

**TITLE XII
ROADS AND BRIDGES**

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Chapter 12.01**Road Construction Policy****Sections:**

- 12.01.010 Justification for Spending County Road Funds--Construction**
- 12.01.020 Encouragement of Development**
- 12.01.030 Classification of Roads--Priority**
- 12.01.040 Fund Allocation and Distribution**
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- 12.01.060 Improvement Standards for Low-Traffic Roads (Repealed)**
- 12.01.070 Urban Street Construction**
- 12.01.080 Priority of Improvement**
- 12.01.090 Establishment of County Sign Fabrication Shop**

12.01.010 Justification for Spending County Road Funds--Construction

The following are considered the justifiable reasons for building roads:

- A. To accommodate existing traffic;
- B. To control and handle traffic for greater speed, service, convenience, and safety, directing traffic along specific routes;
- C. (Repealed by R-119-84, December 3, 1984, vol. 23, p. 214);
- D. (Repealed by R-119-84, December 3, 1984, vol. 23, p. 214);
- E. For social benefits to people of the county:
 - 1. Educational--schools;
 - 2. Recreational--use of parks, beaches, playgrounds, etc.;
 - 3. Community and social activities;
 - 4. Police and fire protection--mail delivery and other government functions;
 - 5. To provide access to state highways, airports, water ports, and rail terminals, for a total coordinated transportation service.

The policies of the Board of Commissioners are formulated to serve the above-listed purposes in the best possible way with the available funds.

(Res. 731, December 15, 1969, vol. 13, p. 257; amended by R-119-84, December 3, 1984, vol. 23, p. 214)

12.01.020 Encouragement of Development

Island County is a rapidly urbanizing area within the Puget Sound region. It will be the policy of the Island County Commissioners to encourage the construction of roadway systems consistent with the goals and objectives of the Island County Comprehensive Plan.

(Res. 731, December 15, 1969, vol. 13, p. 257; amended by Res. R-100-79, August 13, 1979, vol. 18, p. 223)

12.01.030 Classification of Roads--Priority

A. Arterial roads.

1. The county engineer will designate and locate a system of county arterials to adequately serve all parts of the county. Arterials will be classified as major, secondary, and collector, depending on the volume of traffic they are expected to carry. The function of the arterial system is to connect all access streets to the state highways, or directly to the town and business centers.
2. Construction and improvement of arterial roads will be done on a priority rating basis as funds are available. However, arterial roads may be designated and open to traffic while still in a primitive or unimproved condition, until they reach a higher priority rating or until funds are available for their construction.

B. Access roads.

1. Development of public access roads and streets that are not now on the county road system will be the responsibility of the developer and property owner. Such roads and streets shall be built in accordance with the current county road construction standards before they are added to the county road system.
2. Improvement of unconstructed public right-of-way and improvement of existing public access roads and streets not constructed to the aforesaid standards for the proposed use shall also be the responsibility of the developer and property owner. Establishment of right-of-way and construction to the current applicable standard is a prerequisite for plat and short plat approval.
3. Improvement of access streets that are already a part of the county road system will be constructed by county funds on a priority rating basis as funds are available. Because of the limitation of county funds, improvement of such roads as a county road improvement district project may be the practical alternative.

(Res. 731, December 15, 1969, vol. 13, p. 257; amended by Res. R-100-79, August 13, 1979, vol. 18, p. 223)

12.01.040 Fund Allocation and Distribution

A. **Between maintenance and construction.** It will be the policy of the county to give maintenance first claim to road funds until the following are accomplished:

1. The county's investment is protected;

2. The safety of the motoring public is protected;
3. All traffic is permitted to move uninhibited, with as little discomfort, inconvenience, and cost as is consistent with good management.

When the foregoing three items have been accomplished, all expenditures for maintenance will be kept to a minimum so that as much money as possible is available for permanent improvement. Normally, not over fifty percent (50%) of the annual budget should be allowed for maintenance. Unusual conditions due to snowfall, floods, or unusual traffic concentrations may justify exceeding fifty percent (50%).

B. Between systems, areas, and districts.

1. Each proposed construction project will be analyzed with regard to benefits to traffic, property, and the general public. In general, it will be the policy of the county to spend road funds where the estimated benefits will be the greatest, regardless of system, area, or district.

This expenditure will normally be consistent with priority ratings, but will also be a countercheck on such ratings. There may be instances where a high priority project is so costly that it is impractical to build. Conversely, an improvement of somewhat lower priority may be so beneficial as to be highly desirable. Priority ratings, per se, do not recognize costs.

2. Maintaining a reasonable or balanced distribution of funds will be considered more desirable than following a prescribed formula.

In all matters of budgeting and allocating of funds, the experience and judgment of the engineer and the commissioners will take precedence over a mathematical formula.

(Res. 731, December 15, 1969, vol. 13, p. 257)

12.01.050 Minimum Service for Light Traffic Roads

Any privately owned property on a county road which is used as a permanent residence, business, farm, or other source of income will be provided year-round, all-weather accessibility by a public road suitable for travel by a conventional passenger car. In the case of isolated places, this access may not be the shortest or most direct route. In other words, the owner will have a road over which he can get in and out at all times, provided that snow removal will be done according to a priority schedule, and that in time of bad weather and road damage the less important roads will be given lower priority but will not be neglected.

(Res. 731, December 15, 1969, vol. 13, p. 257)

12.01.060 Improvement Standards for Low Traffic Volume Roads

(Repealed by Res. R-119-84, December 3, 1984, vol. 23, p. 214)

12.01.070 Urban Street Construction

Urban access streets, both residential and commercial now on the county system, will be constructed with county road funds equivalent to the cost of the number of travel lanes needed to move the traffic. Parking lanes, curbs, gutters, sidewalks, street lights, or other “extras” must be financed by the property owners, either directly or through road improvement districts.

