

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF STEVENS, STATE OF WASHINGTON

IN THE MATTER OF STEVENS COUNTY ) RESOLUTION NO. 49-2015  
CATTLEGUARDS AND APPURTENANCES )  
)  
) RESCINDING RESOLUTION NO. 56-1985  
) AND ADOPTING STANDARDS, POLICY  
) AND PROCEDURE AND FEES  
) ASSOCIATED WITH CATTLEGUARDS

WHEREAS, the Board of County Commissioners with Resolution No. 56-1985, and pursuant to R.C.W. 36.55.020 adopted a Standards, Policy and Procedure, Fees and Forms associated with the right to construct and operate cattleguards and appurtenances over and across the right-of-way of County Roads for the purpose of controlling livestock; and

WHEREAS, present Stevens County Standards, Policy and Procedures, Fees and Forms relative to the aforementioned are insufficient and in need of revision; and

WHEREAS, the Board of County Commissioners has considered the Stevens County Public Works Departments revised Standards, Policy and Procedures and Fees as presented.

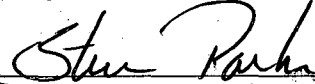
NOW, THEREFORE, BE IT RESOLVED by the Board of Stevens County Commissioners that said revised Standards, Policy and Procedures and Fees relative to Cattleguard Franchises and Permits of which are hereto attached, be adopted as presented.


BE IT FURTHER RESOLVED that this resolution supersedes Resolution No. 56-1985 and all previous related Cattleguard resolutions or policies and that Resolution No. 56-1985 is hereby rescinded.

Passed by the Board of Stevens County Commissioners meeting in regular session at Colville, Washington, by the following vote, then signed by its membership and attested to by its Clerk in authorization of such passage the 30<sup>th</sup> day of June, 2015.

3 YEA; 0 NAY; 0 ABSTAIN; and 0 ABSENT


BOARD OF COUNTY COMMISSIONERS  
OF STEVENS COUNTY, WASHINGTON

  
Chairman Steve Parker

  
Commissioner Don Dashiell

  
Commissioner Wes McCart

ATTEST:

  
Polly Coleman  
Clerk of the Board

STEVENS COUNTY DEPARTMENT OF PUBLIC WORKS  
POLICY AND PROCEDURE

SUBJECT: Cattleguards and appurtenances over and across county roads

I. POLICY:

Pursuant to R.C.W. 36.55.020, Stevens County does grant to individuals by a twenty (20) year franchise, the right to operate cattleguards and appurtenances over and across the right-of-way of county roads for the purpose of controlling livestock. Stevens County does recognize that certain requirements, policies and procedures relative to the location, construction, operation and maintenance of such structures are necessary to insure the safety of the road users.

A. Cattleguards and appurtenance location, construction, operation and maintenance responsibility shall be as follows:

Should a franchise be granted for a cattleguard and appurtenances over and across a County Road, the Stevens County Department of Public Works shall assume all responsibility for the construction (including determination of the exact location) and subsequent maintenance. The Grantee shall remit to the Department of Public Works in advance of construction, a fee equaling the amount of the County Road Engineer's estimated cost of engineering, materials, labor, and equipment required for the installation (excluding any fence material). The Grantee shall be provided with an itemized estimate of the fee to be remitted for installation following submittal of the application for franchise and contingent on the Department of Public Works opportunity to inspect the location.

B. If a franchise expires, is cancelled or the cattleguard and appurtenances no longer serve the purpose for which it was intended, Stevens County at its sole discretion, shall remove the cattleguard and appurtenances and reconstruct the road to its original condition prior to the installation. Should the franchisee desire to renew the franchise upon expiration a new permit shall be submitted and the franchise procedure described in "II. Procedure" below initiated.

C. All cattleguards and appurtenances installed on a county road shall conform to the specifications listed below:

- (1) The cattleguard shall be constructed of a steel reinforced concrete foundation, shall have a minimum design rating of HS-25 (AASHTO) and shall conform to the Washington State Department of Transportation (WSDOT) Standard Plans and the WSDOT current edition of the Standard Specifications for Road, Bridge and Monumental Construction.
- (2) The cattleguard shall have a roadway grillage width equal to that of the established county roadway width including shoulders except that the County Road Engineer may allow lesser grillage widths where road and adjoining terrain preclude compliance with this section provided, however, in no case shall the grillage width be less than 18 feet.
- (3) The minimum length along the roadway of all cattleguard grillages shall be 8 feet.

- (4) An openable gate shall be constructed adjacent to the cattleguard as well as a by-pass road graded from the county roadway through the gate and return to the county roadway. The by-pass road shall substantially conform to the grade and width of the adjacent county road except that the County Road Engineer may allow gate and by-pass road deviations where adjoining terrain precludes compliance with these provisions but in no case shall the width be less than 10 feet nor grade in excess of 12 percent.
- (5) Warning signs or devices shall be erected on each side of the cattleguard in accordance with the Manual on Uniform Traffic Control Devices current at the time of application as adopted by Stevens County and as directed by the County Road Engineer.

## II. PROCEDURE:

Any person desiring to operate a cattleguard and appurtenances over and across the right-of-way of any county road for the purpose of controlling livestock will receive consideration under the following procedures:

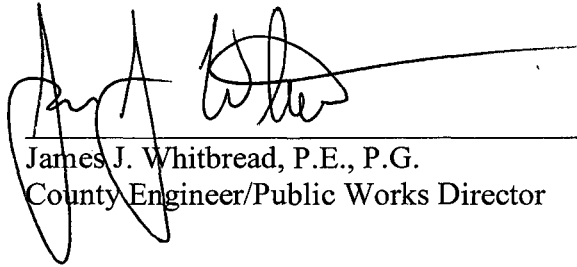
- Step 1. The person shall make application for a Cattleguard Franchise ("Franchise") and Cattleguard Permit ("Permit") in the office of the Department of Public Works ("Department") on forms provided for the purpose. There shall be a fee for the Permit of \$200.00.
- Step 2. The Board shall, by resolution, set a time and place for public hearing relative to the franchise application and cause posting and advertising of same as prescribed by R.C.W. 36.55.040.
- Step 3. The Department shall prepare all forms associated with the Permit and arrange for a preliminary field inspection of the proposed cattleguard.
- Step 4. The County Road Engineer (or his designated representative) shall conduct the field investigation relative to the application to determine feasibility, grillage width, foundation type, installation and construction of by-pass road and warning signs/devices and any other relevant information, all of which shall be indicated on a preliminary inspection form.
- Step 5. Based upon the field inspection, the County Road Engineer shall prepare his report and recommendations for presentation at the public hearing as described in Step 2 above.

Step 6. At the public hearing held in conjunction with the cattleguard franchise application, the Board will hear testimony for and against said franchise installation and will consider the report and recommendations of the County Road Engineer. Granting of the Franchise by the Board shall constitute authority for receipt into the County Road Fund of the funds necessary for the construction of the cattleguard and appurtenances. Franchises for cattleguards and appurtenances are granted for a period not to exceed twenty (20) years. Construction funds due from the franchise proponent are due within 30 days following Board approval. Should the construction funds not be provided by the franchisee within the designated time then the franchise shall become null and void. No refund of the permit and advertising fees shall be permitted.

AUTHORITY:

BOARD OF COUNTY COMMISSIONERS

RESOLUTION NO. 49-2015



James J. Whitbread, P.E., P.G.  
County Engineer/Public Works Director