

**CITY OF WINTERS PUBLIC WORKS DEPARTMENT  
APPLICATION FOR ENCROACHMENT PERMIT**

APPLICANT: \_\_\_\_\_ Phone: ( ) \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
 \_\_\_\_\_ (Zip) \_\_\_\_\_

Application is hereby made for an Encroachment Permit to perform the following:

1. Location of work:  
 \_\_\_\_\_ Between \_\_\_\_\_  
Name of Road Cross Roads or Address

2. General description of work to be done: \_\_\_\_\_

(a) Excavations: \_\_\_\_\_  
Width Depth Length Surface Material

(b) Conduit: \_\_\_\_\_  
(Type: PVC, Metal, etc.) Diameter (Conveying: water, gas, etc.)

(c) Other: \_\_\_\_\_  
(Sidewalk, Sign, Driveway, etc.) Description

3. Estimated: Start date \_\_\_\_\_ Days for completion \_\_\_\_\_

4. Person familiar with details:  
 Name: \_\_\_\_\_ Phone No.: \_\_\_\_\_

5. Applicant's Inspector, Contractor, Foreman or Supervisor as appropriate:  
 Name: \_\_\_\_\_ Phone No.: \_\_\_\_\_

6. Contractor license #: \_\_\_\_\_

7. Submit Plans to Scale (3 copies) showing plan and cross-section, indicating clearly location of work with respect to face of curb, edge of pavement or property line.

**Note:** See General Conditions on reverse side. See "Special Provisions" below. Call City Public Works 795-2820 24 hours prior to starting work. Thereupon a permit will be issued.

SIGNED: \_\_\_\_\_ DATE: \_\_\_\_\_

Official Use Only

PERMIT NUMBER
START DATE
COMPLETION DATE
U.S.A. NUMBER
As Built <input type="checkbox"/> Easements <input type="checkbox"/>
Submit Insurance Certificate Yes <input type="checkbox"/> No <input type="checkbox"/>
Permit good for _____ days
Permit Fee: \$ _____
Approve Application
_____ PUBLIC WORKS DIRECTOR
Date: _____
Validation
_____ PUBLIC WORKS DIRECTOR
Date: _____

" SPECIAL PROVISIONS "

## GENERAL CONDITIONS

**PERMIT - REQUIRED.** It shall be unlawful for any person to make or cause to be made any excavation in or under the surface of any public street, alley, sidewalk, or any other public place for the installation, repair or removal of any pipe, conduit, duct, tunnel, power pole, or for any other purpose without first obtaining from the Public Works Director an encroachment permit in compliance with this article.

**REQUIREMENTS.** Before issuing an encroachment permit, the Public Works Director shall require:

(a) A written application for such permit, upon a form to be furnished by the Public Works Director, to be made and filed with the Public Works Director, wherein the applicant shall set forth the following:

1. The name and residence or business address of the person making such application;
2. The location and approximate area of the work and,
3. The purpose of the work.

The applicant shall attach to the application form a plan showing the location of the proposed work, the dimensions thereof, and such other details as the Public Works Director may require to be shown upon such plan.

An encroachment permit fee shall be paid to the City of Winters for permit processing and inspection. A fee of one-half of the encroachment permit fee shall be paid with submittal of the permit application. This fee is non-refundable. The remaining balance of the fee shall be paid to the city at the time of encroachment permit issuance.

If additional city services are required for inspection, actual costs for these services will be charged in addition to the encroachment permit fee. These services may include reinspection resulting from inadequate construction or inspections beyond normal working hours and on holidays and weekends.

**ISSUANCE.** (a) Upon receiving written application and application fee, the Public Works Director shall set forth all requirements, approve or disapprove the application, sign and return to the applicant. At least 24 hours prior to the start of the work, applicant shall pay the permit fee, request validation of the permit, and inform the City of the dates the work will start and be completed. The applicant shall obtain a validated permit before starting work.

(b) No permit shall be transferable and shall be void unless the work is commenced within ten (10) calendar days from the date of its issuance and the work diligently completed.

(c) Each permit shall state a time when all the work to be done thereunder shall be completed. The city engineer may grant extensions of time, provided satisfactory reasons thereof are presented by the application.

**COMPLIANCE WITH SAFETY REGULATIONS.** The applicant shall be responsible to comply with all federal and state safety regulations.

### EXCAVATIONS NOT IN ACCORDANCE WITH PERMIT DECLARED

**UNLAWFUL.** (a) It shall be unlawful for any person to make, cause or permit to be made, any excavation, or to install, cause or permit to be installed any tank, pipe, conduit, duct, tunnel, power pole or other utility or appliance in or under the surface of any public street, alley, sidewalk or other public place, at any location, other than that described in the application and as shown on the plans filed with the Public Works Director by such persons, and in accordance with the requirements of the permit. If the circumstances appearing after the excavation is commenced make it impossible to comply with the permit, the Public Works Director may grant a waiver to take such circumstances into account.

(b) Failure to comply with requirements set forth by the Public Works Director on any permit shall be cause for revocation of said permit until such time as violations have been corrected or substitutes have been approved by the Public Works Director.

**OPENING AND BACKFILLING TRENCHES.** (a) No trench shall be opened in any street for the purpose of laying pipes, conduits or ducts more than four hundred (400) feet in advance of the pipe, conduit or ducts being placed in the trench, except in the case of emergency, and only after the consent of the Public Works Director has been obtained.

(b) All trenches shall be backfilled to meet city standards for compaction, and the old, torn up pavements and other rubble shall be removed, together with any surplus excavated material at the end of each working day. After backfilling is completed, and prior to repaving the cut, the contractor or permittee shall remove all loose paving material and trim the edges of the excavation at the street surface to the satisfaction of the Public Works Director.