(Res. 731, December 15, 1969, vol. 13, p. 257)

12.01.080 Priority of Improvement

- A. Major road and structure improvements will be scheduled on the basis of priority ratings. Each county road will be given a priority rating which will consider the physical condition and adequacy of the road, its use, and its importance to the county. High traffic volume roads in poor physical condition will have high priority ratings.
- B. Priority ratings will be used as a guide but will not constitute exclusive or absolute controls.

(Res. 731, December 15, 1969, vol. 13, p. 257)

12.01.090 Establishment of Island County Sign Fabrication Shop

- A. **Budgetary accountability.** All expenditures, receipts, and budgets for the Island County Sign Fabrication Shop at Coupeville shall be under the heading of administration within the road fund and equipment rental and revolving fund.
- B. **Duties and responsibilities.** The Island County Sign Fabrication Shop at Coupeville shall be under the jurisdiction of and directly accountable to the county engineer. Said sign shop shall have those duties required to fabricate traffic control signs, road name signs, and other signing requirements of the Island County Road Department. Further, the placement of said signs and other traffic control devices shall be accomplished by the road crew of the maintenance district affected.

(Res. 1254, October 1, 1973, vol. 14, p. 443)

Chapter 12.02
Establishment of County Roads

Sections:

- 12.02.010 Purpose**
12.02.020 Critical Criteria for Acceptance of New Roadways
12.02.030 Acceptance by County

12.02.010 Purpose

This chapter is intended to inform the general public of the Board of County Commissioners' position with respect to the general criteria for acceptance of new public right-of-way, by either the road establishment or plat dedication process, to assure that county policy is fairly and consistently applied.

(Res. R-40-81, September 21, 1981, vol. 19, p. 548)

12.02.020 Critical Criteria for Acceptance of New Roadways

- A. The alignment of all new roadways and associated rights-of-way must (prior to acceptance as part of the public system) be consistent with the uniform geometric standards adopted by the Washington State Department of Transportation. Modifications to design criteria may be authorized for scenic routes and/or in cases where strict adherence would be counterproductive or environmentally degrading.
- B. All new public roadways shall be constructed in accordance with the standards utilized by the county at the time of acceptance of the roadways.
- C. Acceptance of roadway systems (or sections thereof) which exceed a gradient of twelve percent (12%) will be discouraged and/or rejected unless it can be shown to benefit the general public.
- D. The acceptance of a roadway or roadways not consistent with adopted circulation plans and not providing access to adjoining properties is to be discouraged and may be just cause for rejection.
- E. Unless consistent with adopted circulation plans, acceptance of individual roadways (those not part of an integrated system) less than three-hundred-thirty (330) feet in length is to be discouraged unless it can be shown to benefit the general public.

(Res. R-40-81, September 21, 1981, vol. 19, p. 548)

12.02.030 Acceptance by County

Roads may be accepted for provisional maintenance by Island County upon recommendation of the county engineer. Final acceptance will not be made for one (1) year from the date of provisional acceptance, and the owner and/or his contractor must repair any failure within the one (1) year period at the expense of the owner or his contractor; **provided**, prior to such acceptance, a bond in an amount and with surety acceptable to the county engineer, or other secure method, may be required providing for and securing to Island County the satisfactory performance and maintenance of such road improvements for a one (1) year period.

(Res. R-40-81, September 21, 1981, vol. 19, p. 548)

Chapter 12.03**Vacation of County Roads****Sections:**

- 12.03.010 Authority**
- 12.03.020 Classification**
- 12.03.030 Initiation of Vacation Action by Owners Petition or by Board of County Commissioners Resolution**
- 12.03.040 Compensation**
- 12.03.050 Public Benefit for Vacation-Questions of Title**
- 12.03.060 Roads Abutting Bodies of Water-Vacation-Prohibited-Exceptions**
- 12.03.070 Retention of Easements**
- 12.03.080 Manner of Payment**
- 12.03.090 Deposit**
- 12.03.100 Engineer's Report**
- 12.03.110 Planning Agency Report**
- 12.03.120 Order of Commissioners**

12.03.010 Authority

County roads may be vacated in accordance with the provisions of RCW chapter 36.87 and RCW 36.70.540, and Island County may require as a condition precedent to said vacation the receipt of just compensation from the person or persons benefiting from said vacation.

(Ord. E-74-5, adopted October 10, 1974, effective October 15, 1974, vol. 15, p. 105; amended by Ord. R-51-91, December 16, 1991, vol. 33, p. 258)

12.03.020 Classification

All county roads are hereby declared classified in accordance with the provisions and mandates of RCW chapter 36.87, as follows:

- A. **Class A:** Public expenditures made
- B. **Class B:** No public expenditures made or nonascertainable from records
- C. **Subclass 1:** No part thereof lies in any plat
- D. **Subclass 2:** Part or all lies within a platted subdivision
- E. **Subclass 3:** Was opened for public use within the period of five (5) years after the authority was granted for opening it
- F. **Subclass 4:** Remained unopened for public use for a period of five (5) years after the authority was granted for opening it
- G. **Subclass 5:** Is located within that portion of a plat which is to be replatted
- H. **Subclass 6:** Abandoned in fact due to relocation of right-of-way
- I. **Subclass 7:** Informalities exist in the records of title which are construed to invalidate and divest the public of any right, title, or interest in the right-of-way

(Ord. E-74-5, adopted October 10, 1974, effective October 15, 1974, vol. 15, p. 105; amended by Ord. R-51-91, December 16, 1991, vol. 33, p. 258)

12.03.030 Initiation of Vacation Action by Owners Petition or by Board of County Commissioners Resolution

- A. Owners of property fronting on a county road may initiate vacation action by petition as set forth in RCW 36.87.020 and RCW 36.87.030;
- B. The Board of County Commissioners may initiate the vacation action by resolution when:
 - 1. Requested to do so by the county engineer;
 - 2. The county is desirous of initiating a property exchange to relocate a right-of-way to a better location;
 - 3. The right-of-way lies within county property;
 - 4. The right-of-way lies within other public lands.

