

## CATTLE GUARD PERMIT REGULATIONS

Wasco County discourages the placement of cattle guards within the road right of way and no new cattle guard will be permitted on any County road that is classified as an arterial or collector.

Wasco County does recognize that in certain instances a cattle guard will benefit rural landowners and if the placement of a cattle guard is deemed appropriate, the following regulations will apply:

1. Approved permits cover public right of way under the jurisdiction of the Wasco County Court and are not valid upon any Federal, State or City right of way.
2. Any questions concerning permits or the permit process should be directed to the Wasco County Public Works at (541) 506-2640. Any modification to these permit regulations will require prior approval. Once a permit has been issued, The Public Works Department must be notified a minimum of 48 hours prior to starting any work within the County right of way. Failure of notification will invalidate the permit.
3. As provided in ORS 758.010 the Public Works Department, acting on behalf of the Wasco County Court, may designate where facilities may be located within the public road right of way, and may order the location of such facilities changed if deemed expedient.
4. If the applicant fails to commence installation of the facility covered by the permit within 120 days from the date the permit is approved, the permit shall be deemed null and void and all privileges thereunder forfeited.
5. Permits may be terminated or suspended when the applicant is found to have obtained a permit through misrepresentation of the facts or when terms of the permit are being violated or public safety is threatened.
6. Hold Harmless Clause – The applicant agrees that their performance under this permit is at their own risk and that they shall indemnify Wasco County, its agents and employees, and hold them harmless from any and all liability for damages, costs, losses and expenses resulting from, arising out of, or in any way connected with this permit, or from the applicant's failure to perform fully hereunder. The applicant further agrees to defend Wasco County, its agents and employees, against all suits, actions or proceedings brought by any third party against them for which the applicant would be liable hereunder.
7. A traffic control plan is required for all permit work that takes place within the County roadway. The plan shall be approved by the County prior to performing any work.

8. Permit applications must be accompanied a set of plans and/or map. The plan or map must depict and locate the work to be done so that someone unfamiliar with the work can determine the location and nature of the installation.
9. The applicant shall be responsible for all damages caused by any operations associated with the permit work. All damaged areas shall be restored to an "as good as or better than" condition as existed prior to the permit work, and said responsibility shall survive the suspension or termination of this permit.
10. The applicant agrees that the cattle guard to be built shall conform to specifications approved by Wasco County.
11. The applicant agrees that if it becomes necessary to remove, alter or reconstruct the cattle guard by reason of the reconstruction or alteration of the County roadway, such action may be undertaken.
12. The applicant hereby authorizes officers, employees, agents, representatives and contractors of the County to enter upon property owned or leased by the applicant for the purposes of inspection of the cattle guard and for determining conformance with the terms of the permit.
13. The applicant agrees to bear the entire expense of maintaining the cattle guard. The applicant is permitted to make minor repairs, provided that any maintenance work does not interfere with or interrupt traffic upon or along the County roadway. No work shall be done and no equipment shall be used by the applicant on the County roadway at any time, unless the applicant has secured specific approval from the County.
14. The applicant shall at all times keep the facilities authorized by the permit in a good state of repair. Should the applicant fail to maintain the cattle guard to the satisfaction of the County, the applicant will be notified in writing and within 30 days of receipt of such notice must repair the cattle guard to the satisfaction of the County. If after expiration of 30 days the cattle guard has not been repaired, the County will remove said cattle guard at the sole expense of the applicant.
15. Upon completion of the work, the applicant shall notify the Wasco County Public Works for a final "as built" approval. This inspection is required and failure to obtain this final approval will invalidate the permit.