

Chapter 12.12

STREET EXCAVATIONS AND ENCROACHMENTS

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12.12.010 Permit required.

No person other than the city shall make an excavation or a street cut or pavement opening of any kind or nature in any of the streets, avenues, alleys, rights of way, easements or public roadways of the city, nor encroach on them in any way for any type of construction purposes without first securing a written permit therefor from the engineering supervisor of the city, setting forth the nature, location and restrictions of the encroachment. (Ord. 286 § 1, 1979)

12.12.020 Division of work.

A. The city shall install all water service connections between the main line and the property line, easement line, or water meter location, except in the case of new subdivision work.

B. Sewer laterals shall be installed and maintained by the contractor and/or property owner between the main line and the property line or easement line.

C. For all excavations, including sewer laterals, except those made by the city, the engineering supervisor shall issue a permit to the contractor, property owner, or utility who will do the excavation and backfilling of the trench, and installing of the base and paving.

D. Materials for replacement of paving and base at trench locations shall be determined by the engineering supervisor. Forty-eight hours' notice shall be given to the engineering department prior to the commencement of any

work to be performed. (Ord. 286 § 2, 1979; Ord. 898 § 2, 2020)

12.12.030 Work standards and requirements.

A. Before any backfilling is started, the engineering supervisor shall be notified so that an inspection may be made during the work. Backfill shall conform to the applicable portions of the city's standard specifications in effect at the time any permit is issued.

B. In the event that portions of any street excavations settle within one year after the completion of the project, even though the engineering supervisor or inspector has approved the previous work or backfilling, the contractor and/ or property owner or utility to whom the permit was originally issued shall immediately cause that portion to be repaired upon written request by the city.

C. Any person who, or corporation which, has been granted a street encroachment permit shall prosecute all such work diligently and without interruption to its completion. No intersection of streets shall be blocked for a period of over eight hours without special written permission of city. When a street, avenue, alley or public roadway is to be opened by an excavation, the fire department shall be notified beforehand in writing setting forth the location and extent of such excavation. All street excavations at intersections must be properly and safely bridged and lighted at night. Streets shall not be blocked from vehicular or pedestrian travel for a period of more than one day without a reasonable and passable detour being provided by the contractor or owner. All such street blockages and/or detours shall first be approved by the engineering supervisor as to their condition and construction.

D. All persons who, or corporations which, have been granted a street encroachment permit shall erect and maintain, at their own expense and cost throughout the entire progress of the work, all such barricades, guards, temporary bridges, watchmen, lights, dust control and other notices as may be necessary or required

by city to protect the work, prevent accidents, and properly guide and protect the general public from any danger, damage or injury. Any such safety measures shall be subject to approval and inspection by the city.

E. All persons who, or corporations which, have been granted a street encroachment permit shall protect and hold the city harmless from any and all damages or claims arising directly or indirectly from the performance of the work by the applicants, including any damages to any adjoining or existing public utility lines which may be damaged as a result of any work performed pursuant to an encroachment permit.

F. The granting of an encroachment permit by the city does not thereby relieve any person from responsibility for moving or relocating their facility if it conflicts with the city's need for that particular location in the street right of way at any time.

G. All work performed under and in accordance with this chapter, shall conform to the rules and regulations pertaining to safety established by the California Division of Industrial Safety and CAL OSHA, and in addition shall meet the city's standard specifications and any other requirements established by the engineering supervisor. (Ord. 286 § 3, 1979)

12.12.040 Fees and deposits.

For any work requiring an encroachment permit, the applicant shall pay the applicable fees pursuant to RMC 17.16.060. The engineering supervisor, in his or her sole discretion, shall review the nature of the project and determine the amount required to guarantee completion of the right-of-way restoration. The applicant shall then be required to deposit cash, cashier's check or any such method as determined by the engineering supervisor, with the city clerk in an amount sufficient to cover the cost of the installation and/or restoration as estimated by the engineering supervisor. Upon satisfactory completion of the work, the amount deposited shall be returned to applicant.

The applicant shall be required to deposit cash, cashier's check or any such method as

determined by the engineering supervisor, with the city clerk in an amount adopted by resolution to ensure satisfactory removal of USA markings. Upon satisfactory removal of USA markings, the amount deposited shall be returned to applicant. (Ord. 286 § 4, 1979; Ord. 898 § 2, 2020)

12.12.050 Violation Penalty.

Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished as provided in Chapter 1.08 of this code. (Ord. 286 § 5, 1979)