying the project area, existing and proposed facilities, utility alignments, and work limits. Include north arrow, scale, and clear labeling.
	Civil Plans	Engineering drawings showing grading, utilities, erosion control, and surface restoration details. Must be stamped by a Professional Engineer (PE) licensed in Washington State.
	Pole Design*	Required for new or replacement poles or pole-mounted equipment. Must include structural calculations, foundation details, loading diagrams, and height specifications. Plans must be stamped by a PE.
	Bore Profile*	Required when performing trenchless excavation or directional boring. Include bore path, depth, separation from other utilities, and design notes. Must be stamped by a PE.
	Traffic Control Plan*	Required whenever construction affects public travel lanes, sidewalks, or bike routes. Must comply with the MUTCD and include a Traffic Control Supervisor (TCS) stamp.
	Haul Route*	Haul route if hauling more than 6 loaded vehicles per 8 hour day or if hauling hazardous waste.

*Required only if applicable.

Insurance (TMC 11.08.150)

Unless the Public Works Director determines that there is not a probability of injury, damage, or expense to the City arising from an applicant's proposed use of the right-of-way or public place, or the applicant holds a current franchise with the City, the applicant shall obtain and maintain in full force and effect, throughout the term of the permit, or as long as the permittee has facilities in the right-of-way, an insurance policy issued by an insurance company satisfactory to the Director, insuring both the applicant and the City against claims for injuries to persons, death or damages to property that may arise from, or in connection with, the exercise of the rights, privileges and authority granted to the applicant under this chapter.

Deposits, Fees and Bonds (TMC 11.08.160)

Before a permit pursuant to the provisions of this chapter may be issued, the applicant may be required, unless otherwise provided in a current franchise, to execute to the City a financial guarantee in a form as approved by the City for the proper protection of the City and conditioned that obligors of the financial guarantee will pay to the City the costs and expenses incurred by the City should the person obtaining the permit fail, neglect or refuse to properly complete the work authorized by the permit within the time limit specified by said permit. See Tukwila Municipal Code Chapter 11 for more information.