



City of Weed

Application Fee
\$125.00

550 Main Street
P. O. Box 470
Weed, CA 96094

(530) 938-5020
(530) 938-5096 (FAX)

MUST BE RECEIVED 45 DAYS BEFORE PLANNED WORK/EVENT

THIS IS AN APPLICATION ONLY

NO WORK OR EVENT CAN HAPPEN UNTIL YOUR PERMIT IS APPROVED

APPLICATION FOR ENCROACHMENT PERMIT

An encroachment permit is a contract between the City and an encroachment permit holder (permittee) that describes the terms and conditions under which the permittee is granted permissive authority to enter in, on, upon, under or to use the public right-of-way to perform an encroaching activity. An encroachment permit is required for anyone that will be working in or blocking a city right-of-way by any means per Municipal Code Chapter 12.06.

An encroachment permit grants permission to the permittee or their authorized agent (i.e., contractor) to perform certain work within the City's right-of-way. Assignment of the permit to another party is prohibited.

An encroachment permit is not a property right, such as an easement, nor does it confer a property right. It cannot be transferred with the sale of real personal property. A new property owner must apply for and obtain a new encroachment permit for any encroaching activity to be performed.

Encroachment permits are necessary for the city to:

- Ensure the safety of the traveling public, roadway workers and permittees,
- Protect, maintain, and enhance the quality of the city roadway system during and after permitted work,
- Ensure that the proposed encroachment is compatible with the primary uses of the city roadway system, and
- Protect the city's and public's investment in the roadways., and
- Ensure that temporary uses of city rights-of-way are conducted safely and with minimum inconvenience to the traveling public.

Some of the activities requiring an Encroachment Permit include:

- Advertising displays, holiday decorations, banners, or signs.
- Frontage improvements: sidewalk, curb and gutter, mailbox, fencing, driveways, new road intersections, drainage facilities and erosion control.
- Commercial filming.
- Landscaping, planting or modifying vegetation.
- Miscellaneous activities: mowing, grading, excavations.
- Utility installations.

Date: _____

The undersigned hereby applies for permission to excavate, construct and/or otherwise encroach on City right of way by performing the following work:

(Applicant will describe here **fully** what will be done, attaching extra sheets if necessary.)

Date of Requested Road Closure: _____

Requested Closure Time: START _____ END _____ TOTAL HOURS: _____

The back of this form may be used for sketches. Detailed plans should be submitted if available and may be required of complex projects.

The work site must be in the field with conspicuous stakes and flags readily visible from the road. Mark stakes to identify owner, or applicant.

(If the site cannot be identified the permit will not be issued.)

The work is located on street/road _____ approximately _____
(Name) (Distance)
_____ of intersection of street/road _____
(Direction i.e, north/south/east/west) (Name)

WARRANTY

The undersigned hereby represents and warrants that he/she/it has obtained any and all permission(s), permit(s), license(s), or other consent necessary for the encroachment from any and all other public agencies and public utilities having jurisdiction over the property.

HOLD HARMLESS AGREEMENT

In consideration of allowing the event(s) specified in this application, and to the fullest extent permitted by law, the undersigned does hereby agree to indemnify and hold harmless the City of Weed and its agents, officials, officers, d employees, and volunteers, from and against any injury, damage, claims, actions or suits arising out of or related to the encroachment activity(ies) herein described or contemplated, or arising out of or related to the undersigned and his/her agent's failure to perform any requirements of the permit, and further agrees to defend and indemnify the City of Weed from and against any injury, damage, claims, actions or suits arising out of or connected with the foregoing activity(s).

The undersigned does hereby agree to comply with the current City of Weed Improvement Standards, the City of Weed Municipal Code , and with the general provisions, terms, and conditions as stated on this

permit. The undersigned hereby releases, discharges, covenants not to sue the City of Weed, its agents, officials, officers, employees, and volunteers from all liability, claims, demands, losses or damages, sustained by me, my guardians, legal representatives or assigns, caused or alleged to be caused, in whole or in part, by the City of Weed, its agents, officials, officers, employees, or volunteers, to the full extent permitted by law. The undersigned further agrees that if, despite this release, I, my guardians, legal representatives or assigns or anyone makes a claim against the City of Weed, its agents, officials, officers, employees, or volunteers, I will indemnify, save and hold harmless the releasee from any litigation expenses, attorneys' fees, loss, liability, damage, or other cost that may occur as the result of such claim.

INSURANCE CERTIFICATE REQUIRED

Note: The insurance certificate provided to the City by your organization's insurance company must name the City of Weed as an additional insured for the event specified in this application and must include a copy of any endorsements. The minimum coverage required is \$2,000,000 occurrence and \$4,000,000 aggregate. The certificate and endorsements must also be in a form acceptable to risk management and available for review 15 working days prior to the scheduled event.

PLEASE NOTE:

The signature of the applicant on this application will serve to indicate and acknowledge that the applicant has read and does understand the provision set forth therein, and upon affixing said signature, does agree to conform and comply with these provisions and requirements.

APPLICANT NAME (PRINT/TYPE) _____

APPLICANT SIGNATURE _____

APPLICANT ADDRESS _____

CITY/STATE/ZIP _____

PHONE NUMBER _____ EMAIL: _____

CONTRACTOR (PRINT/TYPE) _____

CONTRACTOR PHONE # _____

STATE LICENSE # _____

DIR LICENSE # _____

CITY BUSINESS LICENSE # _____

City Use Only

Administrative Approval: _____ Date: _____
Public Works Director

Requires City Council Review:

Date of Meeting:
