
ENCROACHMENT PERMIT

GENERAL INFORMATION

EFFECTIVE DATE: MAY 10, 1999

If you plan on doing work in the Town of Paradise that requires an Encroachment Permit, the following information will be useful to you:

Licenses:

You must be a licensed contractor for the type of work you plan to do, **or**

You must be the homeowner and not contracting or paying others to complete permitted work (repairs and flatwork behind the sidewalk area).

Insurance:

Licensed contractors shall carry general liability insurance of \$1,000,000 minimum with an endorsement naming the Town, Town Officers, Employees and Agents as additional insured. The Policy shall have a 30 day notice of cancellation and be on file at the Town Offices.

Homeowners shall provide the Town with a copy of their homeowners insurance policy with the liability limits of \$300,000 minimum.

Security Requirements:

Contractors shall provide the Town with a surety bond or other approved security of \$10,000 minimum.

Homeowners are exempted from security requirements.

Plans and Specifications will be required of each applicant for the work to completed under the approved Permit.

Traffic Control measures may be required and shall meet with CalTrans Standard Plans.

For further information, please refer to Town Ordinance No. 321.

What is the process for obtaining an encroachment permit?

An application describing the proposed work must be completed. For most construction projects, detailed construction drawings must be submitted along with the application. Plans will be checked for compliance with both the Town of Paradise construction standards and generally acceptable engineering standards with respect to traffic safety, pedestrian safety, location of the encroachment with respect to the roadway travel lanes, etc. Most encroachment permits will be issued (if the plans are complete) or returned to applicant for corrections within 14 calendar days after application.

What are the design standards?

The design standards to be used for all encroachments are, in order of precedence:

- 1) Town of Paradise adopted standards.
- 2) Local utility standards.
- 3) California Department of Transportation Standard Plans and Standard Specifications.
- 4) Any reference standards, such as Butte County Public Works Standards.

Additional Policy Considerations:

- The permittee will assume all costs associated with the encroachment permit, including the replacement of street striping, thermoplastic legends/markings, replacement of any damaged asphalt outside of their immediate work area.
- Warranty Periods for work shall be as follows:

All work – One year from date of final inspection.
- At the completion of the warranty period, a representative of the Engineering Department will review the site to evaluate the following:
 - 1) Determine if the surface is stable. Any areas exhibiting cracking, rutting, shoving or settling that would indicate a non-stable patch will be removed and replaced. In addition, the patch will be checked with a straight edge, and any areas more than ½ inch out of compliance will also be replaced with new asphalt concrete.
 - 2) Under no circumstances will additional asphalt concrete be added to compensate for a failed (settled) trench. The old asphalt is to be removed, the subgrade and backfill material compacted if required and new asphalt concrete installed. It will be dependant upon the permittee to determine if the subgrade and backfill material are stable. Any areas of asphalt concrete removed and replaced will be subject to an additional one year warranty period.
 - 3) Any cracks of the joints that are not tightly sealed against the existing roadway will be crack-sealed with an approved rubberized crack sealant, or other methods as approved by the Public Works Director.
 - 4) Any concrete structures or appurtenances (curb, gutter, concrete grade rings, etc.) that are exhibiting evidence of movement or significant cracking will be replaced.

What if an agency has a right of way that precedes that of the Town of Paradise?

Some agencies, Paradise irrigation District in particular, may have established their facilities prior to the Town of Paradise and the County of Butte. In those special cases, the district may not be required to pay the inspection fee. However, the district is still required to return the roadway to at least its original condition after construction. Staff will evaluate these special cases on a one by one basis, in conjunction with Paradise Irrigation District Staff, until a definitive policy can be approved by both the Town of Paradise and Paradise Irrigation District.

What about emergency situations?

In the event of an after working hours emergency, in which immediate action is necessary to protect life or property, work will be allowed to begin without a permit. However, the permittee shall obtain an after the fact encroachment permit, on the first working day after the emergency. All normal fees will be assessed.