



ENCROACHMENT PERMIT GENERAL CONDITIONS

1. IT IS UNDERSTOOD AND AGREED THAT THE TOWN HAS PRIOR RIGHT TO THE USE OF ITS RIGHT-OF-WAY. IT IS FURTHER UNDERSTOOD AND AGREED BY THE PERMITTEE THAT THE DOING OF ANY WORK UNDER THIS PERMIT SHALL CONSTITUTE AN ACCEPTANCE OF ALL THE PROVISIONS CONTAINED HEREIN AND FAILURE ON THE PERMITTEE'S PART TO COMPLY WITH ALL PROVISIONS WILL BE CAUSE FOR REVOCATION OF THIS PERMIT. EXCEPT AS OTHERWISE PROVIDED FOR PUBLIC AGENCIES AND FRANCHISE HOLDERS, THE PERMIT IS REVOCABLE AT ANY TIME. THIS PERMIT IS TO BE ON THE JOB AT ALL TIMES WHILE THE WORK IS BEING DONE.
2. ALL WORK SHALL BE DONE SUBJECT TO THE SUPERVISION OF AND TO THE SATISFACTION OF THE PUBLIC WORKS DEPARTMENT OF THE TOWN. THE PERMITTEE SHALL, AT ALL TIMES DURING THE PROGRESS OF THE WORK, KEEP THE TOWN ROADWAY IN AS NEAT AND CLEAN A CONDITION AS IS POSSIBLE AND UPON COMPLETION OF THE WORK GRANTED HEREIN, SHALL LEAVE THE TOWN ROADWAY IN A THOROUGHLY NEAT, CLEAN AND USABLE CONDITION.
3. THE PERMITTEE AGREES BY THE ACCEPTANCE OF THIS PERMIT TO PROPERLY MAINTAIN ANY ENCROACHMENT PLACED BY THE PERMITTEE ON ANY PART OF THE TOWN ROADWAY AND TO IMMEDIATELY REPAIR ANY INJURY TO ANY PORTION OF THE ROADWAY WHICH OCCURS AS A RESULT OF THE ENCROACHMENT, UNTIL SUCH TIME AS THE PERMITTEE MAY BE RELIEVED OF THE RESPONSIBILITY OF SUCH ENCROACHMENT BY THE TOWN DEPARTMENT OF PUBLIC WORKS.
4. IT IS FURTHER AGREED BY THE PERMITTEE THAT WHENEVER CONSTRUCTION, RECONSTRUCTION, OR MAINTENANCE WORK UPON THE HIGHWAY MAY REQUIRE, THE INSTALLATION PROVIDED FOR HEREIN SHALL, UPON REQUEST OF THE TOWN DEPARTMENT OF PUBLIC WORKS, BE IMMEDIATELY REMOVED BY AND AT THE SOLE EXPENSE OF THE PERMITTEE.
5. NO MATERIAL USED FOR FILL OR BACKFILL IN THE CONSTRUCTION OF THE ENCROACHMENT SHALL BE BORROWED OR TAKEN FROM WITHIN THE TOWN RIGHT-OF-WAY.
6. WHERE APPLICABLE, PERMITTEE SHALL SUBMIT PROPOSED TRAFFIC CONTROL PLAN. ALL TRAFFIC CONTROL METHODS SHALL BE CALIFORNIA MUTCD PART 6 COMPLIANT. AT LEAST ONE ELEVEN FOOT (11') LANE OF ANY PUBLIC ROAD, UNDER THE JURISDICTION OF THE TOWN OF PARADISE, AND OTHER PUBLIC ROADS JUNCTIONING OR INTERSECTING THEREWITH, SHALL BE KEPT OPEN FOR TRAVEL BY THE GENERAL PUBLIC AT ALL TIMES. NO PUBLIC ROAD UNDER THE JURISDICTION OF THE TOWN SHALL BE CLOSED TO TRAVEL BY THE GENERAL PUBLIC WITHOUT SPECIAL PERMISSION, IN WRITING, OF THE TOWN ENGINEER.
7. THE PERMITTEE, BY THE ACCEPTANCE OF THIS PERMIT, SHALL ASSUME FULL RESPONSIBILITY FOR ALL LIABILITY FOR PERSONAL INJURY OR DAMAGE TO PROPERTY WHICH MAY ARISE OUT OF THE WORK HEREIN PERMITTED OR WHICH MAY ARISE OUT OF THE FAILURE ON THE PART OF THE PERMITTEE TO DO THE WORK PROVIDED FOR UNDER THIS PERMIT. IN THE EVENT ANY CLAIM OF SUCH LIABILITY IS MADE AGAINST THE TOWN OR ANY DEPARTMENT, OFFICIAL, OR EMPLOYEE THEREOF, THE PERMITTEE SHALL DEFEND, INDEMNIFY, AND HOLD THEM AND EACH OF THEM HARMLESS FOR SUCH A CLAIM.
