



**King County**

**Facilities Management Division  
Real Estate Services**

King County Administration Building  
500 4<sup>th</sup> Ave., Room 820  
Seattle, WA 98104  
**206-477-9350**  
[www.kingcounty.gov](http://www.kingcounty.gov)

## Utility Right-of-Way Franchise Application Instructions

### **FRANCHISE REQUIRED**

A franchise approved by the King County Council is required in order to use the county rights-of-way for the construction and maintenance of waterworks, gas pipes, telephone, telegraph and electric lines, sewers, cable television, petroleum products, and other such public and private utilities.

### **UTILITY FRANCHISE APPLICATION PROCESS**

#### **Step 1: Application**

**A. When is an application submitted?**

An application is required for the following circumstances:

- For a new franchise or a renewal of an existing franchise;
- For a short-term extension of an existing franchise that is about to expire; or
- To transfer or otherwise modify an existing franchise

Application materials are submitted to the Clerk of the Council at the King County Courthouse, 516 Third Avenue, Room 1200, Seattle, WA 98104, or [Clerk.Council@kingcounty.gov](mailto:Clerk.Council@kingcounty.gov).

**B. What is submitted with an application?**

- ☐ Completed application form. Fill out and sign the application form.
- ☐ Franchise Area Description. A complete written description of the area of unincorporated King County in which the utility requests access to County road rights-of-way for its facilities. Please include the Section, Township, Range of the proposed franchise area.
- ☐ Map. A map showing the proposed franchise area in unincorporated King County, in an electronic format that is GIS compatible (if available).
  - If the proposed franchise area is not fully occupied by the utility, it may submit a map indicating the location of all its facilities in the proposed franchise area, in an electronic format that is GIS compatible (if available).

Questions about the application process? Call the Real Estate Services Section at (206) 477-9350 or email [Franchise.FMD@KingCounty.gov](mailto:Franchise.FMD@KingCounty.gov).

## Step 2: Preliminary Review and Negotiation

The Real Estate Services Section of the Facilities Management Division is responsible for coordinating the review and processing of franchise applications. The application is also reviewed by the Department of Local Services and the Department of Executive Services. Applications for water and sewer franchises are also reviewed by the Utility Technical Review Committee. Adjustments are made to the base franchise agreement document as needed or by negotiation, however the following provisions are required by [K.C.C. 6.27](#):

- All franchises shall be consistent with the King County Comprehensive Plan and Road Standards.
- All franchises require the following provisions:
  - The applicant's plan to remove or relocate at its cost all above-ground equipment from the County right-of-way that poses a hazard to the general public;
  - Provisions requiring the applicant to indemnify, defend, and hold harmless the county against damages, including environmental damages, caused by, arising out of, or incidental to the grantee's exercise of rights and obligations set forth in the franchise agreement.
  - Franchises granted for electric, gas, water, and sewer utilities shall include a requirement that the applicant provide the County with franchise compensation in return for the right to use the right-of-way.
- Grantees of franchises for water and sewer utilities shall:
  - Possess a previously required comprehensive plan, if required to have such a plan by [K.C.C. 13.24.010](#).
  - Be consistent with health and sanitation regulations of the Seattle-King County department of public health and the state.
  - Meet County standards for water mains and fire hydrants and other fire suppression water facilities and services as defined in [RCW 70A.145](#).
  - Repair, at no expense to the county, all existing facilities that it owns within county road rights-of-way, including all appurtenant facilities and services lines connecting its system to users, if the repair is required by the county for any reasonable purpose.
  - Adjust, remove, or relocate, at no expense to the county, existing facilities and service lines connecting its system to users, if the county determines the action is reasonably necessary to allow for an improvement or alteration planned by the county in the road right-of-way.
  - Additional requirements when facilities connected to the applicant's system are within the ROW and that the applicant does not own are described in [K.C.C. 6.27.060.6.a](#).

## Step 3: King County Council Review

When the preliminary review is completed, and the applicant and County agree on the franchise terms and conditions, the application is transmitted from the Executive to the County Council for final review.

- The Clerk of the Council will schedule a public hearing to discuss whether the franchise is in the best interest of the county.
- If the franchise is approved, it is adopted by ordinance, which is presented to the Executive within 5 days. Within 10 days after its presentation, the Executive shall either sign, veto, or partially veto the ordinance and return it to the Council. If the Executive does not return the ordinance within 10 days after its presentation, the ordinance shall be deemed enacted without the Executive's signature. The franchise must then be accepted and signed by an authorized officer of the utility within the time period indicated in the franchise.
- The Facilities Management Division will return a fully executed franchise with original signatures to the utility, the Clerk of the Council, and the Real Estate Services Section.

<b>Fees and Costs</b>
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Application Fee	\$2500	Fee is for the administrative costs incurred by the county in the reviewing and processing of the franchise application. FMD will send an invoice for this fee at the time of franchise issuance.
Reimbursement of Actual Costs	Varies	You may be required to reimburse the county for the actual costs incurred by the county in the reviewing and processing of the franchise application, to the extent the costs exceed that covered by the application fee. If reimbursement is necessary, it will be indicated on the invoice you receive at the time of franchise issuance.
Advertising Fee	Varies	Fee is for the full advertising costs associated with the application. This fee will be billed to you separately by the Clerk of the Council. Advertising fees are not refundable, even if the application is disapproved.