

RESOLUTION 2019 904

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY WASHINGTON:

IN THE MATTER OF APPROVING THE TOURIST/SPECIAL INTEREST SIGNING POLICY

WHEREAS, RCW 47.36.060 gives local authorities in their respective jurisdiction authority to place and maintain traffic devices upon public highways as necessary to carry out the provisions of the law or local traffic ordinances or to regulate, warn, guide, or inform traffic; and

WHEREAS, RCW 36.75.040 provides that it shall be the duty of the Board to perform all acts necessary and proper for the administration of the County roads; and

WHEREAS, RCW 46.61.050 (3) states whenever official traffic control devices are placed in position approximately conforming to the requirements of this chapter, such devices shall be presumed to have been so placed by the official act or direction of lawful authority; and

WHEREAS, the County Engineer has prepared a new policy for the installation, maintenance, and agreement for tourist/special interest signs in County right-of-way; and

WHEREAS, it appears to be in the public interest that the Board adopt such a policy setting forth the procedure for tourist/special interest signs in County right-of-way; **NOW THEREFORE**,


BE IT RESOLVED, that the County Engineer is hereby authorized to carry out the responsibilities of the Board of County Commissioners for enforcement of the rules, regulations and standards contained in the aforementioned policies; and

BE IT FURTHER RESOLVED that the following Benton County Administrative Policy and Procedure for Tourist/Special Interest Signing is hereby approved for use.

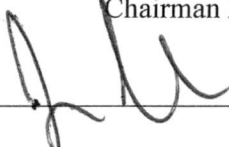
Dated this 3rd day of December 2019.



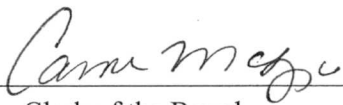
Chairman of the Board



Chairman Pro-Tem



Member

Attest: 

Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington

BENTON COUNTY ROAD DEPARTMENT
ADMINISTRATIVE POLICY AND PROCEDURE STATEMENT

A.P.P. 9

SUBJECT: County Tourist/Special Interest Signing

EFFECTIVE: December 3rd, 2019

ISSUED BY: 
County Engineer

I. Purpose

To establish a uniform practice for the approval, installation and, maintenance of Tourist/Special Interest signs.

II. Policy

A. General

Benton County has developed this policy in an effort to assist and regulate businesses and special interest groups in obtaining special interest signing that will be installed and maintained within County Right-of-Way. Under this policy, the applicant shall be responsible for all costs associated with the fabrication, installation, and maintenance of special interest signs. All work associated to tourist/special interest signing will be conducted by Benton County Public Works. All signs installed under this policy shall remain the property of Benton County.

It is in the interest of Benton County and the traveling public to prevent the excessive use of traffic signs on the county road system. A conservative use of traffic signs reduces maintenance costs and improves the effectiveness of those remaining signs. Limiting the excessive use of traffic signs fulfills demonstrated needs, champions a command of attention, reduces clutter which impedes the conveyance of a clear and simple meaning, fosters respect by road users, and reduces conflicts that may restrict time for a proper response which cumulatively improves traffic safety for all users and pursues the goals of Benton County road users.

B. Unauthorized Signage

All signs installed or placed within the County road right of way without the approval of the County Engineer or his/her designee will be considered unauthorized and shall be removed without notice. See RCW 46.61.075.

C. Application to place Signage

The requestor shall complete an application to place tourist/special interest signage on the forms available at the office of the County Engineer. The application shall be accompanied with a map showing the general location of all signs being requested.

Applications shall be submitted to the Department of Public Works in person at one of the Public Works Offices or via email to publicworks@co.benton.wa.us. Once the complete application and map have been received the Public Works Department will have 10 business days to complete their review and contact the applicant with comments or approve the application. Subsequent reviews of updated or revised materials will be completed within 5 business days of being received by the Public Works Department.

