
ENCROACHMENT PERMIT APPLICATION PROCESS

APPLICABILITY

All work in the City of Ferndale rights-of-way or easements requires an Encroachment Permit.

QUICK CHECK LIST FOR SUBMITTAL

- | |
|---|
| <input type="checkbox"/> Encroachment Application Form
<input type="checkbox"/> Certificate of Insurance
<input type="checkbox"/> Plans, if necessary
<input type="checkbox"/> Fee Deposit |
|---|

PURPOSE

Ordinance 308A is an ordinance of the City Council establishing encroachment permit regulations for the protection of City Streets and Public Rights-of-Way.

- “Encroachment” includes any excavation, structure or object of any kind or character, temporary or permanent, made, placed, constructed, installed or allowed to encroach upon, over or under any City right of way within the City maintained street system.
- “Right of Way” means all land or interest therein by deed, conveyance, agreement, easement, dedication, usage or process of law reserved for or dedicated to the use of the general public for street or utility purposes.
- “Street” refers to the full width of the right of way including the surfaced or traveled portion, shoulders and drainage areas of any road, street, path, land or alley dedicated to, reserved for, or used by the general public when accepted as and declared to be a part of the City street system.
- “Structure” shall mean any works below, on, or above the ground installed or constructed by man.

PROCESS

1. Obtain Encroachment Permit Application from City Clerk.
2. Pay a permit application fee of \$35.
3. Applicant shall file with the City a certificate of insurance to cover general comprehensive liability of the permittee for property damage and injuries, naming the City as additionally insured. The limits of liability are described as follows:

Ordinance 308A, Section 7 (h)

Insurance of Permittee. Before issuing a permit under the provisions of this ordinance, the applicant shall file with the City a certificate of insurance to cover general comprehensive liability of the permittee for property damage and injuries to persons in connection with the work to be done under the permit, and naming the City an additional insured under said certificate. The limits of such insurance coverage shall be no less than One Hundred Thousand Dollars (\$100,000) per

injury and Three Hundred Thousand Dollars (\$300,000) per occurrence, but said limits of insurance coverage may be fixed by the City Manager in a higher amount as he deems necessary. In fixing such higher limits of insurance coverage, the City Manager shall use as his basis the costs and hazards involved in the work sought to be performed under the permit. The applicant shall also be required to maintain Worker's Compensation Insurance coverage for any and all persons working with the applicant on said project.

4. Applicant may be required to submit a cash deposit or bond with the City of Ferndale in the amount of \$1,000.00 to ensure performance and as a deposit against inspection costs.
5. Applicant must have a current Ferndale Business License.
6. Once application is deemed complete by City Staff, the Encroachment Permit will be issued or
7. Staff may send the permit to the City Engineer for review. This may take up to two weeks.

APPLICATION REQUIREMENTS

- Encroachment Permit Application
- Certificate of Insurance
- Plans, if necessary
- Fees

WORK REQUIREMENTS

1. At least two (2) working days prior to beginning work, the applicant shall contact Underground Service Alert (800-227-2600) to locate all underground utilities in the area.
2. All work shall be performed by a contractor licensed in the State of California to perform this type of work.
3. If applicable the applicant shall perform the work in accordance with current Standards.
4. The applicant shall comply with the attached Terms and Conditions and all other terms of Ordinance 308A, Establishing Encroachment Permit Regulations.

FEES

Permit application fee, \$35.00. A permit review fee at cost will be required if the City Engineer reviews the Encroachment Permit Application.

ADDITIONAL INFORMATION

For additional information concerning encroachment permit application requirements and procedures, contact Ferndale City Hall at 707.786.4224 or cityclerk@ci.ferndale.ca.us.

ENCROACHMENT PERMIT APPLICATION

Permit No. _____

Applicant		Phone	
Address			
Location, Nature and Dimensions of work (attach plans)			
Estimated Start Date		Permit Expiration Date	
Person performing Construction			
Address		Phone	
Contractor's License No.			
Type and location of traffic control measures to be used:			
Will work involve partial or total street closure? YES <input type="checkbox"/> NO <input type="checkbox"/>			
Specify method to be used to restore street surfacing:			
All work shall conform to City of Ferndale Standard Plans and/or Specification and the following special provisions and/or attachments:			
This permit must be kept on the work site and shown to any authorized agent of the Public Works Crew Leader on request. Required inspection shall be requested by calling 786-4224 at least twenty-four (24) hours in advance. City Hall hours are 8:30 to 4:30 Monday through Thursday.			
In signing this permit, applicant and/or contractor agrees to the terms and conditions stated on the reverse, or attached.			
Applicant Signature		Date	
Contractor Signature		Date	
FOR OFFICE USE ONLY			
Fee		Date	
Granted by			
CERTIFICATE OF ACCEPTANCE: This is to certify that the construction authorized by this permit has been inspected and found to conform to City of Ferndale Standard Specifications and the requirements of this permit:			
Inspected By		Date:	

TERMS AND CONDITIONS

All work in the City of Ferndale Rights of way or easements shall comply with the following terms and conditions:

1. Barricades must be kept on all trenches, excavations and obstructions. Warning lights must be maintained at night. All signs, flags, lights and other warning and safety devices shall conform to the requirements set forth in the current “Manual of Warning Signs, Lights and Other Devices for Use in Performance of Work Upon Highways” issued by the State of California, Department of Public Works. Continuous vehicle and pedestrian access shall be maintained unless specifically otherwise permitted on the Encroachment Permit.
2. Access to fire hydrants shall be maintained at all times.
3. No street shall be closed without prior written authorization of the Public Works Crew Leader or City Clerk. Prior to such authorized street closure, the applicant shall give notice to the Ferndale Police Department at 786-4025, the Fire Department at 786-9909, and the Post Office at 786-4742 at least 24 hours in advance. An estimate shall be given on how long the closure is expected to last and notification shall again be given by the applicant when the street is reopened.
4. Refuse or unused materials shall be removed from street areas within three (3) days after completion of the work.
5. All work shall be guaranteed for a period of one (1) year from the date of acceptance. Failure of the City to detect flaws in the work shall not relieve the applicant and/or contractor of this responsibility.
6. Failure to comply with the conditions of this permit in its entirety will result in the City performing the necessary work at the applicant’s expense.
7. Any long-term encroachment not properly or promptly maintained will be repaired or removed at the applicant’s expense.
8. The applicant shall indemnify, defend (including, but not limited to, attorney’s fees and costs) and hold harmless the City of Ferndale, each of its officers, employees and agents from all suits or action of every nature and description brought for or on account of, any injuries or damages received or sustained by any persons or property arising by reason of work done by the applicant, or his agent, employees or representatives, or in consequence of any negligence in guarding the same, or for improper materials used in the construction.
9. No permit shall be issued to any individual, organization or contractor who has outstanding fees, charges or work not in compliance with terms of any permit issued.
10. The work shall be initiated within thirty (30) days of permit issuance and shall be completed no later than the date specified for permit expiration.
11. Applicant expressly acknowledges that applicant fully understands the Encroachment Permit Process.