

REVOCABLE PERMIT APPLICATION **PROCESSING INSTRUCTIONS**

Preparation of Application Package

1. Type or neatly print all information in blanks on attached REVOCABLE PERMIT APPLICATION FORM.
2. List all active building permits on attached BUILDING PERMIT IDENTIFICATION FORM.
3. Provide description of the encroachment area. (This is not required to be prepared by Professional Land Surveyor). See attached form.
4. Prepare a site plan that is neat, readable, fully dimensioned and inclusive of all site conditions (see attached example for requirements).
5. Identify the agencies requiring clearance letters by using attached REVOCABLE PERMIT CLEARANCE MATRIX. Fill in applicant section on REVOCABLE PERMIT CLEARANCE LETTER and forward the letter and one copy of the scaled drawing to the City department and/or other agency identified on the REVOCABLE PERMIT CLEARANCE MATRIX. Clearance Letters for discipline on the REVOCABLE PERMIT CLEARANCE MATRIX may be obtained for the applicant by Development Engineering staff for a nonrefundable service fee of \$140. This service by DE is optional at DE staffs' discretion. When review is complete, collect all REVOCABLE PERMIT CLEARANCE LETTER responses and resolve all problems or issues with the City department and/or other agency prior to submitting the application package.
6. Provide proof of liability insurance as directed by attached REQUIREMENTS FOR CERTIFICATES OF INSURANCE. Provide certificate of insurance and endorsement from owner with the City of Sacramento listed as certificate holder and as additional insured. List project address. For more information contact the City of Sacramento Risk Management Office at (916) 808-5556.
7. APPLICABLE ONLY TO 'OUTDOOR SEATING AND DINING REQUEST.' Sewer Impact Fee Ordinance (SRCSD-0106) <http://www.srcsd.com/ordinances.php#fee-ord> Applicant shall contact the Sacramento Regional County Sanitation District (SRCSD) for a calculation of Sewer Impact Fees due. Proof of payment shall be included with the Revocable Permit Application Package Submittal. (Applicant is recommended to obtain all approved clearance letters prior to payment of Sewer Impact Fees.) SRCSD Contact Info: SRCSD Permit Services Unit, 10060 Geoth Rd., Sacramento, CA 95827 Phone: (916) 876-6100 Fax: (916) 854-8863.

Submission to the City

After the applicant has completed the above items, the following shall be submitted to Development Engineering, 300 Richards Blvd., 3rd Floor:

- ☐ **Completed "Revocable Permit Application Form"**
- ☐ **SIGNED clearance letters (Approved)**
- ☐ **Description of the Encroachment Area (See attached form)**
- ☐ **8 1/2" x 11" site plan - 3 copies**
- ☐ **Proof of insurance (ACCORD & ADDITIONAL INSURED ENDORSEMENT)**
- ☐ **Application Fee:**
 - > \$190 for staff issued permits, or
 - > \$390 for permits requiring City Council approval, or
 - > \$50 permit for bike racks.
- ☐ **List of active building permits for this location (see attached "BUILDING PERMIT IDENTIFICATION FORM")**

Work may begin only AFTER the City has issued the building or excavation/encroachment permit

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED
AND WILL BE RETURNED TO THE APPLICANT**

PERMIT #

REVOCABLE PERMIT APPLICATION AND PERMIT FORM

PROPERTY LOCATED AT: _____

Name of property owner: _____

Address: _____ Zip: _____

Email: _____

It is hereby requested that revocable permit be granted to:

Name of Recorded Owner: _____ Phone: _____

Address: _____ City _____ State: _____ Zip: _____

Purpose of Permit

☐ Monitoring Well (Qty ____)

☐ Bus Shelter

☐ Bicycle Rack

☐ Other (Describe in detail)

In the event the permit for which application is made is granted, it shall be subject to conditions including but not limited to the general conditions set forth in resolution 81-845 adopted by the City Council on November 17, 1981. The undersigned agrees to comply with all such conditions imposed on the permit. (MUST BE SIGNED BY OWNER)

Owner's Signature

Date

Please do not write below this line

GRANT OF PERMIT

This permit is granted subject to attached "General Provisions – Revocable Encroachment Permit," which were adopted by the City Council in Resolution No. 81-845, date November 17, 1981, and the hereinafter specified special conditions. This permit shall be effective only after the applicant files with the Risk Management Division of the City of Sacramento, the insurance certificates required by the General Provisions, unless specifically excepted in the special conditions.

