

Seattle Permits

— part of a multi-departmental City of Seattle series on getting a permit

Build-Over and/or Re-Route Review and Approval Process

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This Tip explains build-over and/or re-route review and approval process for public utility main infrastructure located on private property.

Sometimes Seattle Public Utilities (SPU) has public sanitary sewers, combined sewers and/or storm drain main infrastructure located on private property (typically within a public utility easement). SPU has limited options and restrictive construction requirements for allowing property owners, builders, and developers to construct new and/or modify existing structures over or near an existing public utility main. One option is through a build-over consent agreement and/or re-route easement agreement per Seattle Municipal Code (SMC) 21.16.250. The reason this process is necessary is to insure that SPU maintains its obligation to its customers for the repair, maintenance, and the future upgrade of City of Seattle public utility main infrastructure. The purpose of this Tip is to outline the City's build-over and re-route permitting and as-built process. This includes:

- What is a build-over?
- Does my project trigger the build-over or re-route process?
- What are build-over requirements?
- How to I apply for a build-over or re-route?
- How do I apply for a side sewer permit to proceed with an approved build-over or re-route?
- What other permits might be required?
- How do I get final inspection approval of a build-over or re-route?

- What are the different agencies roles and responsibilities?
- What are the associated fees and charges?

WHAT IS A BUILD-OVER?

A build-over refers to a proposed project involving construction over or near an existing public sanitary sewer, combined sewer and/or storm drain main infrastructure or within a public utility easement.

“Construction” refers to proposed construction, reconstruction or additions such as, but not limited to, buildings, structures, retaining walls, concrete/asphalt paving, landscaping, decks, overhangs, art installations, shoring systems, rockeries and/or other construction facilities.

“Near” refers to any permanent features where the horizontal distance from the public utility main is equal to or less than the depth to the invert of the utility or falls within an existing easement or a proposed appurtenance is within 10-feet of a public utility main.

For example, if a public utility main has a 5-foot depth to the invert of the structure, any new construction located within 5 feet of the utility requires the build-over consent agreement. Encroachments into existing easements also require a build-over consent agreement.

Buildings and structures that are exempt from a building permit because of square footage or height, as measured from ground level (e.g., decks with a height less than 18-inches) are still subject to a build-over consent agreement review to determine if any special precautions are required.

DOES MY PROJECT TRIGGER THE BUILD-OVER OR RE-ROUTE PROCESS?

You can determine if the proposed construction on your property will encroach or interfere with the public main infrastructure by doing the following:

- Check your current title report for the property



- Have a licensed surveyor prepare an initial survey noting the location of the existing public utility main, both vertically and horizontally, property lines and the location of the proposed construction.
- Call for utility locations a few days before starting your project by dialing 811.
- Check the sewer and drainage maps available at the Seattle Department of Construction and Inspection (Seattle DCI) Drainage and Sewer Counter:
 - Online at: <http://web6.seattle.gov/DPD/sidesewercardsv2/>
 - Email: sidesewerinfo@seattle.gov
 - Call (206) 684-5362
 - In person at the Applicant Services Center (ASC), Seattle Municipal Tower, 700 Fifth Ave., 20th floor

Other sources of information are:

- SPU's Development Services Office (DSO) website: www.seattle.gov/util/engineering/Development-ServicesOffice/
- SPU Records Vault website: www.seattle.gov/util/Engineering/Records_Vault/
- SPU Standard Plans and Specifications website: www.seattle.gov/util/Engineering/StandardSpecsPlans/

WHAT ARE BUILD-OVER REQUIREMENTS?

A build-over review is typically first identified early in the permit review process. You will be notified if a build-over review is required through the preliminary application report (PAR). Seattle DCI will not issue the building permit until the build-over review has been approved by SPU. SPU reserves the right not to allow a build-over or re-route of a public utility main.

