

# MASON COUNTY

## Road Vacation Process

Estimated Processing Time: 90 – 120 days

1. **Petitioner:** Discuss road vacation intentions with the Public Works Right of Way Section to determine feasibility. Receive Road Vacation Petition and information handouts.
2. **Petitioner:** Complete petition form per instructions.
3. **Petitioner:** Submit petition to Public Works and pay deposit.
4. **Public Works:** Review petition and, if complete and acceptable:
  - a. Inspect area to be vacated and circulate petition for comment by Road Maintenance, Community Development and any other interested agency or party – 2 weeks.
  - b. Prepare County Engineer's Report – 1 week.
  - c. Request to place the public hearing on the schedule of the Hearing Examiner (1-2 months out).
  - d. Prepare a resolution setting a public hearing date and place it on the next available Commissioners' meeting agenda – 2 weeks.
  - e. When the resolution setting the hearing date is passed, post copies of the resolution at the site of the vacation area – 3-4 weeks prior to public hearing.
  - f. Place newspaper advertising – 3-4 weeks prior to public hearing.
5. **Hearing Examiner:** Holds public hearing and makes recommendation to the County Commissioners – 2 weeks.<sup>1</sup>
6. **Public Works:** Copies of Hearing Examiner Report sent to Petitioner and other interested parties.
7. **Public Works:** Schedule presentation of Hearing Examiner recommendation to Commissioners at regular meeting – 2 weeks.
8. **Public Works:** Preparation of Order of Vacation and cover memo.
9. **Public Works:** Presentation of Hearing Examiner recommendation to Commissioners.
10. **Commissioners:** Vote to grant or deny vacation. If granted, sign Order of Vacation.
11. **Public Works:** Notice to petitioner of Commission action and record Order of Vacation.
  - a. If a refund of a portion of the deposit is due, it is stated in the notice (payment will be issued later by the Auditor's Office). The notice will include a copy of the recorded Order of Vacation.
  - b. If a balance is owing, it is stated in the notice and a request for payment is made. Upon payment of a balance owing, the Order of Vacation will be recorded and a copy sent to the Petitioner.
12. **Public Works:** Notice with copy of the recorded Order of Vacation to interested parties and agencies.
13. **Public Works:** Close the file.

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<sup>1</sup> The Hearing Examiner holds the required public hearing on behalf of the County Commissioners and makes a recommendation to grant or deny the vacation. At the hearing he hears testimony and collects any other evidence. If there is no further evidence to be provided, he closes the record and the hearing. If there is more evidence to be provided later, he may set a deadline for providing it and hold the record open. Once the record is closed, he has ten days to render a report of his recommendation to the Commissioners.