For Bus Shelters Only: (check if applicable)

☐ Reference is made to Revocable Encroachment Permit, City Council Resolution No.86-862, dated November 12, 1986

☐ Reference is made to City Managers Agreement No.95-073, dated March 17, 1995, Agreement for providing Electrical Service to Bus Shelters.

Special Conditions

See attachment for additional conditions

PERMIT ISSUED BY: _____ **DATE:** _____

(Public Works Engineer)

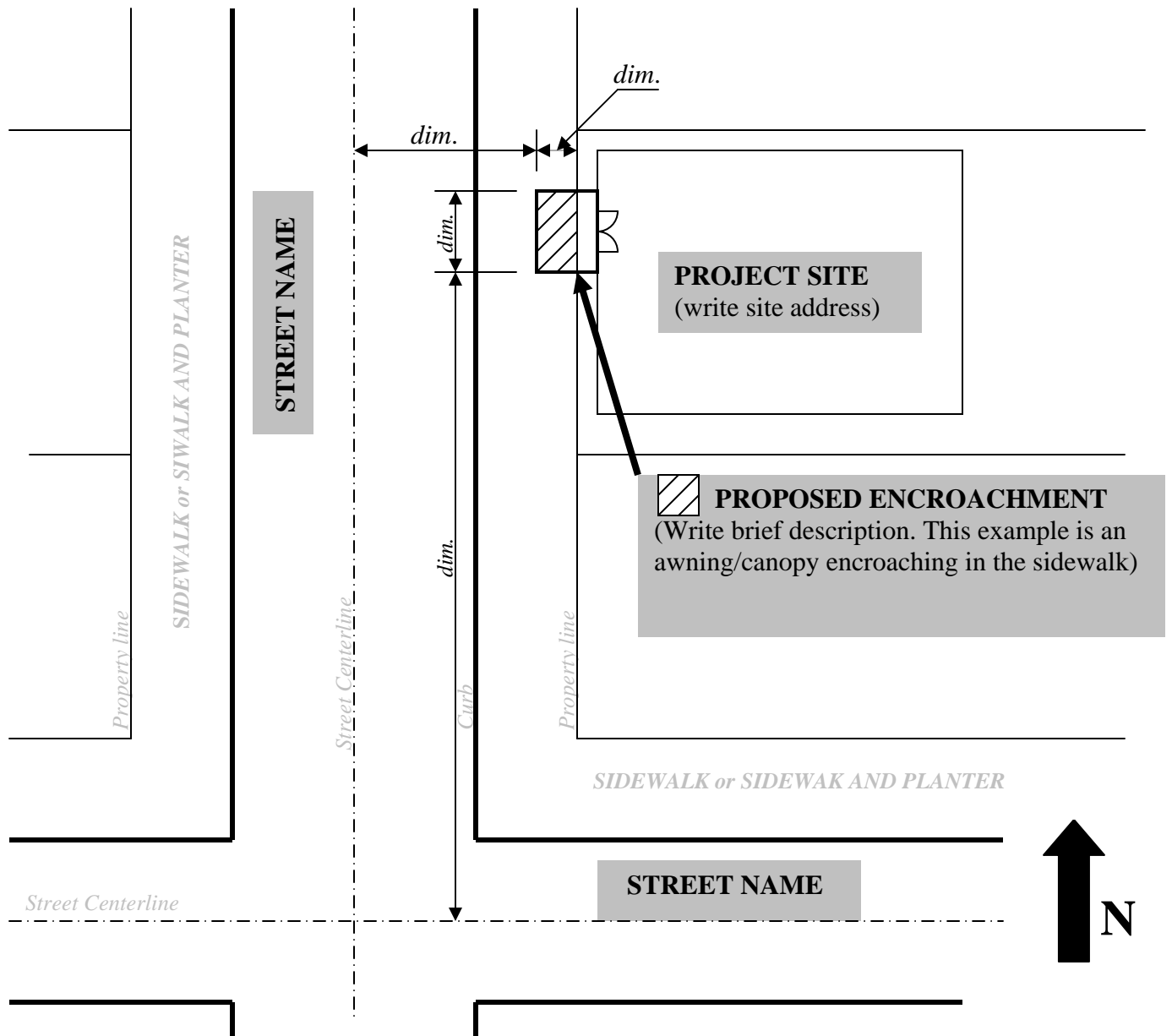
Site Plan Requirements (Revocable):

