



City of Dufur  
PO Box 145  
175 NE Third Street  
Dufur, OR 97021  
541-467-2349

## Right of Way Encroachment Permit

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

Address: \_\_\_\_\_

Location of Project: \_\_\_\_\_

Project Type: \_\_\_\_\_

Project Involves:  Water  Sewer  Right of Way  Other

Project done by:  Homeowner  Contractor

Name of contractor: \_\_\_\_\_

Project Description: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Estimated Project Cost: \_\_\_\_\_

Owner to pay for entire project cost

City\* – Owner requests the City of Dufur contribute \_\_\_\_\_

\*Attach explanation why the city should help fund this project, if applicable.

\_\_\_\_\_  
Property Owner Date: \_\_\_\_\_

\_\_\_\_\_  
City of Dufur, Public Works Date: \_\_\_\_\_

1. City hereby grants applicant (Permittee) permission to use a portion of the right-of-way for the use described. Authorized use (the permit) is for the limited purpose described and shown in the attached plan/illustration.
2. If construction of facilities in rights-of-way is planned in conjunction with this encroachment permit, a separate right-of-way permit may be required for that work.
3. This permit is issued by the City of Dufur subject to the City's Public Works Standards (including ADA requirements).
4. A minimum of five feet of clearance must be maintained on all pedestrian routes.
5. Permittee, as consideration for the permit, agrees to maintain the improvements, comply with the terms, conditions and covenants contained in this permit, and consents to the City securing any financial obligations associated with this permit through the placement of a lien on the Permittee property.
6. Permittee understands that this permit is a nonexclusive revocable permit and that the City reserves all rights to use the right-of-way in any manner the City deems appropriate. Permittee understands that the public, for public purposes, and City personnel, for maintenance, may use the right-of-way. City reserves, on its behalf and the behalf of the public, the right to use, occupy, and enjoy the right-of-way for such purpose, in such manner, and at such time as it shall desire, the same as if this permit had not been executed by the City. The permit granted herein does not restrict City from improving the right-of-way, installing water lines, sewer lines, electrical lines, or other utility lines, or granting such rights to others. If any use by the City or public shall necessitate any change, repair, renewal, removal, or relocation of the improvements, or any part of the improvements, Permittee shall perform such work at such time as City specifies. If Permittee fails to undertake and complete the specified work, the work may be performed by City at the expense of Permittee. City shall not be liable to Permittee on account of any damages arising out of any use that City, or the public, may make of the right-of-way.
7. The Permittee shall be responsible and liable for all accidents, environmental clean-up, damages or injuries to any person or property resulting from the construction, maintenance, repair, operation or use of a facility for which the Permittee may be legally liable. The Permittee shall indemnify and hold harmless the City of Dufur, its City Councilors and all officers, employees or agents against any and all damages, claims, demands, actions, causes of action, costs and expenses of whatsoever nature which they or any of them may sustain by reasons of the acts, conduct or operation of the Permittee, their agents or employees in connection with the construction, maintenance, repair, operation or use of said facility.
8. Upon completion of any work, the work site must be restored equivalent to original conditions or better.