CITY OF FORT BRAGG

ENCROACHMENT PERMIT APPLICATION

416 N. FRANKLIN STREET
FORT BRAGG, CA 95437
(707) 961-2823

Permission is requested to encroach on the City of Fort Bragg right-of-way as follows: (Complete all items: Use NA if not applicable.) Application is not complete until all required attachments are included.

Address/Street Name:

Cross Street:

Portion of Right-of-Way ☐ Street ☐ Sidewalk ☐ Other Specify:

Work to be performed by: ☐ Own Forces ☐ Contractor

Starting Date: Ending Date: Start/End Times (a.m./p.m.)

DESCRIBE WORK WITHIN CITY RIGHT-OF-WAY (ATTACH SKETCH):

Note: If application is for excavation and/or piping, please attach plans (5 sets folded 8-1/2 x 11), specs, calcs, maps, etc.

THE UNDERSIGNED AGREES THAT THE WORK WILL BE DONE IN ACCORDANCE WITH THE CITY OF FORT BRAGG RULES AND REGULATIONS AND SUBJECT TO INSPECTION AND APPROVAL.

Organization or Applicant: Phone:

Address:

Signature: _____ Title: _____

Category:

Provide square footage for sidewalk: If none of the above, specify _____

TO BE COMPLETED BY CITY

LIABILITY INSURANCE REQUIRED? ☐ No ☐ Yes Amount: $2 MILLION **per occurrence**

FEES (Account 110-0000-3731):
Issuance Fee: $90.00 Permit Fee: $_____ Total Fees: $_____

SITE INSPECTION REQUIRED: ☐ **No** ☐ **Yes**
(Site inspection is to verify that applicant has met all encroachment permit conditions. Please contact the Engineering Department at 961-2823 to schedule an inspection.)

cc: Public Works Department, Police Department (via FAX), Applicant, Community Development Dept., Engineering Dept.

Logged into computer: _____ _____
Date Initials

Reset Form

Print Form

ENCROACHMENT PERMIT GENERAL PROVISIONS

1. A *permit is issued under the provisions of Chapter 5.5 of Division 2 of the Streets and Highways Code and Chapter 9.72 of the Fort Bragg Municipal Code. Except as otherwise provided for public agencies and franchise holders, the permit is revocable on five (5) days notice.*
2. It is understood and agreed by the applicant that the doing of any work under the permit shall constitute an acceptance of the provisions, terms, conditions and/or restrictions
3. B*efore starting any construction work authorized by the permit, the permittee shall notify the Engineering Department. Such notice shall be given at least 24 hours in advance of the time work is to start. If the work entails street closures or detours, please see Special Conditions attached*
4. The permit shall be kept at the site of the work and must be shown to any representative of the grantor or any law enforcement officer upon demand.
5. P*UBLIC CONVENIENCE - Applicant shall so conduct operations as to offer the least possible obstruction and inconvenience to the public. Unless otherwise provided on the permit, all public traffic shall be permitted to pass through the work with as little inconvenience and delay as possible. Spillage resulting from hauling operations along or across any public traveled way shall be removed immediately by the permittee at his/her expense. Any soil or debris tracking from a construction site is strictly prohibited. If the spillage is hazardous, the Mendocino County Office of Environmental Health must be notified at 964-2714, as well as the Fort Bragg Police Department at 964-0200.*
6. PUBLIC SAFETY - Should the Applicant's operations create a condition hazardous to the public, he/she shall furnish, erect, and maintain, at his/her expense, such fences, barricades, lights, signs, and other devices as are necessary. Applicant shall furnish at his/her expense, such flagmen and guards as are necessary to prevent accidents or damage or injury to the public. No material or equipment shall be stored where it will interfere with the free and safe passage of public traffic. Should the Applicant's operations create a condition hazardous to traffic, please see Special Conditions attached.
7. All *work shall conform to recognized standards of construction and those specifications prescribed on the face of this permit. All the work shall be done subject to the supervision of, and to the satisfaction of, the grantor. Upon completion of the work, all brush, timber, scraps, dirt, mud, construction dust or debris, and material shall be entirely removed and the right of way left in as presentable condition as before work started. Work which requires the presence of an employee of the grantor as inspector, the salary and other incidental expenses of such inspection during the work shall be paid by the permittee upon presentation of a bill therefor.*
8. It is understood by Applicant that whenever construction, reconstruction, or maintenance work on the highway may require the relocation of the installation provided for herein, it shall, upon request of the grantor, be immediately moved by, and at the sole expense of, the permittee.
9. An *encroachment permit does not relieve permittee from the responsibility of obtaining all applicable permits and/or licenses as may, in connection with the work or activity therein described, be required from other public agencies and/or commissions. Failure by applicant to secure all necessary and applicable permits and/or licenses shall nullify the permit.*
10. LIABILITY FOR DAMAGES - Applicant 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 permittee's part to perform his obligations under the permit in respect to maintenance. In the event any claim of such liability is made against the City of Fort Bragg, or any department, officer, or employee, thereof, applicant shall defend, indemnify and hold them and each of them harmless from such claim.
11. *DUE CARE shall be exercised to avoid injury to existing Highway improvements or facilities. City road surfacing shall be replaced by equal or better than the surfacing disturbed. The cost of all materials, labor, etc. necessary for installation of the encroachment shall be borne by the permittee. The cost of any labor and materials for repairs to the road by city forces, made necessary by the work done under the permit, shall be charged to the permittee at actual cost.*
12. If the work herein contemplated shall interfere with the established drainage, ample provision shall be made by the permittee to provide for it as may be directed by the grantor.
13. *Upon completion of underground or surface work of consequence, the permittee shall furnish a plan to the Department of Public Works showing the location and details.*
14. The permittee agrees by the acceptance of the permit to exercise reasonable care to maintain properly any encroachment placed by it in the highway 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 the 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.
15. P*ermittee shall obtain an encroachment permit from the Office of the City Clerk prior to advertising the conduct of the activity. Permittee shall arrange for adequate security, traffic and litter control by conferring with the Police Department. Permittee shall reimburse City for any extraordinary costs of providing City services in support of the event. Extraordinary costs may include City employee overtime, disposal fees, the cost of supplies and materials and/or contract services.*

Approved: _____ _____

(City Clerk) (Date)

A FULLY EXECUTED COPY OF THIS APPLICATION SHALL CONSTITUTE A PERMIT

FOR CONSTRUCTION PROJECTS ONLY

WORKER'S COMPENSATION DECLARATION

I hereby affirm under penalty of perjury one of the following declarations:

☐ I have and will maintain a certificate of consent to self-insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of work for which this permit is issued.

☐ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier _____

Policy Number _____

(This section need not be completed if the permit is for one hundred dollars ($100) or less.)

☐ I certify that, in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that, if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

Date: _____ Signature: _____

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS ($100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.