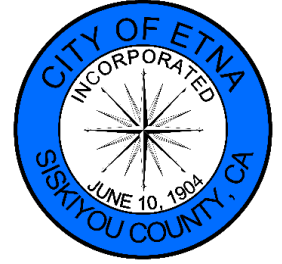


APPLICATION FOR ENCROACHMENT PERMIT

This is an Application only. No work is to be started until a permit is issued

Date _____ 20____

To the **City of Etna Department Public Works**
442 Main Street, PO Box 460
Etna, CA 96027
530-467-5256



To whom it may Concern:

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

Applicant will describe fully what is proposed using

Work will be performed on/from _____ Date _____ to _____ Date _____

THE WORK SITE MUST BE MARKED WITH CONSPICUOUS STAKES AND FLAGS READILY VISIBLE FROM THE CITY ROAD. MARK STAKES SHOULD IDENTIFY OWNER OR APPLICANT. (IF SITE CANNOT BE IDENTIFIED THE PERMIT WILL NOT BE ISSUED).

The work is located on City Road _____
Road and Address

Mile Post _____, approx _____ Feet / Miles, North / South / East / West Of the intersection of
City or Public Roadway _____

Name or Number

Assessor's No. _____ Township _____ Range _____ Sec _____

Detailed plans should be submitted if available, and shall be submitted if requested by the Public Works Director or his representative.

This permit is issued in accordance with Section 1460 of the Streets and Highways code and no warranty is made or implied with regard to the ownership of the underlying fee title to the real property involved. Permittee is advised to determine ownership of the real property involved and obtain written permission from the owner to enter onto and occupy said property.

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 Provisions set forth therein, including the General Provisions on page 2. Upon affixing said signature, applicant agrees to conform and comply with these provisions and requirements.

