

3/11/21 Date/Stamp

CITY OF MUKILTEO

# Engineering Permit Application

This **Engineering Permit Application** form is required for any combination of clearing, grading, roadway development, right-of-way, site development, and/or stormwater work. For standalone right-of-way applications or applications for utility work within the right-of-way only, please use the [Right-of-Way Permit application form](#).

Please complete this form and submit it and all required documents to the Permit Center. Staff will review the application to determine if any additional information is needed. Once the application is complete, staff will review the application concurrent with any other permits required by the City. Additional information can be found in the City's [Development Standards](#) and in the [Mukilteo Municipal Code \(MMC\)](#).

## APPLICANT INFORMATION

**Applicant**  **Primary Contact**  **Property Owner**  **Contractor**

Name: ALISON MUSCH Company: DYKEMAN ARCHITECTS  
 Address: 1716 W MARINE VIEW DR, 2ND FL City / State / ZIP: EVERETT/WA/98201  
 Email: alisonm@dykeman.net Phone: 949.300.2380

### Primary Contact, if Different

Name: \_\_\_\_\_ Company: \_\_\_\_\_  
 Address: \_\_\_\_\_ City / State / ZIP: \_\_\_\_\_  
 Email: \_\_\_\_\_ Phone: \_\_\_\_\_

### Property Owner, if Different

Name: RYAN KILBY Company: 5J WILLIAMS FAMILY, LLC  
 Address: 19801 50TH AVE W City / State / ZIP: LYNNWOOD/WA/98036  
 Email: ryan@williamsinvest.com Phone: 425.750.7926

**Contractor**  **To Be Determined**  **Exempt per RCW 18.27.090 (see below)**

Company: \_\_\_\_\_ Contact Name: \_\_\_\_\_  
 Address: \_\_\_\_\_ City / State / ZIP: \_\_\_\_\_  
 Email: \_\_\_\_\_ 24-Hour Phone: \_\_\_\_\_  
 State Business License No.: \_\_\_\_\_ Expiration Date: \_\_\_\_\_  
 Mukilteo Business License No.: \_\_\_\_\_ Expiration Date: \_\_\_\_\_  
 State Contractor's License No.: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

[RCW 18.27.090 Exemption:](#) Work will be completed by:  
 RCW 18.27.090(1) Government Entity  RCW 18.27.090(3) Public Utility  
 Other (list specific exemption): \_\_\_\_\_

**PROJECT INFORMATION**

Location / Address: NW CORNER OF 3RD STREET & PARK AVE, MUKILTEO, WA 98275 Parcel No(s): 00596900300601

Project Name: ROSE HILL APARTMENTS Est. Start/End Date: JUNE 2023-JUNE 2024

Description of Work: CLEARING AND GRADING FOR THE CUNSTRUCTION OF A NEW 14-UNIT APARTMENT BUILDING WITH FRONTAGE IMPROVEMENTS AND DETENTIONS PIPES.

**TYPE(S) OF PROPOSED DEVELOPMENT**

*Complete Sections I – IV, then complete this section.*

**Title 12 MMC – Rights-of-Way**

**Roadway Development**

Review Type (Choose One):

- New       Amendment

Development Type (Choose One):

- Multi-Family, Commercial or Industrial  
 Short Subdivision  
 Full Subdivision

**Right-of-Way see Section I**

Permit Type (see Fee Schedule for descriptions):

- C     D     E     F

NOTE: This application form is for projects with right-of-way **and** other work. For standalone right-of-way applications or applications for utility work within the right-of-way, please use the [Right-of-Way Permit application form](#).

**Chapter 15.16 MMC – Grading and Excavation**

**Clearing Only**       **Clearing & Grading see Section II**

Total Clearing Area, Sq. Ft.: 20,487

Total Grading Volume, Cubic Yards: 3740

**Retaining Wall 4 Ft. or Taller, or that Supports Structural Surcharge Loads see Section III**

**Chapter 13.12 MMC – Surface Water Management**

**Stormwater Plan Review see Section IV**

Review Type (Choose One):

- New       Amendment       Modification

Development Type (Choose One):

- Under Minimum Requirement (MR) Threshold  
 MRs 1 – 5 Only       MRs 1 – 9

**Stormwater Minimum Requirement Exception**

NOTE: Additional Hearing Examiner Fees may apply.

