

TRINIDAD CITY HALL
P.O. Box 390
409 Trinity Street
Trinidad, CA 95570
(707) 677-3759 Fax
(707) 677-0223

Dan Berman, City Manager
Gabriel Adams, City Clerk



ENCROACHMENT PERMIT - #

Applicant: _____ **Date:** _____

Address: _____ **Phone:** _____

Length of Permit: Start Date: _____ **Finish Date:** _____

Type of Encroachment Activity:

- | | |
|--------------------------------|-----------------------------|
| a. Sidewalk, Curb, Drop Curb | h. Street Improvements |
| b. Sanitary Sewers | i. Alley Improvements, Use |
| c. Water Mains, Services, etc. | j. Hydrant Rental |
| d. Storm Drains | k. Subdivision Improvements |
| e. Sidewalk, Street Closure | l. Banner Permits |
| f. Encroachment on Sidewalks | m. Special Events Permits |
| g. Non-City Owned Utilities | n. Other |

Location and Description of Work: (attach plans)

Contractor: _____ **License No:** _____

Mailing Address: _____ **Phone:** _____

This permit must be kept on the work site or at applicant's residence and shown to any authorized agent of the City of Trinidad on request. Required inspections shall be requested by calling 677-0223 between 8:00 AM and 2:00 PM weekdays, at least 24 hours in advance. In signing this permit, applicant and/or contractor agree to terms and conditions stated hereon and attached hereto.

(Signature of applicant or contractor) DATE: _____

FOR CITY USE ONLY – Check and route for recommendations to:

____ Police Dept. _____	____ Fire Dept. _____	____ Public Works _____
____ City Council _____	____ Pl. Comm. _____	____ Water Dept.. _____
____ City Engr. _____	____ City Planner _____	____ Other _____

Approved by: _____ **Date:** _____ **Fee:** _____ **Date:** _____

Certificate of Acceptance: This certifies that the construction authorized by this permit has been inspected and found to conform to City of Trinidad Standard Specifications and the requirements of this permit.

Inspected by: _____ **Date:** _____

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Julie Fulkerson, Mayor
Gabriel Adams, City Clerk



ENCROACHMENT PERMIT - IDEMNITY AND HOLD HARMLESS AGREEMENT

Section 12.04.090 (J) of the Trinidad Municipal Code states:

"The applicant shall indemnify and hold harmless the city, and its officers and agents, from all suits and actions of every name and description brought for, or on account of, any injuries or damages received or sustained by, any person or persons, by or from the applicant, applicant's employees or agents, in the construction of the work, or by or in consequence of any negligence in guarding the same, or for improper materials and/or methods used in construction."

My signature below acknowledges receipt of and agreement to the above indemnity and hold harmless agreement on behalf of the applicant.

Signature

Name (printed)

Date

CITY OF TRINIDAD ENCROACHMENT PERMIT – GENERAL PROVISIONS

- 1) **Definition:** This permit is issued under chapter 5.5 and 6 and 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 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 by a representative of the Engineering Division, the Permittee shall notify the City Clerk or the City Engineer, or other designated employee of the City of Trinidad. Such notice shall be given at least three (3) 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) **Permit at Work Site:** 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 measures 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 road in as neat and clean a condition as is possible and upon completion of the work granted herein, shall leave the road 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 asset 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 City Engineer.
- 14) **Assignments:** Permittee must provide notice and obtain City approval of any proposed assignments to perform work under this permit.
- 15) **Future Moving of Installation:** It is understood by Permittee that whenever construction, reconstruction or maintenance work on the road or right-of-way may require, the installation provided for herein shall, upon request of the City Engineer, 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 Permittee's part, to perform his obligations under this permit with respect to proper installation and/or maintenance. In the event any claim or such liability is made against the City of Trinidad, 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 Trinidad, 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 road the materials necessary for said work as directed by the City Engineer. 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 City Engineer. 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 mad by the Permittee to provide for it as may be directed by the City Engineer.
- 19) **Maintenance:** The Permittee agrees to exercise reasonable care to maintain properly this encroachment and/or utility trench, and to exercise reasonable care in inspecting for and immediately repairing and making good any injury to any portion of the road which occurs as a result of the maintenance of the encroachment in the road or as a result of the work done under this permit, including any and all injury to the road which would not have occurred had such work not been done or such encroachment not placed therein. Maintenance shall include, but is not 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, unless specifically excepted by the City Engineer.
- 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 California Department of Transportation Standard Specifications.
- 23) **Maintain Surface:** The Permittee shall maintain the surface over structures placed hereunder.
- 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) **Responsibility:** the City of Trinidad 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.
- 26) **Sight Visibility:** The Permittee shall maintain roadside vegetation adjacent to driveways and/or road connections to ensure adequate sight distance.

NOTE:

Provisions pertinent to your project will be specified on the Special Provisions sheet of this permit.

DO NOT START WORK UNTIL YOU RECEIVE YOUR APPROVED PERMIT.