



City of Gonzales

APPLICATION FOR ENCROACHMENT PERMIT

City of Gonzales – State of California
Department of Public Works

TO: Public Works Director
City Hall – P.O. Box 647
Gonzales, CA 93926

DATE: _____

_____ Request to temporarily park a storage container within the City right-of-way.

_____ Request to encroach upon City Street Reservation or Highway Right of Way. In compliance with the provisions of Chapter 12.04 of the Gonzales Municipal Code and the California Streets and Highways Code, the undersigned hereby applies for permission to construct the following improvement or otherwise encroach upon a City Street Reservation or Highway Right of Way, by performing the following work:

(Describe fully; submit detailed plans if available)

Within City Street known as _____

Applicant further agrees to comply with the general provisions printed in the reverse side of this application.

APPLICANT (Print Name) _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

TELEPHONE # _____

SIGNATURE _____

Inspected and approved by: _____
Public Works Director - **With recommendations as stated in attached:**

ENCROACHMENT PERMIT - GENERAL PROVISIONS

1. This permit is issued under the provisions of Chapter 12.04 of the Gonzales Municipal Code. Except as otherwise provided for franchise holders, this permit is revocable on five (5) days notice.
2. It is understood and agreed by the Permittee that the doing of any work under this permit shall constitute an acceptance of the provisions.
3. This permit is granted with the understanding that this action is not to be considered as establishing any precedent on the questions of the expediency of permitting any certain kind of encroachment within the City right-of-ways.
4. Before starting any work authorized by this permit, the Permittee shall notify the City Public Works Director or Public Works Foreman. Such notice shall be given at least 48 hours in advance of the time work is to start.
5. This permit is to be kept at the site of work and must be shown to any representative of the grantor or any law enforcement officer upon demand.
6. PUBLIC CONVENIENCE – The Permittee shall so conduct his/her operations as to offer the least possible obstruction and inconvenience to the public. Unless otherwise provided on the face hereof, 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.
7. PUBLIC SAFETY – Whenever the Permittee's operations create a condition hazardous to traffic, or to the public, s/he shall furnish, erect, and maintain, 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.
8. All work shall conform to recognize standards of construction and those specifications prescribed on the face hereof. 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, and material shall be entirely removed and the right of way left in as presentable condition as before work started. On 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 thereof.
9. LIABILITY FOR DAMAGES – Per Chapter 9.04.020.E of the GMC, 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 in respect to maintenance. In the event any claim of such liability is made against the City of Gonzales or any department, officer, or employee thereof, Permittee shall defend, indemnify and hold them and each of them harmless from such claim.
10. BONDING - This permit shall not be effective for any purpose unless and until the above-named Permittee files with the grantor a surety bond in the form and amount required by said grantor, unless specifically exempted on the face hereof. [Chapter 9.04.020.D]
11. DUE CARE shall be exercised to avoid injury to existing street improvement or facilities. City street surfacing shall be replaced 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 this 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 location and details.
14. The Permittee agrees by the acceptance of this permit to exercise reasonable care to maintain properly any encroachment, placed by it in the street, and to exercise reasonable care in inspecting for and immediately repairing, and making good any injury to any portion of the street, which occurs as a result of the maintenance of the encroachment in the street, or as a result of the work done under this permit; including any and all injury to the street which would not have occurred had such work not being done or such encroachment not placed therein.