**Stormwater System Transfer Fee**

**Other Type(s) of Proposed Development**

**Development Standards Deviation Request(s)**

No. of Requests:                     

**Other:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**SECTION I: RIGHT-OF-WAY**

Type of work being performed in City of Mukilteo right-of-way (please check all that apply):

- Cable   
  Driveway   
  Natural Gas   
  Power   
  Sewer   
  Stormwater   
  Telephone   
  Water  
 Frontage Improvements   
  Small Cell Wireless   
  Other: \_\_\_\_\_

**SECTION II: CLEARING AND GRADING**

Check all that apply. Please see the specific definitions in [MMC 15.16.020\(B\)](#) for additional guidance.

1. Total Area of Land Disturbance (Clearing Area): \_\_\_\_\_ 20,487 \_\_\_\_\_ Sq. Ft.
2. Vegetation to be Removed:
  - Trees: \_\_\_\_\_ Sq. Ft.     Shrubs / Lawn: \_\_\_\_\_ 10,288 \_\_\_\_\_ Sq. Ft.
  - Noxious Weeds: \_\_\_\_\_ Sq. Ft.    Noxious Weed Types: \_\_\_\_\_
3. Method of Land Disturbance:                     Hand Clearing                     Machine
4. Land Disturbance Outside the Building Footprint:
  - Exported: \_\_\_\_\_ 580 \_\_\_\_\_ CY     Imported: \_\_\_\_\_ 5 \_\_\_\_\_ CY
  - Re-Graded on Site: \_\_\_\_\_ CY     Other: \_\_\_\_\_ CY    Total: \_\_\_\_\_ 585 \_\_\_\_\_ CY
5. Materials Disposal Site Address: TBD
6. Maximum Height of Fill: 1 \_\_\_\_\_ Ft.                    Maximum Depth of Cut: 14 \_\_\_\_\_ Ft.
7. Identify any stream, surface water, drainage course, wetland or other critical area on or within 200 ft. of the site:  
BREWERY CREEK LIES APPROX. 100 FEET EAST OF THE SITE.

**SECTION III: RETAINING WALLS**

If a retaining wall is proposed, please check which applies. *Note: Height is measured from the bottom of the footing.*

- None   
  Less Than 4 Ft., Not Load Bearing   
  4 Ft. or Taller   
  Any Height and Load Bearing

## SECTION IV: STORMWATER

Important definitions for stormwater and for completing this section:

- **Impervious surfaces** are non-vegetated surface areas that either prevent or impair water entry into the soil. These surfaces cause water to run off the surface in greater quantities or at increased flow rates from natural conditions. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, gravel, asphalt, concrete and bricked surfaces.
- **Hard surfaces** include permeable pavement, decks, vegetated roofs, and all impervious surfaces.

Please see the specific definitions in [MMC 17.08.020\(B\)](#) for additional guidance.

712 SF

### A. Does the Project Propose to...

1. Result in 2,000 sq. ft. or more of new plus replaced hard surface area?  Yes  No
2. Disturb an area of land 7,000 sq. ft. or greater in size?  Yes  No
3. Connect to the City's stormwater system?  Yes  No

If the answer to **any** of the above is "**yes**", then a Stormwater Permit is required. Complete Supplemental Stormwater Items B – F and provide all required submittals.

If the answer to **all** of the above is "**no**", then a Stormwater Permit is not required. Complete Supplemental Stormwater Items B – E and:

1. If you are submitting a Building Permit Application as part of this proposal, complete the "Pollution Prevention Considerations" section on page 2 of the Building Permit Application; or
2. If you are **not** submitting a Building Permit Application as part of this proposal, complete the "Pollution Prevention Considerations" form included as part of this application.

### B. Calculate Existing Impervious Surface Area

Enter the area for all existing impervious surfaces on the property. Only include those items that are impervious. Hard surfaces, such as porous pavement, will be considered in Step 3. If there are none to add, enter "0".