(c) Whenever any caving occurs in the sidewalls of any excavation, the pavements above such caving shall be cut away. In no case shall any void under a pavement be filled by any side or lateral tamping.

**CLEARING UP STREETS.** In every case and at all times, the work of removing from the street all obstructions, surplus materials, debris and waste matter of every description caused by and accumulated from the excavation shall be the responsibility of the permittee.

## ADDITIONAL GENERAL CONDITIONS

1. Unless otherwise indicated, working hours are: For residential zones: 7:00 a.m. to 5:00 p.m. Monday - Friday and 9:00 a.m. to 4:00 p.m. Saturday, Sunday, and holidays. For commercial and industrial zones: 6:00 a.m. to 6:00 p.m. Monday - Sunday.
2. The work shall conform to the City of Winters Construction Specifications.
3. Adequate barricading and/or flagging shall be provided.
4. Unless modified by special provision, trench backfill in street section to have relative compaction of 95 percent and shall be brought up in lifts of not more than 8

**REPAIR OF SUNKEN PAVEMENT OVEREXCAVATION.** In case the pavement or the surface of the street over any excavation should become depressed or broke at any time within two (2) years after the work has been completed, natural wear of the surface excepted, the permittee shall be responsible, upon written notice from the Public Works Director, to inspect the depressed or broken area to ascertain the cause of the failure. The contractor or permittee shall make repairs to the installation or backfill and have the pavement restored as specified by the Public Works Director. In case such pavement is not completely restored within ten (10) calendar days after such notice has been given, and unless delayed by a strike or condition beyond control, the Public Works Director shall then cause the work to be done at the expense of the delinquent person after giving such person twenty-four (24) hours final notice. In such case, the city shall be responsible for any future repairs of that portion of such street repaired by city forces.

**FAILURE TO COMPLETE WORK WITHIN SPECIFIED TIME.** In case any part of the work referred to in this article is not completed within the time required except by reason of legal holidays or delays caused by strikes, or unless the Public Works Director shall notify in writing the person doing the work to complete the same within forty-eight (48) hours thereafter, legal holidays excepted, and in case such work should not be completed within forty-eight (48) hours after such notice has been mailed or served, the Public Works Director shall have full power to do such work, or may contract for the performance of such work as will restore the work area to a safe and passable condition until such time as the work can be completed. The cost thereof shall be assessed against the delinquent person or permittee.

**EXCAVATIONS, ETC., TO BE UNDER SUPERVISION OF THE PUBLIC WORKS DIRECTOR.** Any person engaged in making or backfilling any excavation in any public street, alley, sidewalk, or other public place, shall at all times while such work is in progress keep at the job locations, the original permit, or a copy thereof, and must, on demand, exhibit the same to the Public Works Director, his/her authorized representative or any police officer. Such person shall also maintain at such job location, a sign, barricade, or other device bearing his name.

**EMERGENCY EXCAVATIONS.** Nothing in this article shall be construed to prevent any person maintaining any pipe, conduit, or duct in or under any street, alley, sidewalk, or other public place by virtue of any law, ordinance or permit, from making such excavation as may be necessary for the preservation of life or property when the necessity arises, provided that the person making such excavation shall notify the city street maintenance division within one (1) day after the offices of the city are first opened and subsequent to such excavation.

**LIABILITY OF CITY.** Neither the city nor any officer or employee thereof shall be held responsible for any damages caused by any excavations made in any street, alley, sidewalk or other public place made by any person under the authority of a permit issued pursuant to the provisions of this article. The person acting pursuant to such permit shall be solely liable for any damage or loss occasioned by any act or neglect in respect to such excavation.

**ADDITIONAL REQUIREMENTS FOR PRIVATE PARTIES AND NON-PUBLIC UTILITIES.** (a) Authorized installations shall, upon demand of the Public Works Director, be immediately relocated or lowered to avoid potential conflicts. All expenses incurred in relocating, lowering lines, potholing or marking of facilities to determine their exact location after the original installation shall be paid by the permittee. In case any part of the work referred to in this article is not completed within a time acceptable to the city, the city engineer shall have full power to do such work or may contract for the performance of such work and the cost thereof shall be assessed against the permittee.

(b) Upon completion of underground or surface work and at the discretion of the Public Works Director, permittee shall furnish as-built plans of the installation showing a correct plan view to scale, details and profile showing the locations of all elements based on data obtained in the field during construction.

(c) Permittee shall take out, pay for and maintain during the period in which this permit is in effect, a policy of public liability and property damage insurance protecting himself, his agents and employees against the liability or injury or death sustained or suffered by the public or damage to the property of the public by reason of the work carried on under this permit or the encroachment maintained hereunder. Public liability insurance shall be for the limits of at least \$300,000 for the injuries to one and \$500,000 for injury to more than one person and property damage limits shall be for the sum \$100,000. The insurance shall be placed with a company satisfactory to the city attorney, prior to the date that work under this permit is commenced. Said policy or policies of insurance shall name the grantor, its officers and employees as additional named insureds and shall contain an endorsement precluding cancellation or reduction in coverage without giving the city at least ten (10) days' notice prior thereto.

(d) If required on the face thereof, the permit shall not be effective for any purpose unless and until the permittee files with the city or grantor a corporate surety bond in the amount specified on the face thereof, said bond to fully assure the performance by permittee of all obligations imposed upon permittee under the provisions of the permit.

inches. Upper 12 inches of trench backfill to have 8 inches of Class 2 aggregate base and 4 inches of Type B asphaltic concrete. Trench backfill of unpaved areas to have relative compaction of 90 percent.

5. All concrete to be saw cut.
6. All "Cal-OSHA" safety regulations shall be complied with.
7. "Underground Service Alert" (USA) 800-642-2444 shall be notified 48 hours prior to beginning work.