



City of Elk Grove Encroachment Permit Application – General Provisions

8401 Laguna Palms Way • Elk Grove, CA 95758
Phone (916) 478-2256 • E-mail: epermitsline@elkgrovecity.org
www.elkgrovecity.org

Encroachment Permit General Provisions

PERMIT: This Encroachment Permit is issued in accordance with Division 2, Chapter 5.5 of the Streets and Highways Code of the State of California and Chapter 12.08 of the City of Elk Grove Municipal Code (EGMC). An Encroachment Permit is required any time work is being performed within the public right-of-way (PROW) in accordance with the EGMC Chapter 12.08.

FINES: Any person initiating work within the public road right-of-way without obtaining an Encroachment Permit shall be subject to and responsible for a fine in the amount of \$2,500 for a first violation. Any person in possession of a valid Encroachment Permit that initiates work within the PROW but fails to provide notification for inspection as required by the Permit shall be subject to and responsible for a fine in the amount of \$1,000 for a first violation. See EGMC Section 12.08.160 for information regarding penalty and cost of enforcement. Unauthorized encroachment work performed without the required City inspections shall be subject to rejection and removal from the PROW or easement. The City may impose applicable fines and penalties for such unauthorized encroachment work.

TREES: Unless specifically approved on the face of this Permit, the removal or trimming of a tree(s) requires a separate tree permit pursuant to EGMC Chapter 19.12, please call the Planning Department at (916) 478-2265.

APPROVAL: Issuance of this City of Elk Grove Encroachment Permit does not signify approval of work involving other utilities or agencies. The City of Elk Grove accepts no responsibility for work involving other utilities or agencies. Permittee is responsible for coordination with all outside agencies prior to submitting Encroachment Permit application.

ACCEPTANCE OF PROVISIONS: It is understood and agreed by the Permittee that any work performed under this Permit shall constitute an acceptance of all the general and specific conditions hereof.

WHERE TO SUBMIT APPLICATIONS: Only complete submittals will be accepted. Applications may be submitted electronically (PDF file) to epermitsonline@elkgrovecity.org, or by mail or over the counter at City of Elk Grove 8401 Laguna Palms Way, Public Works – 2nd floor counter. Fees shall be paid prior to Permit processing or Permit review. A wet signature of the Permit application, including these General Provisions, may be required to be sent by mail or submitted over the counter.

IMPROVEMENT STANDARDS AND CONSTRUCTION

SPECIFICATIONS: City of Elk Grove Improvement Standards and Construction Specifications can be found here:
http://www.elkgrovecity.org/city_hall/departments_divisions/public_works/standards_plans_and_specs/

All construction and materials shall be in accordance with the current edition of the City of Elk Grove Improvement Standards, Standard Construction Specifications and Drawings, EGMC, Conditions of Approval, the Americans with Disabilities Act, and all applicable laws.

PROJECT PLANS/ EXHIBIT: Submit one (1) set of **detailed** Plans/Exhibits. Show existing utilities and right-of-way, all based on offset from the road's centerline (CL). Also show the centerline, lip of gutter or back of curb.

TRAFFIC CONTROL PLAN: Any encroachment into a traffic lane, shoulder, sidewalk or bicycle lane requires a Traffic Control Plan (TCP) subject to approval by the City. Encroachment includes but is not limited to, actual work performed, storing, parking and/or use of vehicles, equipment and/or materials. TCPs shall comply with the current edition of the California Manual on Uniform Traffic Control Devices (MUTCD). TCPs may be revoked or suspended at any time due to traffic safety or traffic efficiency concerns, as determined by the City.

ROADWAY CLOSURES AND MAJOR THOROUGHFARES: No highway or street may be closed without first obtaining approval of a TCP. If permission to close a street is granted, it shall be the Permittee's responsibility to notify all emergency service responders, refuse collectors, transit agencies, and any other agencies affected by the closure, in writing prior to closing the street and any other time service response is significantly impacted. Allow at least ten (10) business days for roadway notification to be advertised in the newspaper or general circulation.

ROAD OR LANE CLOSURES: Road or lane closures will be allowed only with an approved TCP. Any closures in roadways with a speed limit of 40 mph or greater requires Changeable Message Sign (CMS) boards to be placed. CMS boards shall be placed at the locations shown on the approved Traffic Control Plan and as directed by the City.

WATER POLLUTION CONTROL PLAN (WPCP) AND STORM WATER POLLUTION PREVENTION PLAN (SWPPP): The Permittee shall take necessary measures to prevent any non-storm water discharge (pollutants) from entering the storm drain conveyance system. This shall include use of Best Management Practices (BMPs) as necessary. Construction Projects disturbing one acre or more will be required to submit a Notice of Intent (NOI) and SWPPP. WPCPs are for projects disturbing less than 1 acre. All storm water plans shall be submitted and approved prior to issuance of Permit.

MATERIAL SUBMITTALS: Material submittals, including certificates of compliance, for any materials being installed in PROW shall be submitted and approved prior to issuance of Permit.

PERMIT FEES: Permit fees and deposits are based on the Public Works Fee Schedule in accordance with the EGMC Chapter 12.08. Additional Information can be obtained from the City's Finance Department at (916) 627-3205 or the website under Finance for the most current Fee Schedule:

http://www.elkgrovecity.org/UserFiles/Servers/Server_109585/File/Departments/Finance/fee-booklet.pdf

Additional funds may be required for any Permittee as deemed necessary by the Director of Public Works. Costs incurred by the



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City of Elk Grove Public Works Department for processing and inspection shall be billed to the Permittee in accordance with Chapter 12.08.030 Permit fees, Title 12 of the EGMC relating to Construction in Streets and California Streets and Highways Code, Section 1462.

PAVEMENT MORATORIUM: See EGMC Chapter 12.09.120 for information regarding pavement moratorium.

TRENCH CUT RESTORATION FEES: Restoration fees will be required in accordance with EGMC Chapter 12.09.030 and the City's Current fee booklet. Pre-payment of fee estimation is due prior to issuance of Permit. For PCI information, see: <https://elkmap.maps.arcgis.com/apps/webappviewer/index.html?id=69af46290a9b4168b2cd9f09f6e13c15>

PERFORMANCE DEPOSIT: Permittee shall post a bond or other security as required by Section 12.08.080 of the EGMC.

GUARANTEE: All work performed in the PROW shall be guaranteed for a period of 1-year after the Permit is accepted and closed by the City of Elk Grove. If the pavement or the surface of the PROW over any excavation should become depressed or broken at any time within one year after acceptance, the Permittee shall repair and/or resurface work to the satisfaction of the City to eliminate all such failures.

UTILITY COORDINATION: Permittee must check with all Utility Companies serving the area covered by this Permit, for location of existing underground pipes, conduits, or cables. The Permittee shall notify Underground Service Alert (U.S.A) two working days in advance of performing excavation work by calling the toll-free number (800) 227-2600 or 811. U.S.A. notification to be renewed at no less than 14 calendar-day intervals. All U.S.A. markings shall be removed pursuant to City Standard Construction Specifications, Section 6-16.04. U.S.A. does not locate non-pressurized sewer and drainage facilities. The City of Elk Grove does not own or maintain water or sewer utilities. Disregard of or destruction of underground utilities may be cause for revocation of this Permit or denial of future permits at the discretion of the City Engineer.

PROCESSING TIME: It may take up to ten (10) business days to process an Encroachment Permit and to schedule a pre-construction meeting for a new project. Each subsequent submittal for applications with missing information may take up to ten (10) more business days per submittal to process.

PERMIT ACTIVATION: A pre-construction meeting is required prior to commencing work. The Permittee shall be contacted by the City Inspector to set-up a meeting to review the scope of the project. Work may begin only **AFTER** the City Inspector conducts the pre-construction meeting and Permit has been issued. Work shall start 30 days from the date of Permit issuance/acceptance, per EGMC 12.08.120.

INSPECTION: Before starting work, the Permittee shall notify City of Elk Grove Construction Inspection by emailing epermitsline@elkgrovecity.org 24 hours in advance of the date work is to begin. Notification must include permit number.

PERMIT EXPIRATION: Permit shall expire ninety (90) days from Permit issuance as set forth on the Permit. Permits with active construction occurring beyond the 90 days may be extended at

the City's discretion to allow for construction to be completed. An additional deposit may be required. Permits with no construction activity at the end of 90 days will be closed, and the Permittee shall have to resubmit the Permit Application.

PUBLIC OUTREACH: Permittee shall notify affected residents and businesses prior to commencement of work as determined by City Inspector. Door Hangers or flyers shall be distributed three (3) days prior to commencement of work.

ADDITIONAL REQUIREMENTS: Additional project specific information may be required during the application process, pre-construction meeting or inspection process.

INSURANCE REQUIREMENTS: General Liability insurance with \$1M per occurrence/\$1M aggregate. Provide separate endorsement naming the City of Elk Grove and each of its officers, officials, employees, agents and volunteers named as additional insured. For more information, please contact Risk Management at (916) 478-2250.

TRANSIT REQUIREMENTS: Transit shall be contacted at least 5 business days prior to the start of work if work will have any direct impact to bus routes or stop locations. Transit requires advance notice to redirect passengers to another bus stop location or route. For more information, contact Mike Costa, Transit Manager, at (916) 687-3030 or mcosta@elkgrovecity.org to discuss any possible bus stop closure or route changes.

