



**PUBLIC WORKS
ENGINEERING DEPARTMENT**
P.O. Box 1609 Mammoth Lakes, CA 93546
(760) 965-3650
acallanan@townofmammothlakes.ca.gov

ENCROACHMENT PERMIT APPLICATION

TO PERFORM WORK IN THE PUBLIC RIGHT OF WAY

The undersigned hereby applies for a permit to excavate, construct and/or otherwise encroach on Town of Mammoth Lakes right-of-way as follows:

Application Date:		Fee: \$375 Minor \$1,000 Major	
Applicant / Property Owner:			
Name:		Phone:	
Address:		Email:	
Contractor / Agent:			
Name:		Phone:	
Address:		Email:	
Contractor License No:		TOML Business Tax Certificate No:	
Specific Location of Work:			
Description of Work: (include design drawings or sketch as necessary)			
Traffic Control Plan: (written description, or attach additional sheets as necessary)			
Estimated Start Date:		Estimated Completion Date:	
Estimate Cost of Work:			

CHECK ONE:

- Emergency work** – The Town shall be notified within 24 hours after the start of work.
- Scheduled / Maintenance Work** – Town shall be notified a minimum of 48 hours in advance of the start of work for Town review and approval. A traffic control plan must be approved prior to the start of any work in the Right of Way.

In consideration of the granting of this application for encroachment permit, the applicant hereby agrees to the general conditions and specifications below:

Name: _____ Date: _____

Signature: _____

Company: _____

Address: _____

Phone No.: _____ Email Address: _____

STANDARD CONDITIONS AND SPECIFICATIONS:

GENERAL:

1. No person may engage in or cause any construction within the public right-of-way (ROW) without first obtaining a valid encroachment permit.
2. All work shall be in accordance with the approved plans and Chapters 12.04 and 12.08 (if applicable) of the Town of Mammoth Lakes Municipal Code.
3. Contractor shall follow all OSHA standards.
4. Contractor shall contact “USA North 811” at least two (2) working days prior to starting work to ensure that all underground utilities are marked, and shall fully compensate any affected utility for any damage to their facilities. The Town Engineer or Inspector may issue a Stop Work / Notice to Comply for any work started without a USA North 811 number.
5. All work within Town right of way (ROW) shall conform to the Town Standards.
6. Before starting work within Town ROW, the permittee shall notify the Town of Mammoth Lakes Public Works Engineering Department representative at (760) 965-3650 a minimum of 24 hours prior to the start of work. In the case of emergency, the Town’s representative shall be notified as soon as possible.
7. Hours of work shall conform to the Town of Mammoth Lakes Municipal Code unless otherwise authorized by the Town Engineer.

8. The limits of construction shall be carefully flagged and posted so as to prevent damage to vegetation and disturbance to soils outside of the area of construction. Equipment may be parked within the construction perimeters as shown on the plans or in areas as approved by the Town Engineer. Disturbance to the road surface and shoulders shall be kept at a minimum.
9. Equipment and materials stored in the Town ROW shall be in accordance with Chapter 12.04 of the Municipal Code, and shall be limited to that area directly adjacent to the subject property, unless otherwise authorized by the Town Engineer.
10. Areas to be graded shall be cleared of brush, vegetation, large boulders, and any other deleterious materials. The contractor shall dispose of cleared materials only at approved sites.
11. Pavement construction within Town ROW shall be either 3" HMA over 4" class 2 aggregate base or 6" concrete over 6" class 2 aggregate base. Subgrade shall be compacted to 90%. Slurry may be used as subgrade backfill upon approval of the Town Engineer. Aggregate base shall be compacted to 95%. A certified Geotechnical Laboratory, at no cost to the Town, shall perform any required compaction tests and the laboratory reports shall be furnished to the Town Engineer within 24 hours.
12. In the event that work within Town ROW is found to be unsatisfactory, the Public Works Engineering Department shall be empowered to hire a contractor or use city forces to affect the work, with all costs, including overhead and attorney fees, to be included in the billing to the contractor causing the unsatisfactory work.
13. All work with Town ROW shall be warranted against deficits for a period of one year, warranty bonds may be required for this period.
14. No trees greater than 12" DBH shall be removed that have not been shown on the approved plans.
15. Any person, firm, corporation, or governmental agency who performs work for which a permit is required by the Town of Mammoth Lakes Municipal Code without first having secured such a permit, or who fails to comply with the conditions under which the permit was obtained, shall thereby be deemed to be in violation of these regulations and subject to the penalties provided by law. The acceptance of a permit or the commencement of any work hereunder shall constitute an agreement by the Party or Parties to whom the permit is granted to comply with all the conditions and restrictions printed or written herein. The permit may, at any time, be revoked or annulled by the Public Works Director for non-performance of or non-compliance with any of the conditions, restrictions, and regulations hereof, at which time the permit fee will be forfeited.
16. The permit or a copy thereof shall be kept at the site of the work and must be shown to any representative of the Town or any law enforcement officer on demand. **WORK SHALL BE SUSPENDED IF PERMIT IS NOT AT JOB SITE AS PROVIDED.**
17. Responsibility under this permit will remain in force until the Public Works Engineering Department has granted a release.
18. The Permittee for himself, his contractors, and employees agrees to save, indemnify, and hold harmless the Town, its officers, employees and representatives from all liabilities and claims from any cause whatsoever while in, upon or in any way connected with the work covered by this permit until completion is approved by the Director and a certificate of completion filed. The Permittee does further agree to defend the Town in any claim arising out of, or as a result of, the work done under this permit.
19. In accordance with section 12.04.100 of the Municipal Code, in the event of any improvement of any Town ROW or place, any facilities placed in such ROW or placed under permit are subject to relocation at the owner's expense.
20. So long as any portion of the Improvements is located within the Right of Way, Owner fully releases, waives and discharges forever any and all claims, demands, rights, and causes of action of any kind or nature arising out of personal injury or death and/or property damage within the encroachment area caused by snow removal and storage operations, maintenance and improvement to and along the roadway within the Right of Way, and covenants not to sue Town, its elected officials, officers, employees and agents and all persons acting on behalf of, by, through

or under each of them, under any present or future laws, statutes, or regulations, for any such claim he would otherwise have against Town and will indemnify Town against all such claims.