Contractor

Owner

Contractor's Name _____

Company Name _____

Signature _____

Applicants Name _____

License # _____

Applicants Signature _____

Address _____

Address _____

City _____ State _____ Zip _____

City _____ State _____ Zip _____

Phone _____

Phone _____

General Provisions

1. **Definition.** This permit is issued under Chapter 5.5 and 6 of Division 2 of the Streets and Highways Code. The term encroachment is used in this permit as defined in Chapter 6 of said code. Except as otherwise provided for public agencies and franchise holders, this permit is revocable at any time.
2. **Acceptance of Provisions.** It is understood and agreed by the Permittee that the doing of any work under this permit shall constitute acceptance of the provisions.
3. **Prior Right.** It is understood and agreed that the City has prior right to the use of its rights of way.
4. **Notice Prior to Starting Work.** Before starting work on which an inspector is required, or whenever stated on the face of this permit, the Permittee shall notify the director of Public Works or other designated employee of the Road Department. Such notice shall be given at least three days in advance of the date work is to begin.
5. **Permission from Property Owners.** Whenever necessary to secure permission from abutting property owners, such authority must be secured by the Permittee prior to starting work.
6. **Keep Permit on the Work.** This permit shall be kept at the site of the work.
7. **Protection of Traffic.** The Permittee shall cause to be placed, erected, and maintained all warning signals, lights, barricades, signs, and other devices or measure essential to safeguard travel by the general public over and at the site of work authorized herein.
8. **Minimum Interference With Traffic.** All work shall be planned and carried out so that there will be the least possible inconvenience to the traveling public except for the specific work permitted.
9. **Clean up Right of Way.** The Permittee shall, at all times, during the progress of the work keep the highway in as neat and clean a condition as is possible and upon completion of the work granted herein, shall leave the highway in a thoroughly neat, clean, and usable condition.
10. **Storage of Material.** No material shall be stored within eight (8) feet from the edge of pavement or traveled way.
11. **Standards of Construction.** All work shall conform to recognized standards of construction.
12. **Borrow and Waste.** Only such borrow and waste will be permitted and within the limits as set forth on the face of this permit.
13. **Supervision.** All the work shall be done subject to the supervision of, and to the satisfaction of the Director of Public Works.
14. Permittee must provide notice and obtain City approval of any assignments to perform work under this permit.
15. **Future Moving of Installation.** It is understood by the Permittee that whenever construction, reconstruction or maintenance work on the highway may require, the installation provide for herein shall, upon request of the Director of Public Works, be immediately moved by, and at the sole expense of the Permittee.
16. **Liability for Damages.** The Permittee is responsible for all liability for personal injury or property damage which may arise out of work herein permitted, or which may arise out of failure on the a Permittee's part, to perform his obligations under this permit in respect to maintenance. In the event any claim or such liability is made against the City of Etna, or any department, officer, or employee thereof, Permittee shall defend, indemnify and hold them and each of them harmless from such claim. Further, Permittee, shall obtain a similar provision in its contract with any contractor to perform the work herein permitted, which indemnification and hold harmless shall include not only the Permittee but also the City of Etna, any department, officer or employee thereof.
17. **Making Repairs.** If the City shall so elect, repairs to paving which has been disturbed shall be made by its employees and the expense thereof shall be borne by the Permittee, who shall purchase and deliver on the highway the materials necessary for said work as directed by the Director of Public Works. All payments to laborers, inspectors, etc., employed by the City for or on account of the work herein contemplated, shall be made by said Permittee forthwith on receipt of written statement approved by the Director of Public Works. The City may elect to require a deposit before starting repairs, in an amount sufficient to cover the estimated cost thereof.
18. **Care of Drainage.** If the work contemplated shall interfere with the established drainage, ample provisions shall be made by the Permittee to provide for it as may be directed by the Director of Public Works.
19. **Maintenance.** The Permitted agrees to exercise reasonable care to maintain properly this encroachment and to exercise reasonable care in inspecting for and immediately repairing and making good any injury to any portion of the highway which occurs as a result of the maintenance of the encroachment in the highway or as a result of the work done under this permit, including any and all injury to the highway which would not have occurred had such work not been done or such encroachment not placed therein.
Maintenance shall include, but not be limited to, cleaning and keeping free from debris all structures included as a part of this encroachment.
No assignment of maintenance responsibility may be made without approval of the City.
20. **Crossing Roadway.** Service and other small diameter pipes shall be jacked or otherwise forced underneath pavement without disturbing same. Pavement or roadway shall not be cut unless specifically permitted on the face hereof. Service pipes will not be permitted inside of culverts used as drainage structures.
21. **Depth of Pipes.** There shall be a minimum of 36 inches of cover over all pipes or conduits.
22. **Backfilling.** All excavations shall be backfilled and mechanically compacted immediately after work therein has been completed. No portion of the excavation shall be compacted by ponding or jetting. Back filling material shall comply with Section 14 of the State Standard Specifications.
23. **Maintain Surface.** The Permitted shall maintain the surface over structures placed hereunder as long as necessary.
24. **Restoration.** All pavement, curb, gutter, sidewalk, borrow ditches, pipes, head walls, road signs, trees, shrubbery, and/or other permanent road facilities impaired by or as a result of construction operations at the construction site, or at other ground occupied by materials and/or equipment, shall be restored immediately to a condition as good as or better than existed prior to the construction.
25. **Completion.** Immediately following completion of construction permitted herein, Permittee shall fill out and mail in "Notice of Completion Card" provided by the City.
26. **Responsible.** The City will not be held responsible for any damage to any underground or other facilities, that have been caused during the course of the City's normal maintenance procedures. The City will not assume any responsibility, at any time, should any provisions of this permit not be complied with.
27. **Sight Visibility** The Permitted shall maintain roadside vegetation adjacent to driveways and/or road connections to ensure adequate sight distance.

Note:

Special provisions pertinent to your project will be specified on your permit. Do not start work until you receive your approved permit.