During SPU's build-over review, the following determinations are possible:

- 1) The project will not impact the public utility main. SPU review is not required.
- 2) The public utility main must be re-routed.
 - Provide a new easement for the public utility main.
 - Construct the re-routed public utility main infrastructure per City standards and requirements.

- Pay the SPU administrative costs, Seattle DCI Side-Sewer Permit Fees which authorizes the construction, and other City/King County permit fees.
 - Pay for the replacement of existing public utility main infrastructure and landscaping attributable to the project's construction.
 - Other conditions may apply on a case-by-case basis as determined by SPU.
- 3) A build-over is allowed and a consent agreement is required. If re-routing the public utility main around the project is impractical or impossible, SPU may grant approval through a build-over consent agreement. Prior to approval, SPU will ensure that the City's property rights and public utility main are adequately protected and the following is secured from the applicant:
- Upgrade the existing public utility main if necessary. Provide a recorded easement over the existing infrastructure (unless one already exists).
 - Pay the SPU administrative costs, Seattle DCI Side Sewer Permit Fees which authorizes the construction, and other City/King County permit fees.
 - Pay for the replacement of existing public structures and landscaping attributable to the project's construction.
 - Agree with the requirements set forth by SPU to protect the public interest by entering into a Consent Agreement with SPU. These requirements are then recorded, added to the plans, and the changes are executed via a Seattle DCI side sewer permit, as well as any associated City/King County permits.

In some cases, the project can be constructed as proposed, however the property owner is responsible to remove improvements at SPU's discretion in order to provide maintenance access to SPU.

- 4) The proposed project must be redesigned so that it does not impact the City-owned public utility main.

Meeting the above criteria and any requirements described within this Tip does not guarantee the right to construct over or near an existing public utility main. The applicant must consult with SPU and SPU reserves the right to deny permission for a build-over request.

HOW DO I APPLY FOR A BUILD-OVER OR RE-ROUTE?

- 1) When it is determined that the project will be located over or near an existing public utility main, or will encroach into a public utility main easement, submit the "Request for Buildover Review" application form and required documentation located at the end of this Tip.
- 2) The DSO will respond to your request with an acknowledgement letter and an invoice requiring a deposit to cover administrative costs. A meeting may be requested to discuss the project in further detail.
- 3) If you (as property owner) agree with minimum preliminary requirements stated in the acknowledgement letter, submit the following to the DSO:
 - A copy of your vesting deed or title report
 - Separate re-route and/or design-change plans and profiles prepared by a licensed civil engineer. For some cases, public utility main located within the building shall be prepared by a licensed mechanical engineer.
 - A topographic and boundary survey, prepared by a licensed professional land surveyor, in order to verify grade, invert elevations, easement, and utility and building locations.
 - Payment as indicated on your invoice. You can make a payment with any of the following three options:
 - In Person:
City of Seattle Customer Service Center
700 5th Avenue, 4th Floor (lobby entrance)
Monday - Friday, 8:00 a.m. – 5:00 p.m.
 - Online: www.seattle.gov/util/payinvoice
 - By Mail:
Seattle Public Utilities – DSO
PO Box 94647
Seattle, WA 98124-4647
- 4) After the DSO receives the above-information and the deposit, DSO and Real Property Services (RPS) will begin review of your project. The review may require modifications of the submitted engineered plans. If a re-route of the public utility main is required, RPS will begin the process of creating a new easement. A new easement requires additional fees and an additional invoice will be sent by the DSO to the applicant.

