

## CITY OF FOUNTAIN VALLEY— PUBLIC WORKS

10200 SLATER AVENUE FOUNTAIN VALLEY, CA 92708-4736 (714) 593-4433, FAX: (714) 593-4554

### **ENCROACHMENT PERMIT PROCESS FOR UTILITY COMPANIES**

**THESE RULES AND REGULATIONS ARE TO REMAIN ATTACHED TO THE PERMIT AT THE JOBSITE AT ALL TIMES.**

#### **1. GENERAL**

- i. All work encroaching into the public right-of-way requires approval and permits from the Public Works Department as indicated in City's Municipal Code (FVMC) Chapter 11.08. This encompasses work that occurs on, above or below sidewalk, streets, curbs or unimproved public right-of-way.
- ii. All work in the public right-of-way shall be performed in accordance with the Public Works Department Standard Plans and to the satisfaction of the Director of Public Works or his/her designee.
- iii. Applicant agrees that it shall be his/her responsibility to provide the contractor, subcontractor, or any other agent responsible for construction of permitted use within the right-of-way, a copy of the permit with these conditions attached and a complete set of approved plans. Copies of both permit and approved plans, if applicable, shall be maintained at the site of work and be shown to any authorized representative of the City of Fountain Valley, or any other regulatory governing agency upon request.
- iv. Permits may be obtained Monday through Friday, excluding City Holidays, at City Hall or by accessing the City's Website at <http://www.fountainvalley.org>
- v. A written Notice of Violation will be issued by the City Inspector for failure to comply with any of the permit requirements/conditions. The Applicant shall not be allowed to obtain any additional permits until violation is corrected and approved by the City Inspector or a time extension is granted by the Public Works Department.
- vi. Permit becomes void if work is not completed within one year of issuance. An extension may be granted only if applied for prior to expiration. No work shall be allowed to proceed under an expired permit.
- vii. Applicant shall notify and receive approval by the Public Works Department 24-hours prior to interrupting traffic signal operations (i.e., cutting traffic signal loops, putting traffic signal on four-way flash, de-energizing signal).

#### **2. TYPES OF ENCROACHMENT PERMITS**

- I. Excavation/ Potholing permits are required for excavations greater than three-feet in any direction and shall comply with the most current City Standard Plan No. 120.
- II. Traffic Control permits are required when setting up traffic control devices in the public right-of-way. Applicant shall comply fully with the City of Fountain Valley Traffic Control Standards and the latest Work Area Traffic Control Handbook (WATCH). All required traffic control devices shall be in place prior to beginning work. Lane closures are limited to the hours between 8:30 a.m. and

4:00 p.m. Monday through Friday, except holidays. If the traffic control is not setup adequately per city standards, work shall be suspended until the devices are properly setup.

- III. Annual Encroachment permits are available to utility companies for routine maintenance of facilities not requiring excavation. Routine maintenance is considered to be any work performed by the utility company or subcontractors within the public right-of-way or easement that is not an extension of a utility, new service, line modification or replacement (increased capacity), or any utility appurtenance replacement (pull boxes, vaults, poles).

### **3. INSURANCE REQUIREMENTS**

- i. Applicant and subcontractors shall procure and maintain for the duration of the Permit insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the applicant, his/her agents, representative, or employees.
- ii. Commercial General Liability coverage shall be at least \$3,000,000 for all permits in the public right-of-way.

### **4. PERMIT REQUIREMENTS**

- i. All permits require signatures from both the owner and contractor unless a binding letter is on file. Binding letters shall be submitted on an annual basis.
- ii. Applicant shall request inspection at least 24-hours prior to commencing of any phase of work. Inspection requests can be faxed, emailed or phoned to the following:
  - Fax notification to: 714-593-4554 (see attached inspection request form)
  - Email notification to all the following Public Works staff:  
[alex.salazar@fountainvalley.org](mailto:alex.salazar@fountainvalley.org); [stacy.delong@fountainvalley.org](mailto:stacy.delong@fountainvalley.org) &  
[temo.galvez@fountainvalley.org](mailto:temo.galvez@fountainvalley.org)
  - Phone Public Works Inspector at 714-593-4442

Inspection request shall include the location, permit number and name & number of the foreman at the jobsite. Failure to arrange for an inspection may result in, but not limited to, suspension of work or the removal of the completed work, at the applicant's expense, if found to be constructed improperly.

- iii. All permits shall be accompanied by a sketch/ plan clearly identifying the limits of the proposed work. Permits being faxed or mailed shall be completely filled out, signed and accompanied with the appropriate sketch/ drawing.