(Ord. R-51-91, December 16, 1991, vol. 33, p. 258)

12.03.040 Compensation

Any person or persons desiring to have any portion of any county road vacated may be required by the Island County Board of Commissioners as a condition precedent to said vacation, to compensate the county prior to said vacation subject to the provision of

subparagraphs A and B following. The compensation shall include, but not be limited to, all or a percentage of the appraised value of the vacated road as determined by the county assessor as of the effective date of the vacation, and the costs of any and all appraisals deemed necessary by the Board of County Commissioners, together with any and all other administrative costs incurred by the county in vacating the road.

- A. The petitioner(s) and/or benefiting abutting property owner(s) will not be required to compensate the county for the value of the vacated right-of-way when:
1. The road is classified as:
 - a) Class B: No public expenditures made or none ascertainable from records; or
 - b) Subclass 4: Remained unopened for public use for a period of five (5) years after authority was granted for opening it; or
 - c) Subclass 7: Informalities exist in the records of title which are construed to invalidate and divest the public of any right or interest in the right-of-way; or
 - d) The petitioner(s)/benefiting abutting property owner(s) provide the county with valid deeds for other property of equal or similar value as a condition of vacation; or
 - e) Said right-of-way lies within a plat and was dedicated for public use and is a Class B road.
- B. The petitioner(s) and/or benefiting property owner(s) must compensate the county for the appraised value, as determined by the county assessor, of the vacated right-of-way when:
1. The county owns the right-of-way through a deed conveyance; or
 2. The right-of-way is a Class A right-of-way.

(Ord. E-74-5, adopted October 10, 1974, effective October 15, 1974, vol. 15, p. 105; amended by Ord. R-51-91, December 16, 1991, vol. 33, p. 258)

12.03.050 Public Benefit for Vacation--Questions of Title

- A. A non-exclusive list of elements for determining the existence of a public benefit for a road or right-of-way vacation is as follows:
1. A roadway was never constructed within the right-of-way and the public will benefit through vacation by returning the property back to the tax rolls;
 2. There is no current nor anticipated future public need for the right-of-way to provide for the public road circulation network nor for public access and the public will benefit through vacation by returning the property back to the tax rolls, by enhancement of the developability of the property, and by increasing the taxable value of the property once the vacation is completed;

3. The roadway or right-of-way is unimproved and is either too narrow, steep, marshy, or difficult to drain and the public will benefit through vacation by eliminating the expense to improve, construct, drain or maintain a substandard road, and by reduction of the risk of potential public liability;
 4. The roadway or right-of-way serves very few parcels or a limited area and the cost to construct or maintain the roadway is out of proportion to the general public benefit received and the public will benefit by avoiding excessive construction and maintenance costs so long as abutting owners grant each other easements for use of the road right-of-way when it constitutes the property's only access to a public road;
 5. The county will receive, in exchange, equivalent right-of-way located in an area more suitable for development as a road and the public will benefit by the reduced costs to develop, construct, and maintain a road in the more suitable location;
 6. Vacation will allow the property to be used for another public purpose when it is determined that the change will better serve the public good.
- B. In order to clear up questions of title to strips of land or roads, the vacation process can be used to determine whether or not said strips or roads are county roads or right-of-way, that is:
1. If the Board of County Commissioners determines that the strip of land or road to be county property and useful as a part of the county road system, then the right-of-way shall be retained and shall not be vacated;
 2. If the Board of County Commissioners determines the strip of land or road not to be useful to the county road system and that the public will benefit from the vacation, then the strip of land or road shall be vacated pursuant to the provisions of other sections of this chapter.

(Ord. R-51-91, December 16, 1991, vol. 33, p. 258)

12.03.060 Roads Abutting Bodies of Water--Vacation Prohibited--Exceptions

No county road right-of-way or portion thereof which abuts on a body of salt or fresh water shall be vacated unless the purpose of the vacation is to enable any public authority to acquire the vacated property for port purposes, boat moorage or launching sites, or for park, viewpoint, recreational, educational or other public purposes, or unless the property is zoned for industrial uses.

(Ord. R-51-91, December 16, 1991, vol. 33, p. 258)

12.03.070 Retention of Easements

Whenever a county road or portion thereof is vacated, the county may retain an easement with respect to the vacated road for the construction, repair, and maintenance of public/private utilities and services which at the time of the resolution for vacation is adopted are authorized or are physically located on a portion of the land being vacated; **provided**, that the Board of County Commissioners shall not convey such easement to any public utility or other entity or person, but may convey a permit or franchise. Easement rights held by adjoining properties or dependent properties, pertaining to ingress and egress, shall also be retained.

(Ord. R-51-91, December 16, 1991, vol. 33, p. 258)

12.03.080 Manner of Payment

Payment for right-of-way and all certified costs and expenses incurred in the proceedings shall be made to the Island County Treasurer and may be credited to the County Road Fund.

Compensation in the amount of the assessed value as determined by the county assessor and all certified costs and expenses incurred in the proceedings shall be tendered at the time of hearing on the petition for vacation.

