



RIGHT-OF-WAY CONSTRUCTION PERMIT STANDARD CONDITIONS

The following standard conditions are a part of Permit No. _____.

1. No access or work shall be performed within the City right-of-way without the full knowledge of the assigned City Inspector who shall be given not less than 48 hours advance notice of the initiation of permitted use at (760) 633-2796 or 633-2797, or as stated on the permit.
2. At least 48 hours prior to starting work, **Underground Service Alert (USA)** shall be notified for location of underground utilities at 1-800-422-4133. The proposed dig area must be marked in white paint prior to contacting (USA).
3. All work covered by this permit shall be performed by a contractor possessing a valid California contractor's license of the appropriate class.
4. All traffic control within the construction area shall be subject to an approved traffic control plan and shall be flagged and barricaded to the satisfaction of the City Inspector in compliance with the "Work Area Traffic Control Handbook", latest edition published by Building News, Inc. In the event that the Inspector determines proper traffic control is not in place, all work shall cease and permittee authorizes the City Engineer or a duly authorized representative to order, on the rental basis, such traffic control devices as shall be necessary and proper to protect the public safety and further agrees to pay any and all costs and charges that the City may incur in providing said traffic control.
5. Applicant agrees that it shall be his responsibility to provide the contractor, subcontractor, or any other agent responsible for construction of permitted works within the City right-of-way, with a copy of the permit including these standard conditions and a complete set of approved plans. The permit, plans and Work Area Traffic Control Handbook shall be available at the permit site whenever work is in progress.
6. Permitted works shall be constructed in accordance with the City specifications and approved plans, subject to inspection and approval by the City Engineer or a duly authorized representative. Certification for all materials and work, including compaction tests, shall be furnished by the applicant upon request by the City Inspector. Payment for any compaction testing shall be by the permittee. Certification shall be made by a certified testing agency or firm acceptable to the City.
7. No work within the public right-of-way is permitted on Saturdays, Sundays, or holidays. Any deviation from the work schedule presented in these conditions must receive prior, written approval of the City Engineer or a duly authorized representative. Any questions regarding days City Hall is closed, call (760) 633-2770.
8. No work on any public roadway, excluding prime arterials and major roads, shall be started before 7:30 A.M. or continue after 5:00 P.M. on weekdays.
9. No work shall begin before 9:00 A.M. or continue after 3:00 P.M. on prime arterials and other major roads, unless authorized on the permit by the City Engineer. All work on prime arterials and other major roads, all as shown on the Circulation Element of the City's General Plan, will require a traffic control plan acceptable to the City Traffic Engineer whose office can be contacted at (760) 633-2704.
10. The roadway shall be clean and free of all obstructions and completely open to traffic at the end of each working day. (No later than 3:00 P.M. on major roads, defined herein.)
11. Two-way traffic shall be maintained at all times. Minimum travel lane width for motor vehicles shall be 12 feet. If street width prevents maintaining two-way traffic, permittee and City Engineer shall agree on an adequate traffic control plan prior to starting work, which shall include the use of a full-time flagman.
12. All excavations in existing pavement shall be saw cut to neat lines and AC replacement shall be made to the satisfaction of the City Engineer or a duly authorized representative.
13. Open trench must be backfilled and capped with at least 2" of cold mix asphalt or metal plated according to City specifications during non-working hours. Metal plates are required to have cold mix asphalt ramps on all (4) sides and must be maintained. Refer to the City's Standard Drawing.
14. Native material may be used upon approval of the City Engineer or a duly authorized representative. Refer to the City's Standard Drawing for Trench Backfill and Resurfacing, Appendix 2.4 of the Engineering Design Manual.
15. Tunneling beneath curb and gutter is not permitted, unless otherwise authorized by the City Engineer. Curb, gutter, and sidewalk requiring removal shall be replaced joint to joint for a neat appearance.
16. Two sack sand-cement slurry mix shall be required as backfill on all lateral excavations within prime arterials, major roads and collectors as well as all locations where the inspector deems the native material to be unacceptable for use as backfill.
17. Care shall be exercised to prevent water, soil and debris from depositing in gutters, streets and storm drains. No washing out of mixers or concrete pumps will be allowed on City streets. Violations will be referred for NPDES enforcement and penalties.
18. Any roadway striping damaged or removed during the operations of this permit shall be matched and replaced by the applicant using the latest edition of State Department of Transportation specifications for paint, all to the satisfaction of the City Engineer or a duly authorized representative. Thermoplastic legends and crosswalk markings shall be replaced with thermoplastic, not paint, to the satisfaction of the City Engineer.
19. All concrete work shall be transit mixed and conform to the Standard Specifications for Public Works Construction, Latest Edition, Section 201, and be approved by the City Engineer or a duly authorized representative.
20. Trenching for installations across any intersecting roadway open to traffic shall be progressive. Not more than half of the width of a traveled roadway shall be disturbed at one time and the remaining width shall be kept open to traffic by bridging or backfilling.
21. Where street dimensions and State Department of Health Services regulations allow, all pipes and conduits laid parallel to the roadway shall be placed at least five (5) feet from the edge of the pavement or graded traveled roadway, unless otherwise

authorized in writing by the City Engineer. The shallowest portion of any pipeline or other facility shall be installed not less than thirty (30) inches below the roadway surface.