- Approval Signature block
- Provide description of material of the structure encroaching within the public right-of-way
- North Arrow
- Dimension (*dim.*) of work
- Street Name (nearest cross street)
- Show Project Site (indicate address)
- Show features that might be impacted by construction activities, such as operation of equipment, utility installation, material storage, excavation, etc. Show distance from the work site:
 - Fire Hydrant
 - Gates/Fences
 - Driveway Location/ramps/curb&gutter/sidewalk/planter
 - Utility Pole
 - Street Light
 - Parking Meters
 - Street Trees (indicate if to be pruned or removed)
 - Other structures that may affect the proposed work

Approved By: _____

Name: _____ Signature: _____

Department: _____ Date: _____



DESCRIPTION OF THE ENCROACHMENT AREA

BEGINNING AT THE CENTERLINE INTERSECTION OF _____ AND _____; THENCE FROM SAID POINT OF BEGINNING ALONG THE CENTERLINE OF _____ IN A (NORTHERLY) (SOUTHERLY) (WESTERLY) (EASTERLY) DIRECTION _____ FEET; THENCE IN A (NORTHERLY) (SOUTHERLY) (WESTERLY) (EASTERLY) DIRECTION 90 DEGREES TO _____ FEET TO THE:

TYPE OF PROJECT:
(CHECK ONE)

- ☐ PROPOSED MONITORING WELL
- ☐ _____ CORNER OF PROPOSED _____ BY _____ FOOT BUS SHELTER
- ☐ OTHER: _____

REVOCABLE PERMIT CLEARANCE LETTER

Respondent should complete this form with comments regarding the present and future effects of this encroachment on their facilities and operations.

Note: Discuss all problems and solutions directly with the applicant.

When completed, return this letter to the **APPLICANT**.

APPLICANT SECTION:

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Daytime Phone: _____ Fax: _____

Permit Location: _____

Description of revocable permit item: _____

RESPONDENT SECTION:

To: Development Engineering

From: _____ Date: _____

Department /Agency: _____

The revocable permit described above has been requested. My comments and recommendations regarding the effects of this encroachment on our operations and facilities, present and future are below.

Comments:

By: _____ Date: _____

REVOCABLE PERMIT CLEARANCE LIST

After filling out APPLICANT section of the "REVOCABLE PERMIT CLEARANCE LETTER" hand carry or mail one copy of the letter and one copy of the scaled drawing of the encroachment to the departments / agencies as indicated by the Development Engineering.

Submit signed clearance letters at the same time as the application for a revocable permit.

CITY DEPARTMENTS

- ☐ **City Manager's Office – City Hall**
915 I Street, 3rd Floor, New City Hall
Sacramento, CA 95814
(916) 808-5704
- ☐ **City Attorney's Office – City Hall**
915 I Street, 4th Floor, New City Hall
Sacramento, CA 95814
- ☐ **Building Division**
300 Richards Blvd, 3rd Floor
Sacramento, CA 95811
(916) 808-5656
- ☐ **Fire Marshall**
5770 Freeport Blvd, Suite 200
Sacramento, CA 95822
(916) 808-5471
- ☐ **Planning Division**
300 Richards Blvd, 3rd Floor
Sacramento, CA 95811
(916) 808-5656
- ☐ **Electrical Design-Dept. of Public Works**
915 I Street, 2nd Floor, New City Hall
Sacramento, CA 95814
- ☐ **On Street Parking-Dept. of Public Works**
300 Richards Blvd., Suite 200
Sacramento, CA 95811
(916) 808-5354
- ☐ **Street Services-Dept. of Public Works**
5730 24th Street, Bldg 1
Sacramento, CA 95814
- ☐ **Traffic Engineering-Dept. of Public Works**
915 I street, 2nd Floor, New City Hall
Sacramento, CA 95814
- ☐ **Department of Utilities**
1395 35th Avenue
Sacramento, CA 95822
- ☐ **City Council**
915 I Street, 5th Floor, New City Hall
Sacramento, CA 95814

- ☐ **ADA Coordinator**
Department of Transportation
915 I Street, 2nd Floor, New City Hall
Sacramento, CA 95814

OTHER AGENCIES

- ☐ **CalTrans, District 3**
District Permit Engineering
P.O. Box 911
Marysville, CA 95901
- ☐ **P.G.&E.**
5555 Florin-Perkins Road
P.O. Box 7444
Sacramento, CA 95826
- ☐ **S.M.U.D.**
6201 S Street
P.O. Box 15830
Sacramento, CA 95817
- ☐ **Comcast**
1242 National Dr
Sacramento, CA 95838
- ☐ **SBC (Pacific Bell)**
P.O. Box 15038
3675 T Street, Room 211
- ☐ **Sacramento Regional Transit**
1400 29th Street
Sacramento, CA 95816
- ☐ **County of Sacramento Department of Public Works
Water Quality Division**
10545 Armstrong Avenue, Suite 2
Mather, CA 95655
- ☐ **Other**

CITY OF SACRAMENTO
DEPARTMENT OF PUBLIC WORKS
ENGINEERING SERVICES DIVISION
DEVELOPMENT ENGINEERING

300 RICHARDS BLVD., 3RD FL. . SACRAMENTO, CA 95811-0218 . PH: (916) 808-8300 . FAX: (916) 808-1984

REQUIRED CLEARANCE AGENCIES FOR COMMON REVOCABLE ENCROACHMENT PERMITS

IF THE REVOCABLE ITEM IS NOT LISTED BELOW, CONTACT DEVELOPMENT ENGINEERING FOR REQUIRED CLEARANCE AGENCIES

Revocable Item	Clearance Agency											Notes:
	Expedited Review	Building Division, Community Development Dept.	Planning Division, Community Development Dept.	Design Review, Community Development Dept.	Fire Marshall	Electrical Design, Community Development Dept.	Construction Inspection, Dept. of Public Works	Street Maintenance, Dept. of Public Works	Department of Utilities	Notify Office of City Council Member	Property Business Improvement District	
ATM		X	X									X
Antenna, Building Mounted		X	X	X								X Design Review if in Design Review District
Art, Building Mounted		X	X	X					X			X Design Review if in Design Review District
Art, Free Standing			X	X					X			X Design Review if in Design Review District
Awning/Canopy	X	X	X		X							X
Banner, Pole Mounted						X		X		X	X	X Norm Colby- Street Maintenance, DOT. Sompol Chatusripitak- Electrical Design, DOT. Non-profit orgs only.
Banner, Building Mounted		X	X	X								X Design Review if in Design Review District.
Bench				X								X Design Review if in Design Review District
Bicycle Rack	X			X								X Design Review if in Design Review District
Bollard					X							X
Bus Shelter							X					X
Light Fixture	X	X	X	X	X							X Design Review if in Design Review District
Pipe, Private Water & Sewer		X							X			X
Planter												X No Clearance Letters Necessary
Sidewalk, Decorative				X								X Brick, Stone Paving, Exposed Aggregate, etc. Design Review if in DR District
Sidewalk Café/Seating		X	X	X	X							X District
Sign, Structure Mounted	X				X							X Provide Sign Permit Applicaion # at submittal.
Well, Monitoring	X											X No Clearance Letters Necessary. See application for requirements.

General Notes:

Clearance Letters do not constitute a full review or approval and does not guarantee permit issuance. Revocable Encroachment Permit Application Package must be processed and reviewed by Development Engineering prior to permit issuance. Clearance Letter response or approval can be obtained for the applicant by Development Engineering staff for a non-refundable service fee of \$140.

Dec-12

BUILDING PERMIT IDENTIFICATION FORM

Applicant:

List all active building permits associated with this address and return this sheet with the permit application:

Development Engineering Counter Person:

The following building permits are associated with this permit application. Route this application to the plan checker listed in the commercial database.

Address

Building Permit # _____

Building Permit # _____

Building Permit # _____

Building Permit # _____

Building Permit # _____

Building Permit # _____

APPLICANTS COPY OF GENERAL CONDITIONS

All work is subject to the requirements of Sections 12.12.010 through 12.12.170 of the City Code of the City. Particular attention is directed to the following:

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 city engineer an excavation permit in compliance with this article.

REQUIREMENTS. Before issuing an excavating permit, the city engineer shall require:

(a) A written application for such permit, upon a form to be furnished by the city engineer, to be made and filed with the city engineer, 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 excavation; and,
3. the purpose of the excavation.

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

At the time the permit is issued, a nonrefundable fee in an amount established by resolution of the city council shall be paid, provided, however, that in any case where the city engineer determines the fee to be inappropriate based on the amount of work to be done to process the application, or for other good cause shown, the city engineer may waive the fee, in whole or part. No fees shall be charged for excavation permits for power poles.

Notwithstanding the foregoing, excavation by legally authorized utilities for service connections or for the location of trouble in conduits or pipes shall be according to the paragraph below titled "Blanket Permits".

ISSUANCE. (a) Upon receiving a written application for an excavation permit and a plan, the city engineer shall set forth all requirements, approve or disapprove the application, sign and return it to the applicant. Excepting only excavations described below as Emergency Excavations or authorized under Blanket Permits, one (1) day prior to start of the work, the applicant shall telephone the division and request a permit number, informing the City the date the work will commence. A permit number shall then be assigned to the job and a permit shall be sent to the applicant.

(b) No permit shall be transferable and shall be void unless the excavation to be made pursuant thereto is commenced within ten (10) 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 applicant.

COMPLIANCE WITH SAFETY REGULATIONS. The applicant shall be responsible to comply with all current 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 for the excavation permit and as shown on the plans filed with the city engineer by such persons, and in accordance with the requirements of the permit. If the circumstance appearing after the excavation is commenced make it impossible to comply with the permit, the city engineer may grant a waiver to take such circumstances into account.

(b) Failure to comply with requirements set forth by the city engineer 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 city engineer.

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 city engineer 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, within three (3) working days from the time such material is placed upon the street. 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 engineer.

(c) Whenever any caving occurs in the sidewalls of any excavation, the pavement 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 streets 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.

REPAIR OF SUNKEN PAVEMENT OVER EXCAVATION. In case the pavement or the surface of the street over any excavation should become depressed or broken at any time within two (2) years after the work has been completed, natural wear of the surface expected, the person who made the excavation shall upon written

notice from the city engineer, immediately proceed 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 city engineer. In case such pavement is not completely restored within ten (10) days after such notice has been given, and unless delayed by a strike or condition beyond control, the city engineer 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 city engineer shall notify in writing the person doing the work to complete the same within forty-eight (48) hours after such notice has been mailed or served, the city engineer 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 CITY ENGINEER.

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 city engineer, his 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 subsequent to such excavation.