Types of Improvements (Incomplete List)	Description of Area(s) in Sq. Ft. Ex. House (Sq. Ft.), Driveway (Sq. Ft.)	Existing Impervious Surface Area (Sq. Ft.)
Roof Structures (All Buildings):	EXISTING OLD SHED	469 SF
Sidewalks / Walkways:	EXISTING COCRETE WALKWAY	243 SF
Covered Porch / Deck / Patio:		
Driveway (incl. Gravel Areas):		
Parking Lot (incl. Gravel Areas):		
Other:		
<b>Item B Total (Total Existing Impervious Surface):</b>		<b>712 SF</b>
		<b>Sq. Ft.</b>

**SECTION IV: STORMWATER, CONTINUED**

**C. Determine if the Project is “New Development” or “Redevelopment”**

- If the result is **less than 35%**, use the flow chart in Item F for “new development”.
- If the result is **greater than or equal to 35%**, use the flow chart in Item F for “redevelopment”.

Item B Total (Sq. Ft.):	712 SF
Total Site Area (Sq. Ft.):	11000 SF
	<i>(Item B ÷ Site Area)</i>
	<i>X 100</i>

<b>Item C Result (% Existing Impervious Cover):</b>	6.47	%
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**D. Calculate Existing Hard Surface Area**

Enter any existing hard surfaces **not included** in Item B. If there are none to add, enter “0”.

<b>Types of Improvements (Incomplete List)</b>	<b>Description of Area(s) in Sq. Ft. Ex. House (Sq. Ft.), Driveway (Sq. Ft.)</b>	<b>Existing Hard Surface Area (Sq. Ft.)</b>
Green Roof Structures:	0	
Porous Sidewalks / Walkways:		
Porous Porch / Deck / Patio:		
Porous Driveway / Parking Lot:		
Other:		
<b>Item D Total (Total Existing Hard Surface):</b>		<b>Sq. Ft.</b>



**SECTION IV: STORMWATER, CONTINUED**

**E. Calculate Proposed New and Replaced Hard Surfaces**

Include all types of hard (and impervious) surfaces in the table. No "credit" is taken for replaced hard surfaces.

For example, if 1,500 sq. ft. of gravel is replaced with a 1,500 sq. ft. garage, this is entered as 1,500 sq. ft. of replaced hard surface. There is no deduction for the replaced gravel.

Enter "0" for sections that do not apply to your project.

Types of Improvements (Incomplete List)	Description of Area(s) in Sq. Ft. Ex. House (Sq. Ft.), Driveway (Sq. Ft.)	New Area (Sq. Ft.)	Replaced (Sq. Ft.)
Roof Structures (All Buildings):	Proposed Apartment Building	10,585	
Green Roof (Not Incl. Above):			
Sidewalks / Walkways:			
Covered Porch / Deck / Patio:			
Uncovered Porch / Deck / Patio:			
Driveway (Impervious):			
Parking (Impervious):			
Pervious Paving Surfaces (All):			
Porous Sidewalks / Walkways:			
Right-of-Way Improvements (All):	Proposed Sidewalk/Road Surfacing	8,489	
Other:			
	<i>Subtotals:</i>	19,074	
<b>Item E Total (New Plus Replaced Hard Surfaces):</b>		19,074	<b>Sq. Ft.</b>

