

# **ENCROACHMENT PERMIT PROCEDURES**

## **ENGINEERING DEPARTMENT**

### **CITY OF DIXON**

**January 2010**

#### **I PROCESSING ENCROACHMENT PERMITS**

##### **GENERAL:**

Encroachment permits for all construction and other related work performed within the public right-of-way are issued by the Engineering Department in accordance with City Code Section 18. With the exception of emergency utility repairs, all encroachment permit work shall not begin until the permit applicant has received an approved encroachment permit (see permit form, page 5-6). All encroachment permit work shall be performed in accordance with City of Dixon Engineering Design Standards and Construction Specifications. It is the permittee's responsibility to obtain reference material which may be applicable to encroachment work including Caltrans Standard plans, specifications and construction traffic manuals.

Typical activities requiring a City of Dixon encroachment permit include the following:

- a. Sidewalk, driveway, curb & gutter repair and replacement.
- b. All street cuts including for water, sewer and storm drain repairs.
- c. Placement of trash dumpsters within street right-of-way or on City property (No Cost Permit).
- d. Utility repair and/or upgrades within the street right-of-way and street public utility easements (PUE).
- e. Street closures (both short and long term).
- f. Work to be performed on City property including parks and parking lots.

##### **PERMIT APPLICATION AND FEES:**

With the exception of utility companies, permit applicants shall pay permit fees, bonds and/or deposits prior to issuance of an encroachment permit. Fees (see attached Fee Schedule, page 3) shall apply for all encroachment permits issued. Utility companies will be billed for encroachment permits by the City Finance Department on an as needed basis.

##### **WORK PLANS:**

All encroachment permit applications shall include a work plan depicting the scope of proposed work. The plan shall be approved by the Engineering Department in order to assure compliance to City standards and impacts to public safety and traffic

circulation. For sidewalk, driveway and other concrete work or repair of existing underground utilities, a plan view of proposed work will be sufficient. For underground utility construction, grade profiles and additional construction plans are normally required. Depending on the impact to local traffic, a Traffic Control Plan may also be required, as determined by the Engineering Department.

## II PERFORMING ENCROACHMENT WORK

### INSPECTION:

All encroachment work shall be inspected by the Engineering Department. During encroachment work activities, it will be the permittee's responsibility to arrange the required inspections and to apprise the Engineering Department of scheduling changes affecting required inspections. Unauthorized encroachment work performed without the required City inspections shall be subject to rejection and removal from the City right-of-way or easement. The City may impose applicable fines and penalties for such unauthorized encroachment work.

### EMERGENCY UTILITY WORK:

During City business hours, utility companies shall immediately notify the Engineering Department of emergency encroachment work for all repairs performed. Should emergency repair work commence during other than normal business hours (Monday through Friday, 8 am to 5pm), the utility company shall notify the Engineering Department of work performed by 9:00 am on the following business day. Subsequently, an encroachment permit application shall then be submitted within three business days for processing. After the initial emergency repair work is complete, restoration of sidewalks and street pavement shall be considered as scheduled encroachment work and arrangements for inspections will be required as outlined above.

## III FINALIZING ENCROACHMENT PERMIT

Upon completion of encroachment work, the Engineering Department will conduct a final inspection before accepting the work. Once work has been inspected and is deemed acceptable, the City Engineer or designated representative will sign-off encroachment permit and submit to the Finance Department a request for release of bonds and deposit monies held by the City.