(Ord. E-74-5, adopted October 10, 1974, effective October 15, 1974, vol. 15, p. 105; amended by Ord. R-51-91, December 16, 1991, vol. 33, p. 258)

12.03.090 Deposit

Each petition for vacation of a road shall be accompanied by a bond or cash deposit pursuant to the current adopted fee schedule paid to the County Road Fund, which shall be used to defray examination, report, publication, investigation, and other costs connected with the application. On rejected petitions, any unused portion of such deposit shall be returned to the petitioner. On petitions where vacation is recommended by the Board of County Commissioners, the unused balance of said deposit shall be applied toward the cost of appraisal. When deemed necessary by the Board of County Commissioners, they may require an additional deposit to cover appraisal costs.

(Ord. E-74-5, adopted October 10, 1974, effective October 15, 1974, vol. 15, p. 105; amended by Res. R-35-85, May 6, 1985, vol. 24, p. 192; amended by Ord. R-51-91, December 16, 1991, vol. 33, p. 258)

12.03.100 Engineer's Report

Whenever the Board of County Commissioners shall direct the county road engineer to report upon such vacation and abandonment, he shall report on the following matters in addition to the requirements of Revised Code of Washington 36.87.040:

- A. The appraised value of the area sought to be vacated as determined by the county assessor;

- B. The classification of the road/right-of-way per the classification definitions contained in section 12.03.020 of this chapter and the county’s interest therein and grounds for vacation as contained in section 12.03.050; and
- C. A recommendation as whether the county should or should not vacate the road or right-of-way and the amount of compensation to be paid, if any, considered based on assessed valuations, improvements placed thereon, and public expenditures made.

(Ord. E-74-5, adopted October 10, 1974, effective October 15, 1974, vol. 15, p. 105; amended by Ord. R-51-91, December 16, 1991, vol. 33, p. 258)

12.03.110 Planning Agency Report

Prior to vacation of any county road, the proposal to vacate shall be referred to the county planning department. The planning department shall report, not later than forty (40) days following such referral, unless such time period be extended by the Board of County Commissioners, regarding the manner and degree to which the proposed vacation does or does not conform to the objectives of the comprehensive plan.

(Ord. E-74-5, adopted October 10, 1974, effective October 15, 1974, vol. 15, p. 105; amended by Ord. R-51-91, December 16, 1991, vol. 33, p. 258)

12.03.120 Order of Commissioners

If the commissioners deny vacation, all sums shall be refunded to applicant except sufficient to pay all certified costs and expenses incurred. If the commissioners approve vacation, upon payments as required herein, the board shall declare the same vacated and enter its declaration in its minutes.

(Ord. E-74-5, adopted October 10, 1974, effective October 15, 1974, vol. 15, p. 105)

Chapter 12.04

Bonds

(Repealed by Res. R-118-84, December 3, 1984, vol. 23, p. 214)

PROCEDURE FOR PROCESSING PRIVATE REQUESTS TO OPEN PREVIOUSLY UNOPENED COUNTY RIGHTS-OF-WAY 12.05.010

Chapter 12.05

Procedure for Processing Private Requests to Open Previously Unopened County Rights-of-Way

Sections:

- 12.05.010 Application**
- 12.05.020 Application for Permit**
- 12.05.030 Public Notice and Hearing**
- 12.05.040 County Commissioners' Ruling**
- 12.05.050 Private Maintenance**
- 12.05.060 Public Maintenance**

12.05.010 Application

This chapter applies to unopened, dedicated streets or public ways lying within plats filed for record in Island County, and to any unopened, nonvacated county roads or rights-of-way lying outside of any recorded plat.

(Res. R-40-81, September 21, 1981, vol. 19, p. 548)

12.05.020 Application for Permit

Any individual or corporation desiring to open and improve for travel and use (other than for utility purposes) any of those certain streets, public ways or rights-of-way (hereinafter referred to as "road") designated in ICC 12.05.010 shall be required to first obtain a permit from the Island County Engineer. The application for permit shall contain such data pertaining to surveys, type of construction, type of roadway, earth removal, water runoff, etc., as the engineer may require. Said applications shall be referred to the Island County Planning Department for review and comment.

(Res. R-40-81, September 21, 1981, vol. 19, p. 548)

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12.05.030 Public Notice and Hearing

Upon the receipt of any such application, the county engineer shall cause to be published, at the applicant's expense, a notice of a proposed improvement, and shall further cause, at applicant's expense, all property owners within three-hundred-thirty 330 feet of said road to be mailed notice of the application and of the public hearing to be held concerning said application. The published and mailed notices shall give at least ten (10) days' notice of a hearing to be held before the Board of County Commissioners pertaining to the proposed improvement. Mailings to the addresses and owners of record with Island County as of the application date, or later date, shall be deemed to fulfill this requirement.

(Res. R-40-81, September 21, 1981, vol. 19, p. 48)

12.05.040 County Commissioners' Rulings

At the public hearing outlined in section 12.05.030, the Board of County Commissioners shall determine whether or not the applicant shall be allowed to proceed with the improvement and, if so, what conditions shall attach to the improvement, including the provision of performance bonds. In making such decision, the commissioners shall consider the particular needs of the applicant, the comments of the adjoining property owners, the goals and policies of the Island County Comprehensive Plan, and any reports the planning department and the county engineer may submit.

(Res. R-40-81, September 21, 1981, vol. 19, p. 548)

12.05.050 Private Maintenance

The county engineer or an authorized representative shall issue a permit, based upon the decision of the Board of County Commissioners, to open and improve the road to the standards of improvement applicable to the intended use of the applicant. Island County shall provide no subsequent maintenance of a road improved to a standard less than that required for public roadways.