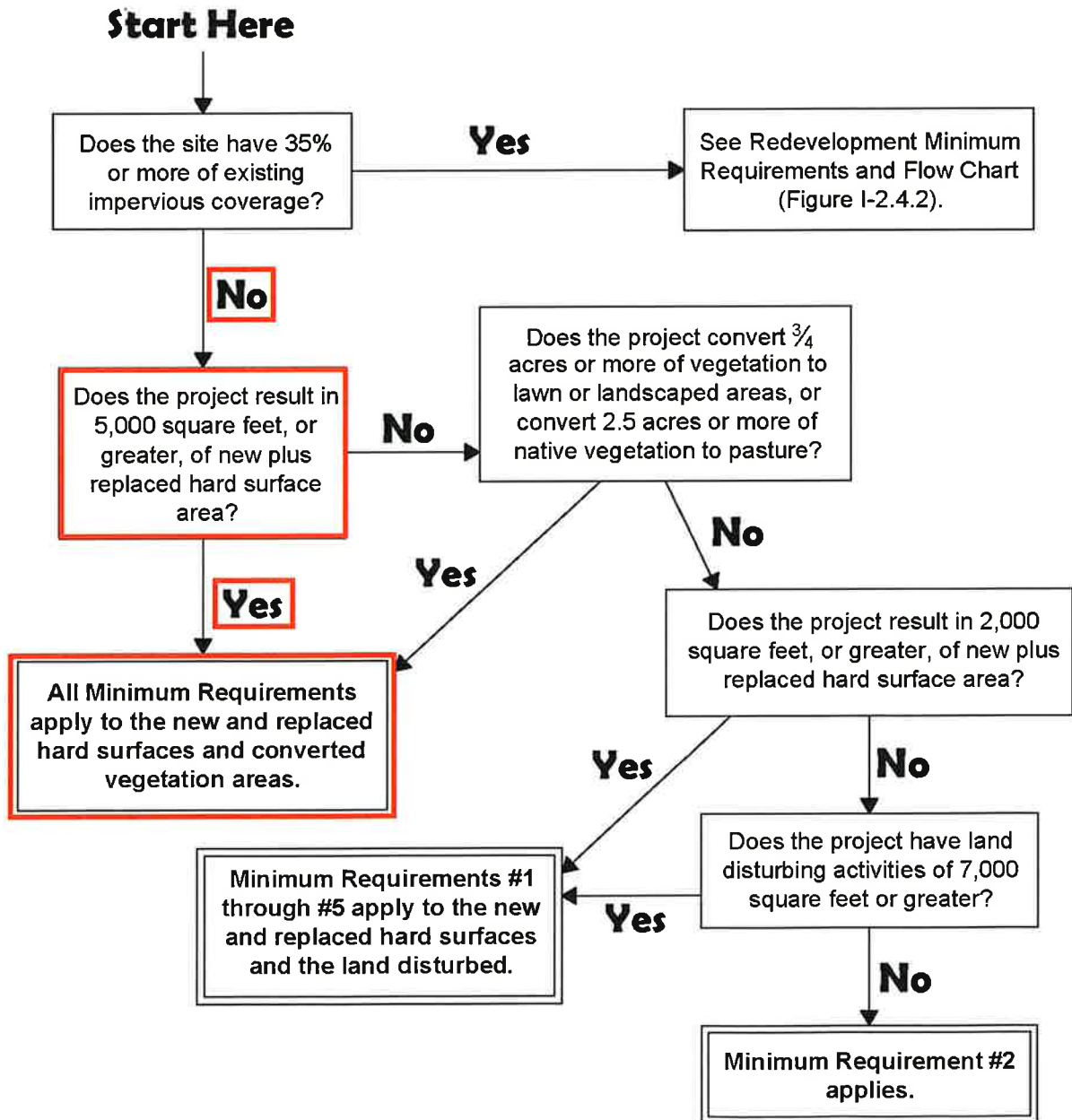
**SECTION IV: STORMWATER, CONTINUED**

**F. Determine Stormwater Minimum Requirements (MRs)**

- If the result from Item C is **less than 35%**, use the flow chart for “new development”.
- If the result from Item C is **greater than or equal to 35%**, use the flow chart for “redevelopment”.

Please circle or check your “yes” or “no” answers, below. Then fill in the result on Page 1.