### Attachment:

Sample Permit Form

## GENERAL PERMIT RULES AND REGULATIONS

1. **Performance of Work:** All construction and materials shall be in accordance with the latest edition of the City of Dixon Standard Construction Specifications and the latest editions of the State (Caltrans) Standard Specifications and Plans and the manual of Traffic Controls. Water system construction shall conform to the Dixon-Solano Municipal Water Service Standards and Specifications latest edition where applicable.
2. **Acceptance of Provisions:** Permittee agrees that the doing of any work under this permit shall constitute an acceptance by the Permittee of provisions hereof.
3. **Notice Prior to Starting Work:** Prior to starting any work authorized herein, Permittee shall provide at least one working day notice to the City of Dixon City Engineer at 678-7030 for initial inspection.
4. **Keep Permit on Work Site:** This permit shall be kept at the site of work and upon request must be shown to any representative of the City Engineer or any law enforcement officer.
5. **Construction Barricades:** Construction barricades are to be in place prior to starting of work and are to remain in place until work is completed. Barricades must be kept on all trenches, excavations and obstructions. All warning and safety devices shall conform to the current "Manual of Warning Signs, Lights and Other Devices for Use in Performance of Work Upon Highways," issued by the State Department of Transportation.
6. **Access to Fire Hydrants and Adjacent Property:** Access to fire hydrants shall be maintained at all times. Access to adjacent property shall be provided as directed by the City Engineer.
7. **Flagmen:** The use of flagmen is mandatory where (1) two-way vehicular traffic has less than twenty-four (24) feet in which to pass; or (2) where vehicular traffic must pass to the left of divided islands in passing the site of the encroachment. Closing of streets requires the approval of the City Engineer.
8. **Permits for Other Agencies:** Permittee must obtain all other permits required by other public or private agencies or individuals necessary in order to perform the intended work. If this provision is not complied with, this permit shall be null and void. It shall be the responsibility of the Permittee to notify all utility companies prior to starting any construction that may involve their underground or overhead facilities.
9. **Underground Service Alert:** Permittee must notify Underground Service Alert (USA) at 800-642-2444 at least 48 hours in advance of start of work for location of underground utilities.
10. **Clean-up Right-of-Way:** Upon completion of work at end of each working day, all brush, timber, scraps and other materials/debris shall be entirely removed and the right-of-way left in a condition satisfactory to the City Engineer.
11. **Construction and Repair:** Permittee shall properly construct, maintain and repair any encroachment authorized herein, and shall exercise responsible care in inspecting and immediately repairing any damage to the public right-of-way and underlying utilities which occurs as a result of existence of said encroachment or as the result of any work done hereunder.
12. **Temporary surfacing of Asphalt Concrete Cut Back** shall be placed the same day as backfilling is completed, and shall be maintained until permanent pavement is placed to the satisfaction of the Director of Public Works. All trenches/sidewalk cuts shall be backfilled and/or have cut back installed or steel plating installed as determined by City Engineer at the end of each work day.
13. The permittee agrees to relinquish the cash bond submitted if any portion of this permit is not complied with and if the City is required to perform any maintenance or safety measures.
14. **Notification of Property Owners:** If required by the City Engineer, Permittee shall notify abutting property owners prior to starting of any work hereunder.
15. **Maintenance and Repair:** Permittee shall promptly make any and all repairs to public right-of-way if required by the City Engineer. Time for completion of said repairs shall be as required by the City Engineer. The Permittee is responsible for the materials and workmanship of this encroachment for a period of one (1) year after acceptance by the City.
16. **Inspection Prior to Placement:** Permittee shall request inspection of conduit installations and connections and any repairs made to existing underground utilities prior to backfilling. Concrete forms shall be inspected prior to placement of concrete and trenches; roadways shall be inspected prior to placement of asphalt concrete.
17. **Storage of Material:** Absolutely no stockpiling of sand, gravel or soil will be allowed in the street or sidewalk area.
18. **Liability for Damages:** Permittee will indemnify, hold harmless and assume defense of, in any actions of law or in equity, the City of Dixon, its officers, employees, agents, and elective and appointive boards from all claims, losses, damage, including property damage, personal injury, including death, and liability of every kind, nature and description arising out of or in any way connected with the performance of this permit by Permittee or any contractor or subcontractor, but not including the sole or active negligence or willful misconduct of the City of Dixon. This indemnification shall extend to claim losses, damage, injury and liability for injuries occurring after completion of the aforesaid operations, as well as during the work's progress.
19. **Liability Insurance:** Permittee shall obtain at its sole cost and keep in full force and effect during the term of this permit, and for one year thereafter, broad form property damage, personal injury, automobile, employer's, and comprehensive form liability insurance in the amount of \$1,000,000 per occurrence; provided that the City, its officers, agents and employees shall be named insureds under the policy, and that the policy shall stipulate that this insurance will operate as primary insurance, and that no other insurance effected by the City or other named insureds will be called upon to cover a loss covered thereunder. Either the original insurance policy or a certificate of insurance may be required as evidence of insurance.