BLANKET PERMITS. The city engineer may issue blanket permits for any utility to make excavations for service connections, for the location of trouble in conduits or pipes, for making repairs thereto, or for emergency purposes. Blanket permits shall be issued on a yearly basis only, and will authorize excavation only as stated above. Blanket permits shall not be issued for new installations or facilities.

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 CABLE TV FRANCHISEE, PRIVATE PARTIES AND NON-PUBLIC UTILITIES. (a) Cable TV franchisee shall construct facilities in accordance with the Cable System Construction Guidelines which have been approved by the Cable TV Commission and shall be responsible for pavement restoration unless otherwise specified in the permit.

(b) Authorized installations shall, upon demand of the Director of Public Works, 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 for 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 Director of Public Works 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.

(c) Upon completion of underground or surface work and at the discretion of the Director of Public Works, 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.

(d) 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 \$500,00 for injury to more than one person and property damage limits shall be for the sum of \$100,000. The insurance shall be placed with a company satisfactory to the Risk Management Division, 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 Risk Management Division at least ten (10) days' notice prior thereto.

(e) If required on the face thereof, the permit shall not be effective for any purpose unless and until the permittee files with the Risk Management Division or granted 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.

1. Unless otherwise indicated, working hours are 8:30 a.m. to 4:00 p.m. Mon. – Fri.

2. All work shall conform to the standard specifications for public works construction unless otherwise noted.

RESOLUTION NO. 81-845

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

NOV 17 1981

RESOLUTION AMENDING PARAGRAPHS 21 AND 22 OF
RESOLUTION NO. 77-611, RESOLUTION APPROVING
GENERAL PROVISIONS FOR REVOCABLE ENCROACHMENT PERMITS

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

That except as otherwise provided in the special provisions thereof, all revocable encroachment permits hereafter issued by the City Council pursuant to Article IV of Chapter 12 of the Sacramento City Code shall be subject to the following General Provisions:

GENERAL PROVISIONS - REVOCABLE ENCROACHMENT PERMIT

1. Authority and Definitions. This permit is issued under Article IV of Chapter 12 of the Sacramento City Code. The term "city property" means any real property in which the City has a possessory interest except a street. The term "street" as used herein includes all or any part and the entire width or right-of-way of a city street or alley whether or not such entire area is actually used for street or alley purposes. The term "street" also includes any utility easement or right-of-way held or owned by the City. The term "encroachment" as used herein includes any tower, pole, poleline, pipe, pipeline, fence, billboard, stand or building, tree, shrub, plant, crop or vegetation, or landscaping material or any structure or object of any kind or character not particularly mentioned herein which is placed in, under or over any portion of the street or city property.

The term "grantor" shall mean the City of Sacramento, its successors and assigns. The term "permittee" shall include the person to whom this permit is issued and his successors and assigns and the provisions of this permit shall be binding upon said successors and assigns.

The term "work" shall mean the construction, placement, installation or planting of an encroachment on city property or within any street.

2. Revocable. The permit is granted solely for the purpose specified in the permit, and any other use without the prior written consent of the City Engineer shall cause the permit to be revoked. Except as otherwise provided for public agencies, this permit may be revoked with or without cause at any time by the City Engineer giving five (5) days written notice to permittee. The notice shall be mailed to the permittee at the address given herein and no other form of giving or serving notice shall be required to effectuate a revocation of this permit. Permittee agrees that grantor shall not be liable for any damages or consequential loss whatsoever which may result from revoking the permit.

3. Acceptance of Provisions. This permit shall not be effective until the provisions of this permit are accepted in writing by the permittee; provided, however, accomplishing any work under this permit without written acceptance of its provisions shall constitute an acceptance of its provisions.

4. No Precedent Established. This permit is granted with the understanding that this action is not to be construed to establish any precedent on the question of preference or expediency of permitting any certain kind of encroachment to be constructed or located within the right-of-way of any City street or on any City property.