- 21(a). Where street dimensions and State Department of Health Services regulations allow, all pipes and conduits laid parallel to existing utilities shall maintain a minimum separation of three (3) feet measured from the nearest edge of the facility. Any deviation from this requirement is not allowed unless approved by the City Engineer or a duly authorized representative.
- 22. All excavated material shall be cast away from the improved portion of the highway. After the work has been completed, all excess material, including trench spoils, shall be removed from the right-of-way. The roadway shall be left in neat and orderly condition.
- 23. All roadside drainage ditches shall be restored to true grades and the intake and outlet ends at all culverts shall be left free from all excess materials and debris.
- 24. All approaches to private driveways and intersecting roads and streets shall be kept open to traffic at all times, unless otherwise approved by the City Engineer.
- 25. Clay and earth which adhere to the paved surface of the roadway shall be removed by hand scraping, washing and sweeping, or by any other method which will leave a clean non-skid surface without impairing, damaging, or loosening the surface.
- 26. Permittee shall comply with any and all directives issued by the City Engineer or a duly authorized representative in order to prevent dust or other materials from becoming a nuisance or annoyance.
- 27. Temporary patching of trench is required on lateral cuts in surfaced streets immediately after backfilling. After completion of the refilling and compacting of the backfill material in the excavation, all as specified in the Standard Drawing dated September 30, 1996, and the removal of obstruction(s), the permittee shall promptly replace with temporary or permanent patching material, or repair any portion of the highway surface removed or damaged by the excavation, obstruction, or construction operations, all to the satisfaction of the City Engineer, and as specified elsewhere herein. The City Engineer may, at his option, elect to do the surfacing or repairing himself; in such case, the permittee shall bear the cost of such work. Temporary patching material may be left in place for up to 30 days, but must be continually maintained.
- 28. Where the pavement, except Portland Concrete Cement pavement, or other type of surface has been removed by others, the permittee shall replace it with a standard repair of four (4) inches AC over approved backfill or repair section shall be one (1) inch AC greater than existing structural section, whichever is greater. Refer to the most current Standard Drawing. Repairs to PCC pavement shall be made pursuant to the specifications of the assigned Engineering Inspector.
- 29. If, after the refilling of an excavation, the permittee fails or refuses to resurface or repair that portion of the surface of the roadway damaged by him, or if the City Engineer has elected to do such resurfacing or repairing, the City Engineer shall cause the repair to occur; and the permittee shall be charged with the cost thereof computed by the City Engineer.
- 30. When shoring is required, an engineered detail drawing will be required for approval by the City Engineer. All OSHA regulations shall be met.
- 31. All directional bores shall be subject to approval of the method in the field by the assigned Engineering Inspector, acting as the duly authorized agent of the City Engineer. A thorough examination of the subsurface conditions is a prerequisite. The applicant shall identify the bore method on the permit application either as auger, hammer, hydraulic, etc., and show the bore pits. Grouting and intermediate bore pits may be required.
- 32. All subsurface utilities shall be accurately shown on the applicant's site plan for those excavations in excess of 250 linear feet, traversing signalized intersections, crossing interconnect wires, or otherwise where the City Engineer has a special concern.
- 33. Pavement cuts in streets rehabilitated or newly constructed within the past two years shall be categorically denied.
- 34. This permit may be immediately revoked for reasons in the best interest of the City, for violation of permit conditions, or for the creation of a nuisance, all upon notice given by the City Engineer or a authorized representative. In the event of such revocation, applicant shall immediately cease all operations and restore City right-of-way as directed by the City Engineer or a duly authorized representative. After notification, City may take full possession of the area. Applicant shall pay to the City any and all costs involved, in the event the City has to restore City property or remove any items installed by the applicant.
- 35. This permit may become void in the event the use permitted is not started within sixty (60) calendar days from the date of issuance or in the event the permitted use is abandoned for a period exceeding sixty (60) calendar days after construction has begun. In such event, it shall be necessary to obtain a new permit and pay additional fees. Upon commencement of work, all operations, including cleanup and restoration of City right-of-way, shall be completed within the time limit specified by the permit.
- 36. The permittee guarantees to save, indemnify and hold harmless the City of Encinitas and all its agents, officers, employees and officials against all liabilities, judgments, costs and expenses, which may in any manner or form arise in consequence of the issue of this permit or any work performed in consequence thereof.
- 37. The permittee guarantees all work constructed, installed and effected under this permit for a period of one year from the date of final inspection. Any repairs required during the guarantee period shall be made at the expense of the permittee. At the option of the City Engineer, repair work may be performed by either the permittee or the City.
- 38. Permittee has read, understands and agrees to comply with all construction permit provisions and standard conditions.

Signature:

Permittee

Date

Printed Name/Title/Company