- 5) Upon final plan approval by SPU, the applicant will need to submit three sets of finalized plans and profiles. The plans will:
 - Be prepared on a City/SPU title block
 - Be stamped by a licensed professional engineer
 - Show construction details and notes for construction or alteration of existing public utility main
 - Conform to the latest SPU Standard Plans and Specifications, available online at www.seattle.gov/util/Engineering/StandardSpecsPlans/
- 6) Once the plan review is completed and the final plans are approved by DSO, RPS will:
 - For build-overs: Present a draft consent agreement for applicant review, approval and acceptance. **Consent agreements must be signed, executed, countersigned and recorded by SPU prior to issuance of a Seattle DCI building or land use permit.**
 - For re-routes: Finalize the new easement and submit it for recording and legislation. **Enacting new easements or relinquishing existing easements requires City Council action prior to building permit approval, and may take up to 18 months.**

Submitting plans, utilizing all of the above criteria, does not guarantee the right to construct over or near an existing public utility main. SPU reserves the right to deny permission for a build-over request.

For status updates, contact the DSO at: SPU_DSO@seattle.gov or (206) 684-3333.

HOW DO I APPLY FOR A SIDE SEWER PERMIT TO PROCEED WITH AN APPROVED BUILD-OVER OR RE-ROUTE?

The construction and inspection of the approved build-over or re-route is implemented via a side sewer permit issued by Seattle DCI. Side sewer permits can be obtained at the Applicant Services Center, Drainage and Sewer Counter, Seattle Municipal Tower, 700 Fifth Ave., 20th floor. You will need to submit the following:

- Five sets of finalized plans with a stamped approval by DSO (as outlined above)

■ Drainage and side sewer application

For more information on side sewer permits, please contact Seattle DCI directly at (206) 684 5362, sidesewerinfo@seattle.gov or online at: www.seattle.gov/dpd/permits/permittypes/sidesewer/.

WHAT OTHER PERMITS MIGHT BE REQUIRED?

Plumbing Permits

A plumbing permit may be required from Seattle/King County Environmental Health Services, Plumbing and Gas Piping Program, for a public utility main located within the building. Please note that the engineered plumbing plan also needs to be part of the approved building plan set.

Plumbing permits can be obtained at the Seattle/King County Health Department, Plumbing/Gas Piping Permit Counter, 401 5th Ave., 1100. For more information, call (206) 263-9566 or visit: www.kingcounty.gov/healthservices/health/ehs/plumbing.

Street Use Permits

Seattle Department of Transportation (SDOT) review and approval will be required for construction work done in the public right-of-way (ROW) if it is part of the build-over agreement. SDOT will issue a Street Use Permit or Utility Major permit when the build-over documents have been approved by SPU and have been recorded on the plans submitted to Seattle DCI.

Permits can be obtained at SDOT, Street Use, Seattle Municipal Tower, 700 Fifth Ave., 23rd fl. For more information, call (206) 684-5253 or email SDOTPermits@seattle.gov.

HOW DO I GET FINAL INSPECTION APPROVAL OF A BUILD-OVER OR RE-ROUTE?

The construction of the relocated or replaced public utility main will be inspected by SPU Construction Management under the Seattle DCI side sewer permit.

Prior to final inspection approval of the build-over or re-route, the following is required:

- Closed circuit television (CCTV): Submittal of pre-construction and post-construction project videos of the infrastructure may be required. A video of the existing public facilities and the constructed public facilities may also be required by SPU and/or Seattle DCI.

- Final written acceptance must be obtained from SPU's Construction Management Division before building occupancy.

- Submit construction plans, prepared by a licensed surveyor, to both the Seattle DCI and SPU construction management inspectors for approval as part of the build-over agreement or re-route.

As-built plans must be prepared and signed by a licensed surveyor at the conclusion of the project. The plans must include:

- The location of existing and new structures
- Finish floor elevations of the lowest level of the existing and new structures
- Delineation of the utility easement; and location and size of both the existing and new public and private sewer and/or drainage lines, including invert and finish grade elevations.
- The distance to the existing upstream or downstream public maintenance hole (MH), along with an invert elevation

WHAT ARE THE DIFFERENT AGENCIES ROLES AND RESPONSIBILITIES?

SPU

SPU-DSO staff provides design plan review of relocated or replaced public utility main. If difficulties are encountered during construction, SPU will contact the applicant, contractor and Seattle DCI site inspector and work with them to resolve the problems. Changes to the approved plan are generally not allowed and need to be approved by SPU-DSO.

