

# MASON COUNTY

## Road Vacation Process

**Estimated Processing Time: 90 – 120 days**

1. **Petitioner:** Discuss road vacation intentions with the Public Works Right of Way agent 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 administrative fee.
4. **Public Works:** Review petition and, if complete and acceptable:
  - a. Inspect area to be vacated and circulate petition for comment by Road Operations & Maintenance, Road Utility Specialist, Community Development and any other interested agency or party – 2 weeks.
  - b. Prepare County Engineer's Report – 1 week.
  - c. Notifies Petitioner of Compensation rate if a Class A or B road, before scheduling a hearing with the Hearings Examiner.
  - d. Request to place the public hearing on the schedule of the Hearing Examiner (1-2 months out).
  - e. Prepare a resolution setting a public hearing date and place it on the next available Commissioners' meeting agenda – 2 weeks.
  - f. 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.
  - g. Place newspaper advertising – 3-4 weeks prior to public hearing.
5. **Hearings Examiner:** Holds public hearing and makes recommendation to the County Commissioners – 2 weeks
6. **Public Works:** Copies of Hearing Examiner Report sent to Petitioner and other interested parties. At this time, the Petitioner must pay, in full, the compensation rate, cited in the County Engineer's report if a Class A or B road, before moving forward with recommendation to the Commissioners. 2 weeks
7. **Public Works:** Schedules presentation of Hearing Examiner recommendation to Commissioners at regular meeting – 2 weeks.
8. **Public Works:** Prepares 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:** Contacts petitioner of Commission action and records Order of Vacation with the County Auditor's Office.
12. **Public Works:** Sends 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/she hears testimony and collects any other evidence. If there is no further evidence to be provided, he/she closes the record and the hearing. If there is more evidence to be provided later, he/she may set a deadline for providing it and hold the record open. Once the record is closed, a report of his recommendation is prepared to the Commissioners.