8. TRENCH BACKFILL AND PAVEMENT RESTORATION SHALL COMPLY WITH STANDARD DETAIL TB1 AND DETAIL TB2, WHERE APPLICABLE. ALL EXCAVATIONS SHALL BE BACKFILLED AND COMPACTED IMMEDIATELY AFTER WORK THEREIN HAS BEEN COMPLETED. TRENCHES SHALL NOT BE LEFT OPEN FARTHER THAN 300 FEET IN ADVANCE OF THE PIPE LAYING OPERATIONS UNLESS OTHERWISE PERMITTED BY THE ENGINEER. UNLESS OTHERWISE PERMITTED UNDER THE SPECIAL CONDITIONS, BACKFILL SHALL BE PLACED AND MECHANICALLY COMPACTED IN SUCH A MANNER THAT THE RELATIVE COMPACTION THROUGHOUT THE ENTIRE FILL WITHIN THE TOWN ROAD RIGHT-OF-WAY SHALL CONFORM TO THE PERCENTAGE OF COMPACTION AS STATED ON TOWN STANDARD DETAILS. PERMITTEE SHALL NOTIFY THE TOWN INSPECTOR 24 HOURS BEFORE BACKFILLING AND / OR PAVING.
 - a. ALL INSTALLATIONS, PARALLEL WITH ROADWAY, SHALL BE PLACED AS CLOSE TO THE RIGHT-OF-WAY AS POSSIBLE.
 - b. ALL PAVEMENTS, CURBS, GUTTERS, SIDEWALKS, BORROW DITCHES, PIPES, HEADWALLS, ROAD SIGNS, TREES, SHRUBBERY AND / OR OTHER PERMANENT ROAD FACILITIES IMPAIRED BY OR AS A RESULT OF, CONSTRUCTION OPERATIONS AT THE CONSTRUCTION SITE(S), OR AT OTHER LOCATION(S) OCCUPIED BY MATERIALS AND / OR EQUIPMENT SHALL BE RESTORED IMMEDIATELY UPON BACKFILLING OF THE EXCAVATION TO THE ORIGINAL GRADES AND CROSS SECTIONS, AND TO A CONDITION AS GOOD AS, OR BETTER THAN, EXISTING PRIOR TO CONSTRUCTION.
 - c. ALL SURFACING MATERIALS OF ROADWAYS AND DRIVEWAY APPROACHES CUT OR DAMAGED BY OR AS A RESULT OF CONSTRUCTION OPERATIONS SHALL BE REPLACED WITHIN ONE WEEK FOLLOWING THE BACKFILLING OF EXCAVATION, WEATHER PERMITTING, WITH COMPACTED LAYERS OF SURFACING MATERIALS AT LEAST AS THICK AS THE EXISTING, AND NO LESS THAN TWO INCHES (2") OF HOT MIX ASPHALT OVER EIGHT INCHES (8") OF AGGREGATE BASE, ACCORDING TO CURRENT CALIFORNIA STATE SPECIFICATIONS.
9. WHENEVER NECESSARY TO SECURE PERMISSION FROM ABUTTING PROPERTY OWNERS, SUCH AUTHORITY MUST BE SECURED BY THE PERMITTEE PRIOR TO STARTING WORK.
10. THE FUTURE SAFETY AND CONVENIENCE OF THE TRAVELING PUBLIC SHALL BE GIVEN EVERY CONSIDERATION IN THE LOCATION AND TYPE OF CONSTRUCTION. PERMITTEE SHALL CAUSE TO BE PLACED, ERECTED AND MAINTAINED ALL WARNING SIGNALS, LIGHTS, BARRICADES, SIGNS, AND OTHER DEVICES OR MEASURES ESSENTIAL TO SAFEGUARD TRAVEL BY THE GENERAL PUBLIC OVER AND AT THE SITE OF WORK AUTHORIZED HEREIN.
11. IF THE CONSTRUCTION WORK COVERED BY THIS PERMIT IS TO BE DONE BY A PRIVATE CONTRACTOR HIRED BY THE APPLICANT, APPLICANT SHALL NOTIFY CONTRACTOR AS TO THE SPECIAL CONDITIONS AND REQUIREMENTS CONTAINED HEREIN.
12. PERMITTEE AGREES THAT IF THE ROADWAY AND / OR ADJACENT AREA IS NOT LEFT IN AN ACCEPTABLE MANNER TO THE TOWN ENGINEER, AND IF SUCH NOTICED DEFICIENCIES ARE NOT CORRECTED WITHIN THIRTY (30) DAYS OF WRITTEN NOTICE THEREOF, PERMITTEE AGREES TO PAY THE TOWN OF PARADISE FOR ANY AND ALL COSTS NECESSARY TO CORRECT SAID DEFICIENCIES.