*Figure I-2.4.1: Flow Chart for Determining Requirements for New Development*



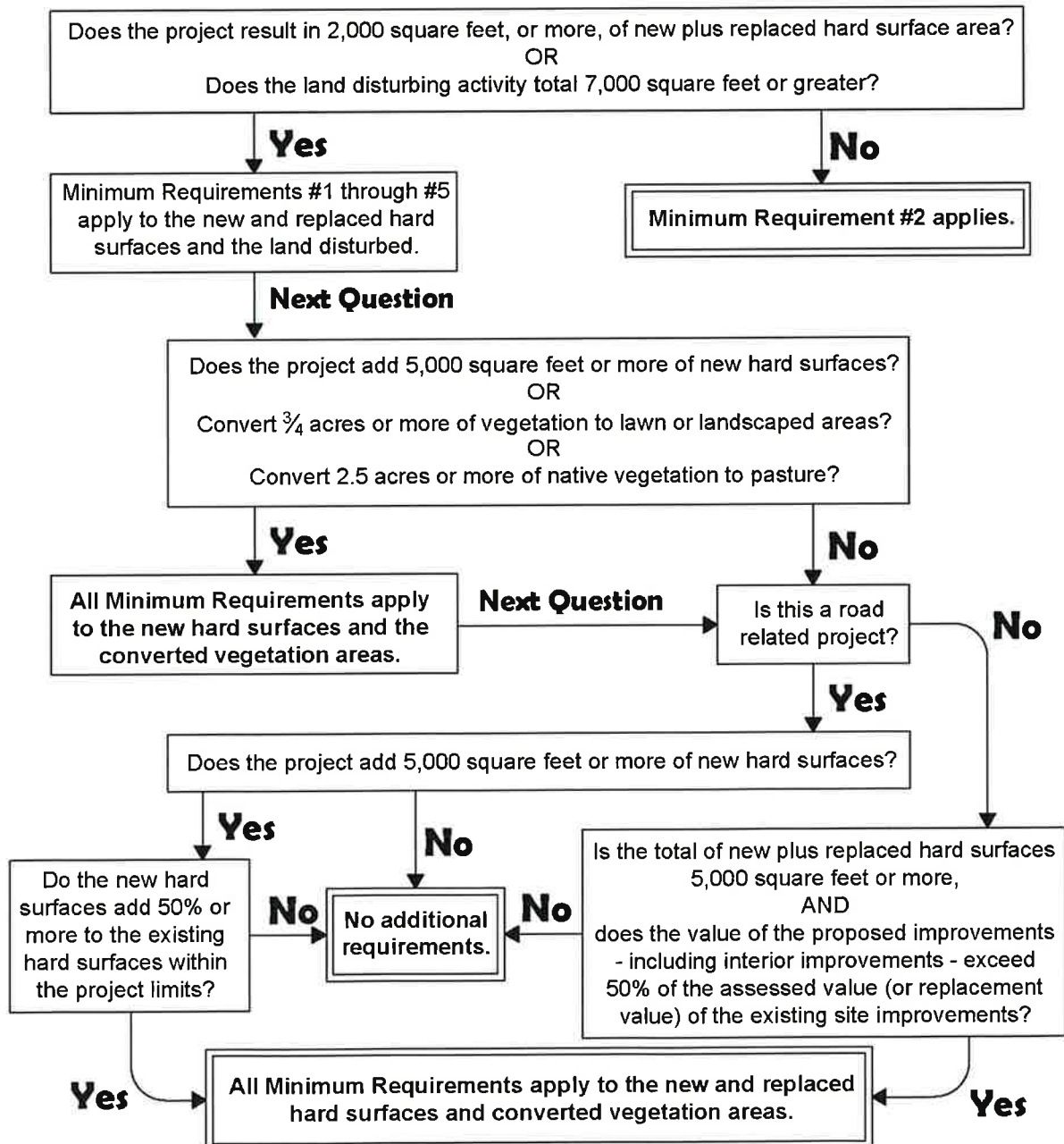
**SECTION IV: STORMWATER, CONTINUED**

**F. Determine Stormwater Minimum Requirements (MRs), cont'd**

- If the result from Item C is **less than 35%**, use the flow chart "new development".
- If the result from Item C is **greater than or equal to 35%**, use the flow chart for "redevelopment".

Please circle or check your "yes" or "no" answers, below. Then fill in the result on Page 1.

*Figure II-2.4.2: Flow Chart for Determining Requirements for Redevelopment*





ENGINEERING APPLICATION SUBMITTAL CHECKLIST	Quantity (Originals)	Submitted?	
		Y	N/A

Please submit an electronic copy to [permittech@mukilteowa.gov](mailto:permittech@mukilteowa.gov) and the number of hard copies as listed below. Hard copies may be delivered to Mukilteo City Hall, sent by mail or delivery service. Please check "N/A" if the submittal does not apply to your proposal.