### **5. WORKING HOURS**

- i. Working Hours shall be between the hours of 7:00 a.m. and 8:00 p.m. Monday through Friday. No time on Saturday, Sundays or any legal holidays. Lane closures are limited to the hours between 8:30 a.m. and 4:00 p.m. Monday through Friday, except holidays. Failure to comply with these requirements may result in suspension of permit. Deviation from these requirements will be considered on a case by case basis and approved by the Public Works Department prior to work commencing.

### **6. CONSTRUCTION METHODS AND EQUIPMENT**

- i. Applicant shall employ construction practices which will avoid pollutants such as mud, silt, chemical residue, and washing from concrete and saw-cutting from entering storm drains.

- ii. Removal and replacement of concrete sidewalk shall be full panel from score line to score line in accordance with Public Works Standard Plan No. 201.
- iii. Newly surfaced streets will have a five-year moratorium on non-emergency construction.
- iv. Trench repairs shall be in accordance with Public Works Standard Plans Nos. 120, 219 & 700. Trenches shall be backfilled at the conclusion of each work day unless written permission is granted by the Public Works Department. Trenches shall be secure and covered with temporary asphalt. Skid resistant steel plates shall be used for overnight work if approved by the Public Works Department.

Upon completion of the trench repair, each lane damaged by a trench cut in the direction of travel shall be milled down a minimum of 0.12' and repaved with material specified by the Public Works Department for the entire width of every lane affected by the excavation for the entire length of the excavation. Trench cuts normal, or perpendicular, to the direction of travel shall be milled down a minimum of 0.12' for a minimum width of 10' beyond each side of the edge of the trench. Trench cuts in a four-legged intersection shall be milled down a minimum of 0.12' for the entire width of the lane damaged in each direction of travel. Trench cuts in a three legged or T-intersection shall be milled down a minimum of 0.12' for the entire width of the intersection to the farthest lane line of the lane(s) affected. On collector/residential/industrial streets, trench cuts along the gutter shall be milled down a minimum of 0.12' for a minimum width of 6' from the edge of the gutter. Trench cuts within the traveled way of the collector/residential/industrial street shall be milled down a minimum of 0.12' from the centerline of the street a minimum width of 12' along the entire length of the trench.

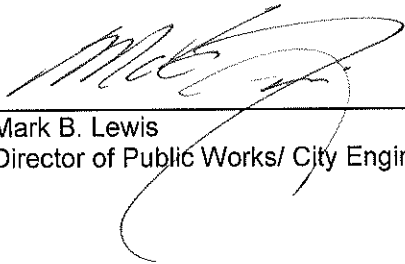
- v. All concrete and asphalt removal shall be performed utilizing a guided wet saw on wheels with a vacuum.
- vi. Applicant is responsible to assure that all Dig Alert utility markings are of a water-soluble or chalk base paint. It is also the responsibility of the Applicant to assure that all markings are removed prior to completion of the project in order to receive final permit approval.
- vii. Applicant shall be responsible for restoring or replacing, as directed by the Public Works Department, all sidewalk, curb and gutter, other hard surfaces, asphalt or concrete pavement, striping, signage, utilities, landscaping, sod, irrigation facilities, or any other improvements damaged as a result of work activities conducted by the Applicant.
- viii. The Applicant will be notified of any repair work that is deemed unsatisfactory and will be given seventy-two (72) hours to correct it. If the Applicant does not respond within the allowed time, City staff will correct the condition and bill the Applicant for time, material and any other cost incurred.

## **7. EMERGENCY REPAIRS AND PROCESS**

- i. If emergency repairs need to be performed within the public right-of-way, the applicant shall immediately notify the Public Works Department. Refer to Section 4 of this document for contact information.
- ii. All emergency repairs require that traffic control be setup adequately per City of Fountain Valley Standards.
- iii. Upon completion of the emergency work performed, is the Applicant's responsibility to submit an after-the-fact permit for review and approval. The Applicant shall not be allowed to obtain any additional permits until all after-the-fact permits are approved by the Public Works Department or a time extension is granted by the Public Works Department.

**8. FINAL SIGNATURE**

- i. Upon completion of all work specified in the permit, the applicant shall request a final inspection by contacting the City Public Works Inspector. Refer to Section 4 of this document for contact information. It is the responsibility of the Applicant to obtain final signature. The Applicant shall not be allowed to obtain any additional permits until all outstanding permits that have exceeded the completion date specified in the permit by fifteen days are approved by the Public Works Department. The Applicant shall be allowed to perform emergency repairs. Refer to Section 7 of this document for emergency repair process.

Approved by:   
Mark B. Lewis  
Director of Public Works/ City Engineer

Date: 9-3-08