SPU-RPS staff is responsible for working with the applicant to finalize the Build-Over Consent Agreement or Easement.

SPU Construction Management inspects all public utility main construction that SPU will ultimately own and maintain.

Seattle DCI

Seattle DCI ensures the build-over consent agreement/easement is approved by SPU prior to issuing a building or land use permit. Seattle DCI also issues side sewer permits for build-over agreements which authorize construction of the build-over or re-route, conduct site inspections during construction, and coordinate actions related to obtaining the as-built plans.

Seattle DCI will not finalize the building or side-sewer permit until SPU construction management grants final written acceptance of the main infrastructure.

SDOT

SDOT verifies any construction located in the ROW meets street right-of-way requirements, and issues utility or street use permits for build-over content agreements that are permitted within the ROW.

Registered Side Sewer Contractors

Construction or reconstruction of the existing public utility main must be performed by the applicant's Registered Side Sewer Contractor (RSSC) even if the existing public utility main is located on private property. A current RSSC list can be found on the Seattle DCI website at <http://web6.seattle.gov/DPD/RSSC/>.

WHAT ARE THE ASSOCIATED FEES AND CHARGES?

SPU Administration Fees

The fees associated with SPU review and issuance of a build-over agreement will include the staff time to review the applicant's plan and profile construction documents as submitted by the applicant's licensed engineer. If an easement is required, additional fees will be assessed.

Side Sewer Fees

The fees associated with a side sewer permit for a build-over or re-route project are established in the Seattle Municipal Code 21.16. Inspection time by the Seattle DCI site inspector for the side sewer permit for build-over will be assessed when the inspection time exceeds the allotted permit inspection time as established by the applicable Seattle DCI Director's Rule.

Street Use Fees

Included with the Seattle DCI side sewer fee is a provision that any work in the ROW includes payment to Seattle DCI (on behalf of SDOT) for a street use permit that will be part of the Seattle DCI side sewer permit.

Access to Information

Links to electronic versions of Seattle DCI **Tips** and **commonly used forms** are available on the "Tools & Resources" page of our website at www.seattle.gov/sdci/. Paper copies of these documents, as well as additional regulations mentioned in this Tip, are available from our Public Resource Center, located on the 20th floor of Seattle Municipal Tower at 700 Fifth Ave. in downtown Seattle, (206) 684-8467.



Build-Over and/or Re-Route Agreement Application

To begin the Seattle Public Utilities (SPU) Development Services Office (DSO) review process for a Build-Over and/or Re-Route Agreement, complete this application and drop off at the DSO Intake Desk, email to spu_dso@seattle.gov, or mail to:

Seattle Public Utilities
Attn: Development Services Office
700 Fifth Ave., Suite 4700
PO Box 34018
Seattle, WA 98124-4018

Please allow up to 10 business days for the SPU DSO to review and respond to the application request.

1. Applicants First and Last Name:

2. Company Name:

3. Address (Street, City, State and Zip):

4. Contact Phone Number:

5. Contact Email Address:

6. Project Address:

7. Seattle Department of Construction and Inspections (SDCI) Permit Number, if available:

8. Reason for Request:
 - SDCI Correction Item
 - Information Inquiry
 - Other, explain:

9. Applicant is aware of (check all that may apply):

Nearby Public Storm Drain

Nearby Public Sanitary/Combined Sewer

Nearby existing utility easement

Other, explain:

10. Please include the following with the application:

- Survey with existing easements shown, if applicable, and preferable stamped by Professional Land Surveyor

- Any preliminary plans

- Any profiles of the proposed structure in relation to the City's infrastructure/easements

- A copy of the City's side sewer card, annotated with the proposed construction. You can find these on SDCI's website at <http://web6.seattle.gov/dpd/sidesewercardsv2/>