1. Engineering Application	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Civil Plans – 24" x 36" sheet size, except as noted	2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Cover Sheet	2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Site Plan	2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Reduced Site Plan – 11" x 17" sheet size	2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Topography Plan   **Survey	2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Clearing and Grading Plan	2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Tree Protection and Retention Plan During Construction	2	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Temporary Erosion and Sediment Control (TESC) Plan	2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Drainage Site Plan with Profiles and Details	2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Road and Transportation Plan, including related drainage	2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Mukilteo Traffic Control Plan (Temporary Traffic and Pedestrian Control Plan)	2	<input type="checkbox"/>	<input type="checkbox"/>
k. Landscape Plan	2	<input type="checkbox"/>	<input type="checkbox"/>
l. Soil Management Plan	2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
m. Utility Plan (existing and proposed)	2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Geotechnical Full Report	2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Structural Plan for Engineered Walls	2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Geotechnical Report for Stormwater	2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Drainage Report / Stormwater Site Plan	2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Stormwater Pollution Prevention Plan (SWPPP)	2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Structural Plan for Stormwater Vault	2	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Draft Physical Drainage Easement(s) per <a href="#">MMC 13.12.160(F)(1)</a>	1	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Draft City Stormwater Access Easement(s) per <a href="#">MMC 13.12.160(F)(3)</a>	1	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. Draft Stormwater Maintenance Covenant per <a href="#">MMC 13.12.160(F)(7)</a>	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. Approved WSDOT Traffic Control Plan (if impacting SR 525, SR 526 and/or SR 526 Spur)	1	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. Traffic Analysis / Impact Study	1	<input type="checkbox"/>	<input type="checkbox"/>
14. Draft Joint-Use & Maintenance Agreement for Private Roads/Joint-Use Driveways	1	<input type="checkbox"/>	<input type="checkbox"/>
15. Deviation Request(s) on the " <a href="#">Alternate Materials, Methods or Modifications</a> " Form	1 of each	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Copy of other agency permits, licenses or approvals.	1 of each	<input type="checkbox"/>	<input type="checkbox"/>

## INSURANCE

### A. Insurance Term

The Permittee shall procure and maintain for the duration of the Permit, insurance against claims for injuries to persons or damage to property which may arise from or in connection with operations or activities performed by or on the Permittee's behalf with the issuance of this Permit.

### B. No Limitation

Permittee's maintenance of insurance as required by the Agreement shall not be construed to limit the liability of the Permittee to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.

### C. Minimum Scope of Insurance

Applicant shall obtain insurance of the types and coverage described below:

1. Commercial General Liability insurance shall be at least as broad as ISO occurrence form CG 00 01 and shall cover liability arising from operations, products-completed operations, and stop-gap liability. There shall be no exclusion for liability arising from explosion, collapse or underground property damage. The City shall be named as an additional insured under the Permittee's Commercial General Liability insurance policy using ISO Additional Insured-State or Political Subdivisions-Permits CG 20 12 or a substitute endorsement providing at least as broad coverage.
2. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be at least as broad as Insurance Services Office (ISO) form CA 00 01.

### D. Minimum Amounts of Insurance

Permittee shall maintain the following insurance limits:

1. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate and a \$2,000,000 products-completed operations aggregate limit.
2. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.

### E. Other Insurance Provision

The Permittee's Commercial General Liability insurance policy or policies are to contain, or be endorsed to contain that they shall be primary insurance as respect to the City. Any insurance, self-insurance, or self-insured pool coverage maintained by the City shall be excess of the Applicant's insurance and shall not contribute to it.

### F. Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

### G. Verification of Coverage

Permittee shall furnish the City with original certificates and a copy of the amendatory endorsements, including the additional insured endorsement, evidencing the insurance requirements of the Permittee before issuance of the Permit.

### H. Notice of Cancellation

The Permittee shall provide the City with written notice of any policy cancellation, within two (2) business days of their receipt of such notice.

### I. Failure to Maintain Insurance

Failure on the part of the Permittee to maintain the insurance as required shall constitute a material breach of the Permit, upon which the City may, after giving five (5) business days' notice to the Permittee to correct the breach, immediately terminate the Permit, or at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand.