D. Fees

Along with the application the applicant shall pay to the Public Works Department a non-refundable application fee as shown on the fee schedule attached hereto as exhibit A.

Prior to final approval of the application the applicant shall pay to the Public Works Department all sign fees listed on the application. Fees shall be based on the fee schedule attached hereto as exhibit A.

E. Sign Installation

After final approval of the application the Public Works Department will endeavor to install signs within 20 business days of the approval date.

If, during installation, a conflict with existing utilities or other roadway appurtenances is encountered the Public Works Department will contact the applicant and advise an alternate sign placement.

F. Sign Maintenance

All sign maintenance shall be performed by Benton County personnel. Applicant shall be responsible for all costs associated with maintenance and replacement of all tourist/special interest signs on the permit due to defacement, weather, accidents, or any other damage that would require the sign(s) to have maintenance work performed.

Before any maintenance work is performed the Applicant will be notified of the work and cost associated with the sign(s) and will have 5 business days to respond to approve or deny the maintenance work and costs. If the Applicant does not respond or denies the maintenance work the sign(s) will be removed from the County Right-of-way by Benton County personnel.

G. Application Term

Tourist/Special interest sign applications will be considered valid for a length of three years. Applicant will be notified in writing 90 days prior to the three year expiration date and will have the option of extending their application for an additional three years. If any changes are needed the applicant shall complete a new application and submit it to the Benton County Public Works office. If the applicant does not extend the Application the signs will be removed. There is no fee for extension of an application provided there are no new signs added.

III. Procedure

A. Application

Once an application is received and the application fee paid staff will conduct an in-field review of the proposed sign locations on the application. If requested locations will create conflicts with other signs, sight lines, clear zones or private property then new locations will be proposed to the applicant.

Once final sign locations are determined staff will return the application to the applicant for signature. Staff will also provide the final sign fee to the applicant.

Once the signed application is returned and the sign fee is paid staff will provide the application to the County Engineer for final approval. Once the County Engineer has approved a complete copy of the application will be placed in the road file and a copy returned to the applicant and a copy forwarded to the Sign Technician III.

B. Sign Installation

The Sign Technician III will provide an estimate of the date sign installation will occur. This information will be forwarded to the applicant.

Benton County staff will request utility locates in accordance with law prior to installing signs

Once all signs have been installed the applicant will be notified.

All signs will be added to the electronic sign database for tracking and maintenance.

IV. Definitions

RCW – Revised Code of Washington

County Engineer – The person appointed by the Board of County Commissioners to serve as the County Road Engineer in accordance with RCW, or their designee.

County Road System – All roadways, whether paved or unpaved, designated for use by the public, and maintained by the Benton County Road Department.

Sign – Usually on the side of a street or roadway bearing symbols or words of warning or direction to motorists or pedestrians and often having characteristic shape which may give instructions or provide information to road users.

Road User – Anyone who uses a road, such as a pedestrian, cyclist or motorist.

Applicant – The person who asks for Tourist/Special Interest signage, completes the application, and is the contact person for the business or group responsible for the fees and correspondence.

Application – A formal request for sign installation.

EXHIBIT A

Tourist/Special Interest Signing Fee Schedule

Application Fee (non-refundable):	\$50
First Sign:	\$100
Second Sign:	\$100
Third Sign:	\$80
Fourth Sign:	\$80
Additional Signs (beyond 4):	\$70 each



Tourist/Special Interest Sign Application

Part 1: To be completed by requestor (Print Clearly) Application Date: _____

Name of Business/Group: _____

Name of Contact Person: _____ Phone No. _____

Mailing Address: _____

Email Address: _____

Proposed locations: Attach additional sheet with a map of locations for proposed signs. Use house number nearest to each location. Indicate those locations where the sign will be installed with a (X).
(Continue on an additional sheet if necessary).

