

CHAPTER 53, LAWS OF 1937
SECTION 78

"It shall be unlawful for any person to build, erect, establish, operate, maintain or conduct along and upon the right of way of any primary state highway any platform, box, stand or any other temporary or permanent device or structure used or to be used for the purpose of receiving, vending or delivering any milk, cans, vegetables, fruits, merchandise, produce or any other thing or commodity of any nature unless a permit therefor shall first have been obtained from the director of highways. The director of highways shall in each instance determine where any platform, box, stand or any other temporary or permanent device or structure shall be permitted and upon the existence of any such device or structure without a permit first obtained, the same shall be considered an obstruction unlawfully upon the right of way of such primary state highway and the director of highways may proceed to effect the removal of the same."

GENERAL PROVISIONS APPLICABLE TO ALL PERMITS.

A bond in the amount of \$ _____-0-_____ is required for the protection of Klickitat County as set forth in the terms of the bond.

During the progress of the work such barriers shall be erected and maintained as may be necessary or as may be directed for the protection of the traveling public; the barriers shall be properly lighted at night.

In accepting this permit the petitioner, his successors and assigns, agrees to protect Klickitat County and save it harmless from all claims, actions or damages of every kind and description which may accrue to or be suffered by any person or persons, corporation or property by reason of the performance of any such work, character of materials used or manner of installation, maintenance and operation or by the improper occupancy of rights of way or public place structure, and in case any suit or action is brought against said Klickitat County for damages arising out of or by reason of any of the above causes, the petitioner, his successors or assigns will upon notice to him or them of commencement of such action, defend the same at his or their own sole cost and expense and will satisfy any judgment after the said suit or action shall have finally been determined if adverse to Klickitat County.

Except as herein authorized, no excavation shall be made or obstacle placed within the limits of a county road in such a manner as to interfere with the travel over said road.

Except as herein authorized, no excavation shall be made or obstacle placed within four (4) feet of the edge of the pavement.

If the work done under this permit interferes in any way with the drainage of the county roads, the grantee shall wholly and at his own expense make such provision as the engineer may direct to take care of said drainage.

On completion of said work herein contemplated all rubbish and debris shall be immediately removed and the roadway and roadside shall be left neat and presentable and satisfactory to the engineer.

All of the work herein contemplated shall be done under the supervision and to the satisfaction of the County Road Engineer and the entire expense of said supervision shall be borne by the party or parties to whom this permit is issued.

The County Commissioners hereby reserve the right to order the change of location or the removal of any structure or structures authorized by this permit at any time, said change or removal to be made at the sole expense of the party or parties to whom this permit is issued, or their successors and assigns.

All such changes, reconstruction or relocation by the grantees shall be done in such manner as will cause the least interference with any of the county's work and Klickitat County shall in no way be held liable for any damage to the grantee by reason of any such work by Klickitat County, its agents or representatives, or by the exercise of any rights by the County upon the roads, streets, public places or structures in question.

This permit or privilege shall not be deemed or held to be an exclusive one and shall not prohibit the County from granting other permit or franchise rights of like or other nature to other public or private utilities, nor shall it prevent the County from using any of its roads, streets, or public places, or affect its right to full supervision and control over all or any part of them, none of which is hereby surrendered.

The County Commissioners may revoke, annul, change, amend, amplify, or terminate this permit or any of the conditions herein enumerated if grantee fails to comply with any or all of its provisions, requirements or regulations as herein set forth or through willful or unreasonable neglect, fails to heed or comply with notices given or if the utility herein granted is not installed or operated and maintained in conformity herewith or at all or for any cause or reason whatsoever.

The party or parties to whom this permit is issued shall maintain at his or their sole expense the structure or object for which this permit is granted in a condition satisfactory to the County Road Engineer.

In accepting this permit the grantee, his successors and assigns, agree that any damage or injury done to the property of the grantee or any expense incurred by him through the operation of a contractor, working for the County or of any County employee shall be at the sole expense of the grantee, his successors or assigns.

The undersigned hereby accepts this permit subject to the terms and conditions as herein set forth.

Date: _____ (signature)