

# Seattle Permits

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

## Interpreting the Pavement Opening and Restoration Rule/ Waiving Requirements of the Rule

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Anyone who makes an opening in the right-of-way, whether under permit or not, is responsible for restoring the right-of-way in accordance with the "Pavement Opening and Restoration Rule". SDOT Street Use Inspectors interpret and enforce the Rule on all work conducted under a Street Use permit. When interpreting and enforcing the Rule, the Inspectors rely on: References, Guiding Principals, and their own training and experience.

### References

Primary sources of information for pavement opening and restoration are:

- Right-of-Way Improvements Manual, located at: <http://www.seattle.gov/transportation/rowmanual/default.htm>
- City of Seattle Standard Specifications and Plans, located at: [http://www.seattle.gov/util/Engineering/Standard\\_Plans\\_&\\_Specs/index.asp](http://www.seattle.gov/util/Engineering/Standard_Plans_&_Specs/index.asp)
- Pavement Opening and Restoration Rule, located at: [http://www.seattle.gov/transportation/stuse\\_pavementopen.htm](http://www.seattle.gov/transportation/stuse_pavementopen.htm)
- Approved project plans (when available)

### Guiding Principles

The following principles shall guide site-specific interpretations of the Pavement Opening and Restoration Rule:

Preserve the public investment in the right-of-way.

Maintain or restore ride quality and pedestrian safety.

### Experience

Inspectors may call upon additional sources of expertise, including SDOT's Pavement Engineering and Management Section, SDOT Street Design Section, and Seattle Public Utility Materials Laboratory.

### Waiving Specific Provisions of the Rule

Per Section 3.21 of the Pavement Opening and Restoration Rule, written waiver requests will be considered when a restoration is related to a documented utility (residential or business) customer service request, such as a new service connection. When the contractor or permittee requests a specific provision of the Rule to be waived, the contractor or permittee shall provide a written request to the Inspector or Team Lead prior to the work beginning. The request shall include:

- The specific section of the rule to be waived,
- The reasons for the requested waiver,
- A digital photo.

When the Inspector or Team Lead receives the written waiver request, the following process will be followed:

1. The inspector will visit the site within two (2) business days.
2. If necessary, the inspector will call for technical input from Pavement Management, Street Design, or Materials Laboratory.
3. The inspector will grant or deny the waiver in accordance with specific guidelines.
4. The Inspector will make every effort to reach a final decision on the waiver request within five (5) business days.
5. The inspector will notify the permittee or contractor of the decision either by phone or in writing.
6. The inspector will send a copy of the waiver request, technical input received (if any), inspector's decision, and reasons for the

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decision to SDOT's Pavement Engineering and Management Section.

7. The Pavement Engineering and Management Section will keep a record of waivers and will periodically monitor the performance of pavement restorations made under such waivers.