- | | |
|----------|----------|
| 1. _____ | 4. _____ |
| 2. _____ | 5. _____ |
| 3. _____ | 6. _____ |

Part 2: Application Approval (Completed by Public Works)

Application Fee paid? Yes No * Fee is non-refundable \$50.00*

Approval recommended by: _____ Approval date: _____

Geographic area: _____ Road class: _____

Number of total signs: _____ Amount due: _____ Paid: _____

Road(s) where signs to be installed: _____

Part 3: Benton County Public Works Final Approval (Completed by Public Works)

Application approved? Yes No As modified on included attachment: _____

Application or map/locations needs amended: _____

Application approved by: _____ Date: _____

In order to complete the application, carefully review the Benton County Road Department Administrative Policy and Procedure Statement (A.P.P 9) for Tourist/Special Interest Signing

TOURIST/SPECIAL INTEREST SIGN CONDITIONS

1. The location, type of work, materials and equipment used, manner of erection or construction shall be subject to the inspection of the County Engineer so as to assure proper compliance with the terms of this permit.
2. The County Engineer, their agents or representatives, may do, order or have done any and all work considered necessary to restore to a safe condition any street, alley, public place or structure which is in a condition dangerous to life or property resulting from the requestors facility or its installation as permitted herein, and upon demand the requestor shall pay to the County all costs of such work and material.
3. If upon written notice by the County Engineer the requestor fails to relocate any portion or all the project as granted under this permit, the County, its agents or representatives may do any work at the cost and expense of the requestor and all costs to remove or reconstruct the same shall be borne by the requestor.
4. All such changes, reconstruction or relocation shall be done in such manner as will cause the least interference with any of the County's work and shall be subject to the same provisions which control an original installation. The County shall in no way be held liable for any damage to the requestor by reason of any such work by the County its agents or representatives or by the exercise of any rights by the County upon roads, streets, public places or structures in question.
5. This grant or privilege shall not be deemed or held to be an exclusive franchise, nor prohibit the County from granting other permits or franchise rights of like or other nature to other public or private utilities, nor shall it prevent the County from using any of its roads, streets , public places and structures for any and all public use or affect its jurisdiction over all or any part of them.
6. All the provisions, conditions, regulations and requirements herein contained shall be binding upon the successors and assigns of the requestor and all privileges of the requestor shall inure to such successors and assigns as if they were specifically mentioned.
7. The Board of County Commissioners may at any time change, amend, modify, amplify or terminate any of the conditions herein enumerated so as to conform to any state statute or County regulation pertaining to the public welfare, safety, health or highway regulations as are or may hereinafter be enacted, adopted or amended. The Board may terminate this permit if requestor fails to comply with any such changes.
8. Requestor by accepting this permit agrees to notify and check with all private property owners when such property is liable to injury or damage through the performance of such work and the requestor shall make all necessary arrangements relative to the protection of such property and utilities.
9. In accepting this permit the requestor, their successors and assigns agrees to protect and save harmless the County from all claims, actions, damages of every kind and description which may accrue to or be suffered by any persons, corporation or property by reason of the performance of any such work, character of materials used or manner of installation, maintenance and operation or by the improper occupancy of rights of way or public place or public structure, and in case any such suit or action is brought against the County for damages arising out of or by reason of any of the above causes, the petitioner, their successors or assigns will upon notice to them on commencement of such action defend the same at their sole cost and expense and will fully satisfy any judgement after the said suit or action shall have finally been determined, if adversely to the County.
10. The requestor or applicant will be responsible for all fees associated with the installation and maintenance of signs, materials, equipment, and labor. Benton County may alter and/or remove previously installed tourist/special interest sign(s) at the County's discretion for any purpose deemed necessary by the County Engineer. The applicant/requestor will be notified in writing of altercations and removal of signs. Applicant/requestor will not be refunded with the original application or installation costs.

The grantee acknowledges that all work is to be performed in strict compliance with the standards and specifications established by the Benton County Engineer, and all conditions appearing above and on the front side of this application.

Applicant/requestor Signature: _____ Date: _____