(Res. R-40-81, September 21, 1981, vol. 19, p. 548)

12.05.060 Public Maintenance

If any applicant opening and improving an existing county right-of-way at no expense to Island County meets all the subdivision standards of road construction of the current county platting regulations at the time of the improvement, and the county engineer so certifies such to the Board of County Commissioners that such standards were satisfactorily met, the board may then, by resolution, accept the road. However, for one (1) year from the date of acceptance, the permittee and/or his contractor must repair any failure at their own expense; **provided**, that prior to such acceptance, a bond in an amount

PROCEDURE FOR PROCESSING PRIVATE REQUESTS TO OPEN PREVIOUSLY UNOPENED COUNTY RIGHTS-OF-WAY 12.05.060

and with surety acceptable to the county engineer, or other secure method, may be required providing for, and securing to, Island County the satisfactory performance and maintenance of such road improvements for a one (1) year period.

(Res. R-40-81, September 21, 1981, vol. 19, p. 548)

Chapter 12.06

Road Districts

Section:

12.06.010 One Road District Established

12.06.010 One Road District Established

Island County shall consist of one road district, entitled "Road District No. 1 of Island County."

(Res., September 14, 1942, vol. 9, p. 554)

Chapter 12.07

(Reserved)

Chapter 12.08

Standard Specifications

Sections:

12.08.010 Adoption--Road and Bridge Specifications

12.08.020 Adoption--Signal Specifications

12.08.030 Adoption--Service Signing--Recreational Vehicle Park

12.08.010 Adoption--Road and Bridge Specifications

The "Standard Specifications for Road and Bridge Construction," as compiled and published by the Washington State Department of Transportation, latest edition, is adopted by Island County for the purpose of developing plans and specifications for road projects.

(Res. 719, October 20, 1969, vol. 13, p. 240; amended by Res. R-120-84, December 3, 1984, vol. 23, p. 215)

12.08.020 Adoption--Signal Specifications

(Repealed by Res. R-120-84, December 3, 1984, vol. 23, p. 215)

12.08.030 Adoption--Service Signing--Recreational Vehicle Park

Island County may provide and install follow-through directional signing for the route to campgrounds or recreational vehicle parks when such facilities meet the following criteria:

A. Camping.

1. Licensed or approved by the Washington Department of Social and Health Services or County Health Office;
2. Adequate parking accommodations and not less than twenty (20) camping spaces shall be provided, at least fifty percent (50%) of which will accommodate tents;
3. Modern sanitary facilities and drinking water;
4. A full-time attendant shall be on duty to manage and maintain the campground facilities;
5. Camping area and all facilities shall be available twenty-four (24) hours per day. Seasonal operations shall require consideration of camping sign removal or coverage and will be determined for each specific location;
6. Campground located within approximately five (5) road miles from a state highway. Trail blazers required from the state highway to the nearest campground may be erected and maintained by local government agency, except when route follows a state highway or portions thereof.

B. Recreational vehicle park.

1. Licensed or approved by the Washington Department of Social and Health Services or County Health Office;
2. Adequate parking accommodations for not less than ten (10) recreational vehicles (camper truck, power-driven mobile home, or recreational trailer house);
3. Modern sanitary facilities and drinking water;
4. Parking area and all facilities, including telephone, shall be available twenty-four (24) hours/day;
5. Located a nominal distance of one (1) road mile from a state highway.

C. Application and location. Signs for motorist services shall be installed, if the services meet the criteria, upon application to the Island County Road Department. Continuing periodic review is required to adequately provide a motorist service sign where new business establishments are opened and meet the criteria. Reference to a

service shall be removed at such time as that service is no longer available. The application shall be on a form provided by the Island County Road Engineer and shall be accompanied by a fee in the amount of twenty-five dollars (\$25.00).

The services signs shall state "CAMPING" or "REC. VEH. PARK." The panel or panels shall be installed on separate supports and shall include the message of "NEXT RIGHT," etc., or symbol-type directional signs may be used. Installation shall be in accordance with Washington State "Manual on Uniform Traffic Control Devices for Streets and Highways," latest edition, paragraph 2D-46, Service Signs.

- D. **Sign design.** Signs for motorist services shall be reflectorized and shall be a white legend on a blue background, with letter and numeral sizes in conformance with specifications set forth in the latest edition of the "Manual on Uniform Traffic Control Devices." The sign legend for the recreational vehicle park panel will read: "REC. VEH. PARK."

(Ord. E-74-8, September 3, 1974, vol. 15, p. 79)

Chapter 12.09
(Reserved)

Chapter 12.10
(Reserved)

Chapter 12.11
(Reserved)

Chapter 12.12
Entry Permits¹

Sections:

- 12.12.010 Permit Required**
- 12.12.020 Application Procedure**
- 12.12.030 Culvert Requirement**
- 12.12.040 Approach Road Requirements**
- 12.12.050 Warning Signs**
- 12.12.060 Catch Basin Requirements (Repealed)**
- 12.12.070 Costs**
- 12.12.080 Effective Date**
- 12.12.090 Temporary Access Permits**

12.12.010 Permit Required

- A. No person, firm, or corporation shall hereafter construct a driveway or road approach onto any county road in Island County, Washington, without first obtaining an approved access permit from the office of the county engineer, and further that said approved access permit shall be a prerequisite of the issuance of a building permit by Island County. The county engineer shall either grant or deny the access within a fifteen (15) working-day period, commencing on the date application is received by the county engineer.
- B. Access permits shall not be granted from private property to any road within a county park or through park property.

(Ord. E-74-4, June 10, 1974, vol. 15, p. 28; Ord. CC-78-1, October 9, 1978, vol. 17, p. 467; amended by Ord. R-128-78, January 8, 1979, vol. 17, p. 574; amended by Ord. R-48-85, July 8, 1985, vol. 24, p. 283); amended by Ord. R-34-95, September 18, 1995, vol. 39, p. 6)

12.12.020 Application Procedure

To obtain an entry permit, the applicant shall furnish the following information:

- A. Name and address of property owner;
- B. The location of the proposed entry, including section, township, and range, or lot number if within a recorded plat, the name of the road being entered, and the approximate distance from the nearest intersecting road.