21. Permits shall be issued only to the person making application therefore and may not be assigned to another person or location by the permittee. If any permittee assigns permit to another person or another location, the permit shall become void.
22. The granting of the permit does not relieve the applicant of the responsibility of obtaining any other permit required by other public or private agencies or individuals, i.e. OSHA, RWQCB, COE, FISH & GAME, etc.
23. No change may be made in the location, dimension, character or duration of the encroachment or use as granted by the permit except upon written authorization of the Town Engineer.
24. Upon completion of the work the applicant shall clean the right-of-way of all rubbish, debris, trees, excess materials, temporary structures, and equipment. Grounds and landscaping shall be restored to the approval of the property owner.
25. Any individual or corporation contracting work within the Town of Mammoth Lakes is required to have a current Town Business Tax Certificate.

EROSION CONTROL:

26. All erosion and sedimentation control facilities (BMPs) shall be put in place immediately and shall be maintained at all times.
27. If applicable, Contractor shall comply with all aspects of the SWPPP/SWMP at all times and shall:
 - Provide for a licensed QSP or QSD to be onsite and fulfill all requirements of the SWPPP prior to commencing any operations permitted here within.
 - Provide daytime emergency contact information of the QSD or QSP to Town Engineer.
 - Provide the Town with copies of all inspection reports and REAP's within 24hrs of their required completion.

TRAFFIC:

28. Flow of traffic, both vehicle and pedestrian, shall be maintained at all times, unless approval to close all or a portion of the road is otherwise granted by the Town Engineer.
29. A traffic control plan shall be submitted for review and approval by the Town Engineer prior to any work commencing within any traveled way or for any lane, road or multi-use path closures.
30. Work requiring traffic control shall be conducted between the hours of 8:00 AM and 4:00 PM unless otherwise authorized by the Town Engineer. Traffic control measures, including lights, signs, barricades and, as necessary, flaggers, shall be maintained at all times while within any traveled way or during the closure of any lane or lanes. If the Town is required to place barricades, lights, and/or signs at the location of the work or location related thereto, the applicant shall reimburse the Town for the costs involved.
31. Any additional instructions given by the Town Engineer regarding the handling of traffic shall be fully complied with.

ASPHALT:

32. Permanent hot mix asphalt within Town ROW shall be ¾" PG 64-28 or as otherwise approved by the Town Engineer.
33. All paving within the ROW completed after October 15th is considered temporary unless otherwise approved by the Public Works Engineering Department.
34. Asphalt shall be placed only when the atmospheric temperature is above 50 degrees Fahrenheit and when the surface temperature is above 59 degrees Fahrenheit. Asphalt concrete shall not be placed when the underlying layer or surface is frozen, or when, in the opinion of the Town Engineer, weather conditions will prevent proper handling, finishing or compaction of the mixtures.

35. All connections to existing asphalt shall be saw cut or ground to create a neat line. Joints between new and existing AC shall be tacked.

CONCRETE:

36. Concrete within Town ROW shall be per Town Standards, including minimum 5000psi, air content 5% (+/- 1%), with fiber mesh reinforcement.
37. Concrete sidewalks or curbs shall be saw cut to the nearest tooled joints and replaced equal in dimension to that removed with tooled joints matching existing sidewalk or curb. Cold joints between new and existing concrete shall be doweled (drilled and epoxied or wet-set) at one (1) foot intervals with minimum 24" long #4 steel reinforcement to 50% of their length.
38. Concrete finish within Town ROW shall be subject to final approval by the Town Engineer.

TRENCHING:

39. All trenching within Town ROW shall conform to Town Standards.
40. The Contractor shall define the trench opening with saw cuts sufficiently deep and placed far enough apart so that the abutting road surface is not disturbed during work within the trench. Edge of trench shall not be permitted within 2' of edge of existing pavement, lip of gutter or along existing raveled or otherwise deteriorated pavement. The Town Engineer may approve a method of cutting other than sawing.
41. No trenches or drop-offs in the ROW shall be left open after daylight hours unless specifically approved otherwise by the Town Engineer, and in no event shall such openings be left open over a weekend or any holiday.
42. Trenches shall be backfilled and compacted according to Town Standards so that settlement of the material will be minimized. Slurry may be used as subgrade backfill upon approval of the Town Engineer. Upon completion of compacted backfill, all trenches in the pavement area shall be immediately patched with temporary cold mix asphalt concrete, and the road opened to traffic unless specifically approved otherwise by the Town Engineer. The temporary patch must be level and not create a road disturbance. Final hot mix asphalt pavement restoration shall include a 12" minimum each side "T-patch" or as approved by the Town Engineer, and shall be completed within forty-eight (48) hours. A tack coat shall be applied to all cut AC surfaces prior to paving. Joints shall be sealed.
43. Any trench work scheduled after October 1st requires written approval by the Town Engineer.