5. Notice Prior to Starting. Before starting work, the permittee shall notify the City Engineer or his designated representative of the date work is to commence. Such notice shall be given at least three (3) working days in advance of the date work is to begin. Unless otherwise specified, all work shall be performed on weekdays and during normal working hours of the grantor's inspector.

6. Permits for Other Agencies. Permittee shall, whenever the same is required by law, secure any required written order or consent to any work hereunder from the Public Utilities Commission of the State of California, Caltrans or any other public agency having jurisdiction, and this permit shall be suspended in operation unless and until such order or consent is obtained.

If the work involves trenching to a depth in excess of sixty (60) inches, the permittee shall secure a trenching permit from the Division of Industrial Safety (2422 Arden Way, Telephone 445-5818) prior to commencing any excavation. A copy of the trenching permit shall be available at the construction site. Permittee shall comply with all terms and conditions of the trenching permit and the laws, rules and regulations applicable thereto.

7. Permit Presentation. The permits for encroachments on streets are required to be at the site of the work and must be shown to any representative of the grantor or any law enforcement officer on demand. The permit for encroachments on City property may be kept elsewhere than at the site, but the permit must be shown to any representative of the grantor or any law enforcement officer on demand.

8. Protection of Traffic and Utilities. Permittee shall determine the location of and protect and support all utilities in the public rights-of-way and shall bear the entire cost of any damage to utilities or any relocation or reconstruction made necessary by the work. Adequate provision shall be made for the protection of the traveling public. If the nature of the work is such that any barricades, lights or flagmen are necessary, permittee shall furnish the same at his sole cost and expense before starting work.

9. 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.

10. Storage of Material. No material shall be stored within the traveled right-of-way. No supplies or equipment shall be stored on other portions of the right-of-way until permittee is ready to start work.

11. Clean Up Right-of-Way and City Property. Upon completion of the work, all construction materials and supplies, spilled concrete or oils, weedy plant growth, scraps, refuse and garbage shall be entirely removed and the right-of-way and City property left in as presentable condition as before work started.

12. Standards of Construction. All work shall conform to recognized standards of construction.

13. Supervision of Grantor. All the work shall be done subject to the supervision of, and to the satisfaction of, the City Engineer or his duly authorized representatives. Work undertaken by the permittee shall not deviate from that shown on the plan or plans submitted by permittee in connection with the filing of the application for this permit without the prior written consent of the City Engineer. The City Engineer or his representative may order the permittee to immediately cease any work if it appears that said work is being done in violation of the terms of this permit. Thereafter, work shall not be undertaken until said violation is corrected to the satisfaction of the City Engineer or his duly authorized representative.

14. Future Moving of Installation. Whenever construction, reconstruction or maintenance work on the street or City property may require upon request of the grantor, the installation provided for herein shall be removed or revised at the sole expense of the permittee within five (5) days of such notice.

15. Expense of Inspection. On work which requires the presence of an employee of the grantor as inspector, the salary, traveling expense and other incidental expense of such inspection shall be paid by the permittee upon presentation of a bill therefor.

16. Maintenance. The permittee agrees by the acceptance of this permit to exercise reasonable care to maintain properly any encroachment placed by permittee in the street or City property and to exercise reasonable care in inspecting for and immediately repairing and making good any injury to any portion of the street or City property which occurs as a result of the maintenance of the encroachment in the street or City property or as a result of the work done under this permit, including any and all injury to the street or City property which would not have occurred had such work not been done or such encroachment not placed therein. Encroachments on City property shall be maintained so that they have a presentable appearance.

In the event this permit is granted in whole or in part for the purpose of allowing plants to be installed and maintained by permittee, permittee shall maintain such plants in presentable and healthy condition, including but not limited to, proper watering, fertilizing, pruning and replacement where necessary and permittee shall maintain all planter beds, areas and containers in which such plants are installed and maintained free from weeds, rubbish, and garbage. If any planter is to be maintained pursuant to this permit, it shall be equipped with a suitable irrigation system. The grantor may revoke the permit for failure to maintain the encroachment.