(Ord., April 15, 1963, vol. 12, p. 197)

¹ For the statutory provisions regarding entry permits, see RCW 36.75.130.

- C. In the event an access permit is denied or an access permit is granted with certain requirements stipulated that an applicant deems unjust or unnecessary, the applicant may appeal the decision of the county engineer to the Board of County Commissioners at public hearing.

(Ord. E-74-4, June 10, 1974, vol. 15, p. 28; amended by Ord. R-34-95, September 18, 1995, vol. 39, p. 6)

12.12.030 Culvert Requirement

If a culvert should be required, it shall be installed in a manner to accommodate the flow of water in the existing roadway ditch, subject to the approval of the county engineer or his authorized representative. Culverts shall be a minimum of twelve (12) inch diameter, concrete, corrugated metal, or corrugated polyethylene (plastic), double walled, smooth bore drain pipe, which shall meet all applicable ASTM and AASHTO standards. Culverts shall be a minimum of thirty (30) feet in length and shall be covered with a minimum of six (6) inches of suitable material for concrete pipe and twelve (12) inches of suitable material for aluminum, corrugated metal or corrugated polyethylene (plastic) double walled smooth bore drain pipe. Bedding and backfill materials shall be free of organic materials, frozen soil, construction debris, rocks over three (3) inches in diameter and other deleterious materials. Bedding and backfill shall be compacted to ninety (90) percent relative density, or to the instruction of the county engineer. Culverts in excess of thirty (30) feet in length will be evaluated by the county engineer in terms of an area drainage system, considering proper grade and alignments, adequate maintenance provisions, and sizing requirements to meet anticipated storm runoff needs.

(Ord., April 15, 1963, vol. 12, p. 197; amended by Ord. E-73-II, October 15, 1973, vol. 14, p. 428; amended by Ord. R-19-93, April 26, 1993, vol. 35, p. 344)

12.12.040 Approach Road Requirements

The approach road shall be surfaced with gravel or other appropriate material, such that mud and debris will not be carried out and deposited on the county roadway. The finished surface of the approach road shall be sloped away from the edge of the county roadway at the rate of one-half inch (1/2") per foot for a distance of at least four (4) feet. The approach road shall be graded and ditched to prevent any flow or water onto the county roadway.

(Ord., April 15, 1963, vol. 12, p. 197)

12.12.050 Warning Signs

Temporary approach roads for log hauling or pulpwood hauling shall be posted three-hundred (300) feet on either side of the approach road, with warning signs reading "Logging Trucks, 300 Feet."

(Ord., April 15, 1963, vol. 12, p. 197)

12.12.060 Catch Basin Requirement

(Ord., April 15, 1963, vol. 12, p. 197; repealed by Ord. E-73-11, October 15, 1974, vol. 14, p. 428)

12.12.070 Costs

All costs of installation of culverts and construction of approach roads and driveways shall be at the expense of the person or persons benefited by the construction thereof.

(Ord., April 15, 1963, vol. 12, p. 197; amended by Ord., April 29, 1965, vol. 12, p. 341; amended by Ord. E-73-11, October 15, 1974, vol. 14, p. 428)

12.12.080 Effective Date

This chapter shall be in full force and effect April 15, 1963.

(Ord., April 15, 1963, vol. 12, p. 197)

12.12.090 Temporary Access Permits

Temporary access permits may be issued in the discretion of the county engineer whenever he finds that the best interests of the county are unimpaired. Any permit issued under the authority of this ordinance shall be subject to reasonable regulation by Island County. Such regulations shall include, but are not limited to, the following matters:

- A. Requirements for construction, reconstruction, maintenance, and repair;
- B. Limitation as to extent and time of use;
- C. Provision for revocation at the discretion of Island County; and
- D. Bonding to assure compliance with the above requirements in an amount to be determined by the county engineer.²

(Ord. E-73-2, May 7, 1973, vol. 14, p. 316)

Chapter 12.13

(Reserved)

Chapter 12.14

(Reserved)

Chapter 12.15

(Reserved)

² Compare RCW 79.38.040.

Chapter 12.16**Franchises for Use of County Rights-of-Way³****Sections:**

- 12.16.010** **Permit for Short Distances**
12.16.020 **Standards for Granting Franchises**
12.16.030 **Standards of Construction**
12.16.040 **Penalty**

12.16.010 **Permit for Short Distances**

The Board of County Commissioners, in lieu of requiring a franchise, may grant a permit to construct or maintain on, over, under, across, or along any county road any water pipe, gas pipe, oil pipeline, telegraph, CATV cable, electric light, power lines, sewer, tram, railway, or other such facilities when the same does not extend along such county road for a distance of greater than five-hundred (500) feet and the system is less than one (1) mile in total length, whether on public and/or private property. The Board of County Commissioners through their agent, the county engineer, may require such information as it deems necessary in the application for any such permit and may grant or withhold the permit within its discretion. Any permit granted may be cancelled at any time and any facilities remaining on the right-of-way of such county road after thirty (30) days' written notice of such cancellation shall be an unlawful use and obstruction.

(Ord. 916, February 1, 1971, vol. 13, p. 421; amended by Ord. R-25-91, July 1, 1991, vol. 32, p. 452)

12.16.020 **Standards for Granting Franchises**

No franchise shall be granted unless it is in the public interest which includes consistency of the proposed use with the Island County Comprehensive Plan.

