

NOTICE OF PROPOSED RULEMAKING ACTION

SNOHOMISH COUNTY DEPARTMENT OF PUBLIC WORKS

Pursuant to Snohomish County Code (SCC) 30.82.030 (Rulemaking), the Department of Public Works (DPW) proposes action on Rule # 4430 to establish administrative procedures for determining the amount of the annual utility right-of-way use fee under SCC 13.110.010(9).

Notice Date: April 1, 2026

Rule Title: DPW Rule 4430 – Procedures for determining the utility right-of-way use fee under SCC 13.110.010(9)

Rule Summary: Utility purveyors obtaining a Type C10 permit or Type E3U franchise after July 1, 2026, shall be charged an annual fee in accordance with SCC 13.110.010(9) to use the right-of-way for the authorized placement, construction, and maintenance of utility facilities and related appurtenances. This proposed rule describes a standardized approach to determine the amount of the utility right-of-way use fee through consideration the following factors, not all of which must be applied to each utility: the land value of right-of-way within the utility purveyor’s service area; the approximate amount of area within the right-of-way that will be needed to accommodate the utility's facilities; a reasonable rate of return to Snohomish County for the utility purveyor’s use of the right-of-way; the business opportunity made available to the utility purveyor; density of households served; a reasonable annual adjustment; and other factors that are reasonably related to the value of the utility or the cost to the county of accommodating the utility purveyor’s use within the right-of-way. To review the entire proposed rule visit <https://snohomishcountywa.gov/1095/Public-Works-DPW-Rules>

Request for Review and Comment: Comments on the proposed rulemaking action are requested from interested parties.

Comment Period: Comments regarding the proposed rulemaking action must be submitted in writing by 5:00 p.m. on or before June 1, 2026. All comments received prior to adoption of the final action will be considered prior to making a decision.

Where to Submit Comments: Comments should be submitted to the contact person at the mailing address or e-mail listed below.

Contact Person: Mary Madole, Senior Planner – Special Projects (425) 388-5434

Mailing Address: Snohomish County Department of Public Works
3000 Rockefeller Ave., M/S 607, Everett, WA 98201

E-mail: mary.madole@snoco.org

Review Process: This notice was filed with the clerk of the Snohomish County Council and was posted at the DPW Customer Service Center. After reviewing and considering the comments submitted in response to this notice, the DPW Director may approve proposed Rule 4430, with or without changes. The DPW Director will provide notice of any action taken with respect to the proposed rulemaking action by submitting a copy to the clerk of the County Council, giving public notice in the County newspaper of record (The Herald), and sending copies to any person who submitted written comments on the proposed rule.

HOW TO USE THIS NOTICE

To Learn More About the Proposed Rulemaking Action: Call the contact person listed above to obtain a copy of the proposed rule under review.

ADA Notice: Snohomish County strives to provide accessible facilities and services to all members of the public. For interpreter or translation services for non-English speakers, or otherwise making materials available in an alternate format, contact the Snohomish County Public Works Title VI Coordinator via email at spw-titlevi@snoco.org or call 425-388-6660. Hearing/speech impaired may call 711.