17. Submit Location Plan. Immediately upon completion of any underground or surface work, the permittee shall furnish to the City Engineer plans showing location and details of such work.

18. Liability for Damage. 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 the permit in respect to maintenance. In addition, permittee is responsible for all liability of the grantor, its officers and employees which may arise out of, or be connected with, the duties to be performed by the grantor, its officers and employees in connection with the approval of the design of said work, the inspection of said work, or the supervision of said work, or the existence of the encroachment, pursuant to the terms of this permit. In the event any claim of liability heretofore mentioned is made against the grantor, or any department, officer, or employee thereof, permittee shall defend, indemnify and hold them and each of them harmless from such claim, and any loss, cost, expense or liability arising therefrom including, but not limited to, attorneys' fees.

19. Repairs. Permittee shall repair any existing improvements damaged in the course of the work, or by the existence of the encroachment, or any maintenance done in conjunction therewith. In the event permittee shall not accomplish repair as required pursuant to this permit, grantor shall have the right, but not the obligation, in addition to all other rights grantor has at law and in equity, to cause repairs to be made on behalf of permittee. In the event grantor shall so elect, permittee shall pay to grantor on demand the cost of any such repairs, including but not limited to grantor's administrative expenses. The right of grantor to make repairs pursuant to this paragraph may be exercised without notice, and no prior notice from grantor to permittee concerning repairs shall be construed to require grantor to give any additional notice to permittee prior to accomplishing repairs according to this paragraph, nor shall the absence of any such notice or additional notice in any manner decrease or affect permittee's obligation to pay the costs of such repairs. Grantor shall in no event be liable for any loss suffered by permittee as a result of making repairs according to this paragraph.

20. Care of Drainage. 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.

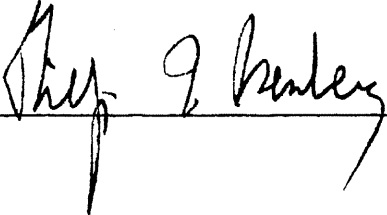
21. Liability Insurance. Permittee shall take out, pay for and maintain during the period in which this permit is in effect, a policy of public liability and property damage insurance protecting himself, his agents and employees against the liability or injury or death sustained or suffered by the public 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 of \$100,000. The insurance shall be placed with a company satisfactory to the Risk Management & Insurance Division of the Department of General Services, and one copy of the Certificate shall be furnished to the Risk Management & Insurance Division, 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 Risk Management & Insurance Division at least ten (10) days notice prior thereto.

22. Surety Bond. If required on the face hereof, this permit shall not be effective for any purpose unless and until the permittee files with the Risk Management & Insurance Division of grantor a corporate surety bond in the amount specified on the face hereof, said bond to fully assure the performance by permittee of all obligations imposed upon permittee under the provisions of this permit.

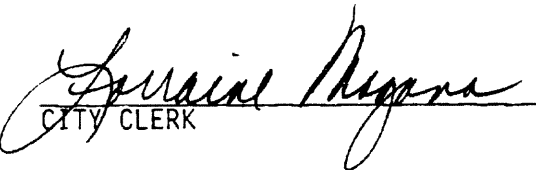
23. Permittee's Obligations to Remove Encroachments. In the event this permit is revoked at any time, within five days thereafter, permittee shall commence work to remove any improvement established pursuant to this permit and to restore the affected City property and any street to the condition it was in prior to the commencement of the encroachment, and permittee shall diligently prosecute such work to completion. In the event permittee does not commence such work within five days or if, at any time after commencement of such work, the City Engineer determines that permittee is not diligently pursuing such work, grantor may do,

23. Permittee's Obligations to Remove Encroachments (cont'd)

or cause to be done, such work, and permittee shall pay the cost of same, including, but not limited to grantor's administrative costs, upon demand. Grantor shall in no event be liable to permittee for any loss suffered by permittee, directly or indirectly, as a result of grantor accomplishing any work pursuant to this paragraph.


MAYOR

ATTEST:


CITY CLERK