### J. City Full Availability of Consultant Limits

If the Permittee maintains higher insurance limits than the minimums shown above, the City shall be insured for the full available limits of Commercial General and Excess or Umbrella liability maintained by the Permittee, irrespective of whether such limits maintained by the Permittee are greater than those required by this contract or whether any certificate of insurance furnished to the City evidences limits of liability lower than those maintained by the Permittee.

The acceptance of the conditions upon which this permit is granted shall be evidenced by the beginning of the installation of said FACILITIES as set forth herein.

## INSURANCE ACKNOWLEDGEMENT

I hereby acknowledge that I have read and agree to comply with the above requirements regarding insurance.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## POLLUTION PREVENTION CONSIDERATIONS

The City requires applicants to consider and implement methods to prevent pollution and contaminants from entering the City's stormwater system and natural watercourses, including creeks, streams, ponds, wetlands, and Puget Sound.

Per [MMC 13.12.080\(A\)](#): "No person shall throw, drain, or otherwise discharge, cause or allow others under its control to throw, drain, or otherwise discharge into the municipal storm drain system and/or surface and ground waters, any materials other than stormwater..." Additional examples of prohibited contaminants are listed in the linked code section.

This form applies to all projects that require an Engineering Permit that do not have an associated Building permit. Please initial the boxes below to verify that you understand and agree to comply with each requirement, when applicable.

### INITIALS POLLUTION PREVENTION MEASURES

- |  |  |
|--|--|
| <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> | <ul style="list-style-type: none"> <li>• My site is already developed, with existing vegetation.</li> <li>• Only the project area indicated on the Permit Application will be disturbed.</li> <br/> <li>• There will be no dewatering (dewatering is removing of groundwater or surface water from a construction site).</li> <li>• No dirt will be allowed to run off the property, enter the road, storm drains, ditches, streams, wetlands, or other water bodies.</li> <li>• If dirt will be moved off the site, all storm drain inlets within 150 feet of the project will have storm drain inlet protection (also known as catch basin inserts).</li> <br/> <li>• My existing, paved or gravel driveway will be the construction entrance.</li> <li>• Any construction-related dirt and debris will be swept off the driveway and put into a trash can.</li> <li>• No pressure washing debris/water will enter the road, storm drains, or waterways.</li> <br/> <li>• All soil piles not worked for more than 2 days will be covered with plastic.</li> <li>• Disturbed soil will have temporary cover (such as straw) during the project, when not being worked on.</li> <li>• When the project is complete, disturbed soils will be seeded, vegetated, and/or mulched.</li> <br/> <li>• All project waste (pollutants) will be kept off of roads, and out of storm drains, ditches, streams, and wetlands.</li> <li>• Anticipated waste products are identified below.</li> <br/> <li>• All erosion control measures, catch basin inserts, and pollutant controls will be removed prior to issuance of the project's final permit acceptance.</li> <li>• All wastes will be disposed of properly.</li> </ul> |
|--|--|

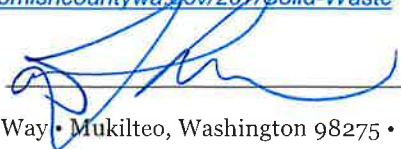
### ANTICIPATED WASTE PRODUCTS FOR THIS PROPOSAL INCLUDE... (CHECK ALL THAT APPLY)

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Exposed concrete aggregate wastewater or other concrete wash out waste | <input type="checkbox"/> Solid waste                                    |
| <input checked="" type="checkbox"/> Paint and/or stains  | <input type="checkbox"/> Pressure washing waste                         |
| <input checked="" type="checkbox"/> Cleaning solutions or other chemicals or materials                     | <input checked="" type="checkbox"/> Soil, rock, or other earthen debris |
| <input type="checkbox"/> Other: _____  | <input type="checkbox"/> None   |

### POLLUTION PREVENTION ACKNOWLEDGEMENT

As the project applicant / property owner, I understand it is my responsibility to assure that no soils, wash water, or waste products from my project enter the storm drain, are washed into the road, or are allowed to enter any water body. It is my responsibility to assure that my contractors are aware of these requirements.