(Ord. R-25-91, July 1, 1991, vol. 32, p. 452)

12.16.030 **Standards of Construction**

All construction or maintenance of facilities pursuant to franchises and permits issued pursuant to RCW 36.55 and this chapter shall be done in accordance with standards and regulations in force in this county at the time of the granting of the franchise or permit.

(Ord. 916, February 1, 1971, vol. 13, p. 421)

12.16.040 **Penalty**

- A. Any person, firm, or corporation who shall construct or maintain on, over, under, across, or along any county road any water pipe, flume, gas pipe, oil pipeline, telegraph, telephone, CATV cable, electric light, or power lines, sewer, tram,

³ For statutory provisions authorizing the grant of franchise, see RCW 36.55.

railway, or other such facilities, without having first obtained and having at all times

12.16.040

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in full force and effect a franchise or permit to do so in the manner provided by law, shall be guilty of a misdemeanor. Each day of violation shall be a separate and distinct offense.

- B. Any person, firm, or corporation failing to remove the facilities after receipt of a written notice of cancellation of a franchise or permit shall be guilty of a misdemeanor. Each day of violation shall be a separate and distinct offense.

(Ord. 916, February 1, 1971, vol. 13, p. 421; amended by Ord. R-25-91, July 1, 1991, vol. 32, p. 452)

Chapter 12.17

(Reserved)

Chapter 12.18

(Reserved)

Chapter 12.19

(Reserved)

Chapter 12.20

Road Closures and Restrictions⁴

Sections:

12.20.010 Authority to Close or Restrict County Roads

12.20.020 Load Restrictions

12.20.030 Posting

12.20.010 Authority to Close or Restrict

The Island County Engineer and/or the county road supervisors within their separate road districts are authorized to determine that an emergency exists as provided in RCW 47.48.010 and 47.48.020.

(Res. 917, January 4, 1971, vol. 13, p. 410)

⁴ For statutory provisions regarding road restrictions, see RCW 47.48.010-.020.

ROAD CLOSURES AND RESTRICTIONS**12.20.020****12.20.020 Load Restrictions**

The load restrictions which may be imposed under the emergency powers of 12.20.010 are as follows:

A. Winter load restrictions.

Conventional Tires		Tubeless or Special With .5 Marking	
Size Tire Width	Gross Load Each Tire	Size Tire Width	Gross Load Each Tire
7.00	1800 lbs.	8-22.5	2250 lbs.
7.50	2500 lbs.	9-22.5	2800 lbs.
8.25	2800 lbs.	10-22.5	3400 lbs.
9.00	3400 lbs.	11-22.5	4000 lbs.
10.00	4000 lbs.	11-24.5	4000 lbs
11.00	4500 lbs.	12-22.5	4500 lbs.
12.00	4500 lbs.	12-24.5	4500 lbs.
(or over)		(or over)	

B. Emergency load restrictions.

Conventional Tires		Tubeless or Special With .5 Marking	
Size Tire Width	Gross Load Each Tire	Size Tire Width	Gross Load Each Tire
7.00	1800 lbs.	8-22.5	1800 lbs.
7.50	1800 lbs.	9-22.5	1900 lbs.
8.25	1900 lbs.	10-22.5	2250 lbs.
9.00	2250 lbs.	11-22.5	2750 lbs.
10.00	2750 lbs.	11-24.5	2750 lbs
11.00	3000 lbs.	12-22.5	3000 lbs.
(or over)		(or over)	

(Res. 917, January 4, 1971, vol. 13, p. 410)

12.20.030 Posting

The restrictions imposed shall be posted on the county roads affected.

(Res. 917, January 4, 1971, vol. 13, p. 410)

Chapter 12.21

(Reserved)

Chapter 12.22

(Reserved)

Chapter 12.23

(Reserved)

Chapter 12.24

Illegal Defacement or Placement of Highway Signs

Sections:

- 12.24.010 Illegal Defacement**
- 12.24.020 Illegal Placement**
- 12.24.030 Penalty**
- 12.24.040 Repeal of Conflicting Ordinances**
- 12.24.050 Effective Date**

12.24.010 Illegal Defacement

No person shall mutilate, destroy, move, change, or alter in any manner whatsoever any sign or signs erected along a public highway or public authority for the purpose of admonition or direction or otherwise.

(Ord. 1, April 5, 1948, vol. 10, p. 229)

12.24.020 Illegal Placement

No person shall place any signs, indicators, advertisements, stakes, posts, or any other foreign object or objects upon a public highway or right-of-way in this county without the express permission, in writing, of the Board of County Commissioners and any such foreign objects, as above described, now upon the highways or public rights-of-way are declared illegal.

(Ord. 1, April 5, 1948, vol. 10, p. 229)

**ILLEGAL DEFACEMENT OR PLACEMENT OF
HIGHWAY SIGNS**

12.24.030

12.24.030 Penalty

Any person, company, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and shall be subject upon conviction to a fine of not more than two-hundred-fifty dollars (\$250.00) or imprisonment for ninety (90) days in the Island County Jail for each such violation.

(Ord. 1, April 5, 1948, vol. 10, p. 229)

12.24.040 Repeal of Conflicting Ordinances

All ordinances or parts of ordinances in conflict with this chapter are hereby repealed.

(Ord. 1, April 5, 1948, vol. 10, p. 229)

12.24.050 Effective Date

This chapter shall take effect and be in force from and after its passage. This chapter passed by the Board of County Commissioners the 5th day of April, 1948.

(Ord. 1, April 5, 1948, vol. 10, p. 229)

Chapter 12.28

Adopt-A-Road Litter or Noxious Weed Control Program

Sections:

- 12.28.010 Introduction**
- 12.28.020 Policy**
- 12.28.030 Responsibility**
- 12.28.040 Rules**

12.28.010 Introduction

A. Purpose

To provide guidance for administration of the Adopt-A-Road Litter or Noxious Weed Control Program on County Road right-of-way.