LIABILITY: In consideration of the granting of this Application, it is agreed by the Permittee that the Permittee shall indemnify, protect, defend, and hold harmless the City, its officers, officials, employees, agents and volunteers from and against any and all claims, damages, demands, liability, costs, losses and expenses, including without limitation, court costs and reasonable attorneys' and expert witness fees, arising out of any failure to comply with applicable law, any injury to or death of any person(s), damage property, loss of use of property, economic loss or otherwise arising out of any activity undertaken under the terms of this application and the Permit or Permits which may be granted in response thereto, and that all of said liabilities are hereby assumed by the Permittee. It is further agreed that if any part of the activity interferes with the further use of the highway/roadway it must be removed or relocated immediately, as designated by the Director of Public Works, at the expense of the Permittee.

TRENCHING: Not more than one-half of the width of a traveled way shall be disturbed at one time and remaining width shall be kept open to traffic by bridging or backfilling. Pedestrian and bicycle facilities shall be maintained through the work site at all times unless provisions have been shown on the approved Permit.

TUNNELING: No Tunneling will be permitted except on major work as may be specifically approved and set forth on the face hereof.

BORING: After the installation of any underground conduit, the Permittee shall perform digital video (TV) of all storm drain pipes crossed by the new conduit. The digital video shall be created using the CUES software program or other City approved type. Video inspection data, including the digital video and corresponding hard copy reports, shall be submitted to the City on



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a USB drive within 72 hours of completing the underground conduit installation. Data provided shall include: starting location nearest address, MH#, TV Date, Pipe size, total TV distance, and Event Photographs. Each photographic image shall be saved in a JPEG file format and named with the distance from start of the event followed by the event ID (for example, defect BJCM at 107.9 feet would be named MH#B3001-107.9bjcm.jpg). The files shall be stored within a file folder named for the upstream manhole number.

PROSECUTION OF WORK: Any work authorized by this Permit shall be performed in a workmanlike, diligent and expeditious manner to the satisfaction of the City.

BACKFILL AND RESTORATION OF SURFACES: Backfill and restoration on all roads shall be made in compliance with the current City of Elk Grove Standard Construction Specifications and Drawings

MAINTAINING AND PROTECTING TRAFFIC CONTROL FACILITIES: Metal objects (such as manhole frames and lids, valve boxes, bore casings, or similar), shall not be installed within 72 inches of a traffic detector loop. Any signal or detector operation disruption shall be repaired, and the system made operational within eight hours of the damage. Should the City elect to provide repair or replacement services, the Permittee shall be required to reimburse the City for all costs involved.

MONUMENTS: All survey monuments disturbed/removed shall be replaced pursuant to Section 8771 of the California Business and Professions Code.

STRIPING AND PAVEMENT MARKINGS: Any removed or disturbed traffic markings and striping shall be replaced in kind at Permittee's sole expense.

AS-BUILTS: Upon completion of underground or surface work of consequence, as determined by the City, the Permittee shall furnish as-built drawings to Public Works showing location and details of work performed for the portion of work involving improvements to be owned and maintained by the City of Elk Grove. As-builts must be furnished for all improvements to City owned facilities prior to project acceptance.

CLEANUP: Permittee shall be responsible for the removal and proper disposal of all construction debris and waste. Roads shall be swept as needed and as directed by the City Inspector. All roadside drainage ditches shall be restored to a true grade and intake and outlet ends of all culverts shall be left free from all excess material and debris.

DRIVEWAYS: Portland cement concrete is not allowed for private driveway approaches within the PROW, unless otherwise directed by the City.

MAINTENANCE: The Permittee agrees by the acceptance of this Permit to safely and properly as called for under the highest of its industry standards to maintain any encroachment placed by Permittee in the PROW. If the Permittee fails to meet this

requirement to the satisfaction of the City as determined by the City Engineer, the Permittee shall be liable for all loss, damage, expense, or claim incurred by the City by reason of this encroachment. Expenses include, but are not limited to, correcting, repairing or eliminating the encroachment and any tort liabilities.

FUTURE MOVING OF INSTALLATION: The installation authorized herein shall, upon demand of the City Engineer, be relocated in a timely manner by, and at the sole expense of the Permittee whenever construction, reconstruction, maintenance, or traffic conditions in the PROW may require such relocation. The Permittee must commence such relocation within the time specified in said demand and thereafter diligently prosecute the same to completion.

ANNUAL PERMITS: The Annual Encroachment Permit is for emergency repairs only. An emergency repair is defined in Section 7-8.03 of the City of Elk Grove Construction Specifications. Notifications shall be emailed to epermitsline@elkgrovecity.org prior to commencement of work under the Annual Permit. If emergency work is to occur, the Permittee shall notify the City within 24-hours. If emergency work will occur after hours, or on weekends or holidays, please contact the inspector directly at 916-216-2187, in addition to email notification.

PERMITTEE ACCEPTANCE OF GENERAL PROVISIONS

PERMITTEE NAME

PERMITTEE SIGNATURE

DATE

TO BE COMPLETED BY CITY

PERMIT NUMBER