For disposal information on ~~solid~~ waste, hazardous waste, recycling, and facility locations, visit Snohomish County's website. <https://snohomishcountywa.gov/207/Solid-Waste>

Signature: 

Date: 1/30/23

### ADDITIONAL APPROVALS

The following list is meant to provide guidance. It is the applicant's responsibility to identify and obtain all required State, Federal, and/or other applicable permits and provide a copy to the City prior to issuance of an Engineering Permit.

1. A Department of Ecology Construction Stormwater Permit is required for projects that disturb one (1) acre or more. Will your project disturb one (1) acre or more of land through clearing, excavating, or stockpiling of fill? *If yes, complete a [Department of Ecology Notice of Intent](#) online.*  Yes  No
2. A [Forest Practices Permit](#) from the Washington State Department of Natural Resources (WADNR) is required for all projects removing and selling timber from the property site. Will your project remove and sell timber?  Yes  No
3. A [BNSF Rail Permit](#) is required for all proposals that use or access BNSF Railway right-of-way. Does your project involve BNSF Railway-managed property?  Yes  No
4. A [Hydraulic Permit Approval \(HPA\)](#) from the Washington State Department of Fish and Wildlife (WADFW) and / or from the US Army Corps of Engineers (USACE) is required for all fill, or work within, over, or under a stream or wetland. Will your project involve stream or wetland?  Yes  No
5. Is this project adjacent to a State Route (SR)? State Routes in Mukilteo include SR 525 (Mukilteo Speedway), SR 526 (Paine Field Boulevard), and the SR 526 Spur (84th St SW between SR 525 to SR 526)? *If Yes, submit a WSDOT-approved Traffic Control Plan, and any other required WSDOT approvals.*  Yes  No
6. Will work occur within the allowed construction hours of 7 AM to 9 PM, Monday through Friday, and 9 AM to 7 PM, weekends and holidays? *If No, a [construction noise variance](#) is required. Application for a noise variance is not a guarantee of approval.*  Yes  No

### INDEMNIFICATION

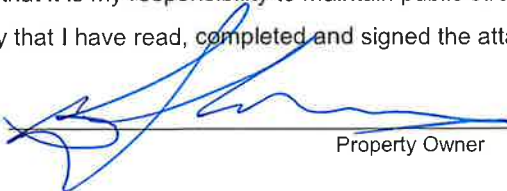
The permittee shall indemnify, defend and hold harmless the City, its officers, agents and employees, from and against any and all claims, losses or liability, including attorney's fees, arising from injury or death to persons or damage to property occasioned by the construction, installation, operation, location, maintenance, or any other cause related to the improvement for which this permit is granted. With respect to this permit and as to claims against the City, its officers, agents and employees, the permittee expressly waives its immunity under Title 51 of the Revised Code of Washington, the Industrial Insurance Act, for injuries to any employees the permittee may have, and agrees that the obligation to indemnify, defend and hold harmless provided for in this paragraph extend to any claim brought by or on behalf of any employee of the permittee. This waiver has been mutually negotiated by the parties as part of the permitting process and is given, as is the indemnification agreement contained within this paragraph, as consideration for issuance of a right-of-way use permit by the City. This paragraph shall not apply to any damage or injury resulting from the sole negligence of the City, its agents or employees. To the extent any of the damages or injuries referenced by this paragraph were caused by or resulted from the concurrent negligence of the City, its agents or employees, this obligation to indemnify, defend and hold harmless is valid and enforceable only to the extent of the negligence of the permittee, its officers, agents or employees, if any.

The acceptance of the conditions upon which this permit is granted shall be evidenced by the beginning of the installation of said FACILITIES as set forth herein.

### CERTIFICATION AND INSURANCE

I hereby acknowledge that I have read this permit application in its entirety and know the same to be true and correct. I agree to comply with all conditions, city ordinances and state/federal laws regulating activities covered by this permit application. I also acknowledge that it is my responsibility to maintain public streets free of dirt and debris.

I further certify that I have read, completed and signed the attached insurance requirements and acknowledgements.

Signature:  \_\_\_\_\_  
Property Owner

Date: 1/30/23

Signature: \_\_\_\_\_  
Applicant, if different

Date: \_\_\_\_\_