B. Definitions

1. ***Adopt-A-Road Litter or Noxious Weed Control Program:*** A County wide litter or noxious weed control program whereby individuals or groups may contribute to a cleaner environment and a more attractive County by adopting sections of a County road and performing cleanup activities.

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2. **Adopt-A-Road Sign**: A sign on County road right-of-way referring to the Department’s Adopt-A-Road Litter or Noxious Weed Control Program and identifying the volunteer organization responsible for litter or noxious weed removal.
3. **Adopt-A-Road Agreements**: A contract agreement between Island County and a volunteer organization participating in the Adopt-A-Road Litter or Noxious Weed Control Program that delineates the responsibility for both parties.
4. **Volunteer or Volunteer Organization**: Any individual or group who enters into a contractual agreement which volunteers to maintain a portion of County road in a litter- or noxious weed-free condition.
5. **Cleanup Activities**: Removal of litter, noxious weeds, or both from within existing county road right-of-way.

(Ord. R-26-95, June 26, 1995, effective June 26, 1995, vol. 38, p. 375; amended by Ord. C-24-08 [R-06-08], April 7, 2008, vol. 2008, p. 137)

12.28.020 Policy

Island County shall work in partnership with volunteer organizations to reduce roadside litter and/or noxious weeds and to build civic pride in a litter- and noxious weed-free County road system in Island County. This agreement does not cover State, private roads, or roads not designated under the program.

(Ord. R-26-95, June 26, 1995, effective June 26, 1995, vol. 38, p. 375; amended by Ord. C-24-08 [R-06-08], April 7, 2008, vol. 2008, p. 137)

12.28.030 Responsibility

A. County. The County is responsible to:

1. Provide safety training for crew leaders prior to their roadside cleanup, and identification of noxious weeds and the methods of removal for those participating in the noxious weed control program;
2. Provide portable warning signs to be placed on the roadsides by the volunteer organization during the period of clean-up activities;
3. Provide hard hats and vests to be worn by volunteers;
4. Provide Worker's Compensation Act coverage for Volunteers for medical treatment only (not for loss of time due to injury or illness, or for lasting disability or death);

**ADOPT-A-ROAD LITTER OR NOXIOUS
WEED CONTROL PROGRAM**

12.28.030

5. Provide public appreciation by way of an Adopt-A-Road Sign acknowledging the contribution of each volunteer organization; and
6. Evaluate performance of volunteer organization throughout the year. Groups who have not been able to satisfactorily maintain their portion of road may be replaced.

B. Volunteer Organization. The volunteer organization is responsible to:

1. Assign a leader to each cleanup crew, and that crew leader shall have a copy of the Adopt-A-Road Litter or Noxious Weed Control Program Agreement with him/her during the cleanup activity;
2. Sign the Adopt-A-Road Litter or Noxious Weed Control Program Agreement; have each volunteer complete and sign the Registration, Release and Indemnity form and furnish the original to the Road Department before beginning any litter control activity;
3. Comply with all rules contained in ICC 12.28.040; and
4. Provide the Road Department with a Medical Aid Coverage Record roster of individual participants in the cleanup within seven (7) calendar days following the cleanup activity.

(Ord. R-26-95, June 26, 1995, effective June 26, 1995, vol. 38, p. 375; amended by Ord. C-24-08 [R-06-08], April 7, 2008, vol. 2008, p. 137)

12.28.040 Rules

Any individual or organization which volunteers to participate in the Adopt-A-Road Litter or Noxious Weed Control Program by removing litter or noxious weeds within an assigned section of the County road right-of-way in accordance with the terms prescribed on the Adopt-A-Road Agreement shall do so subject to the following rules:

- A. Volunteer organization or individual shall be assigned road sections on a “safety and first come first serve” basis.
- B. The section of County road right-of-way assigned to volunteer organization or individual shall be a minimum of one (1) mile in length.
- C. Volunteer organization or individual shall conduct cleanup activities on both sides of the assigned section. Adopt-A-Road Agreements will terminate two (2) years from the date of execution unless canceled by either party. The Adopt-A-Road

Agreements may be terminated by either party upon a thirty (30) day notice. The volunteer organization or individual shall have first right of renewal of its assigned section.

- D. Volunteer organization or individual shall have all participants wear hard hats and vests furnished by the County during cleanup activities. No more than twenty (20) people shall participate in the cleanup activity at one time.
- E. Volunteer organization or individual shall obtain and return supplies and materials from the County during regular business hours, or at times and places determined by prior arrangement.
- F. Volunteer organization or individual shall dispose of all bags and other picked up litter or noxious weeds at the appropriate site(s) (i.e. Solid Waste Complex at Coupeville and Camano Transfer Station) and keep separate materials which can be recycled. Only litter or noxious weeds in bags provided by the County will be accepted at these sites at no charge to the volunteer organization or individual.
- G. Volunteer organization shall ensure no member of the clean up crew is under fifteen (15) years of age. All participants shall sign the "Registration, Release and Indemnity" form.
- H. Volunteer organization shall furnish supervision by one or more adults for every eight (8) minors (under 18 years of age) participating in the cleanup activity.
- I. A volunteer organization or individual that is not or does not choose to be covered under this ordinance shall be on its own and have no official tie to the County other than making arrangement to dispose of litter or noxious weeds. The Volunteer organization or individual shall use the appropriate collection bags which will be provided by the County.

(Ord. R-26-95, June 26, 1995, effective June 26, 1995, vol. 38, p. 375; amended by Ord. C-24-08 [R-06-08], April 7, 2008, vol. 2008, p. 137)

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