TOWN OF LOS GATOS

ENCROACHMENT PERMIT INFORMATION

Applicability

This permit is required whenever **temporary** use of public right-of-way is requested for private construction work. Typical examples of work include:

- Constructing any driveway, sidewalk, curb, or gutter.
- Making any opening or excavation in any street, road, alley, sidewalk, curb, parking strip, or any Town right-of-way for any purpose.
- Laying or placing any pipes, conduits, sewers, wires, or any other objects.
- Connecting to or altering in any way any Town drainage system, sewer system, or piping system of any kind.
- Installing covered pedestrian walkways.
- Erecting a crane in any Town right-of-way.
- Placing debris box or storage container.

Instructions

To apply for an encroachment permit, complete the "Encroachment Permit Application" form by following the instructions below:

1) **General Information** – Provide the project address, work description, location of work, cost of work in the public right-of-way, and estimated date of completion of work.

2) **Additional Information** – Provide information for the property owner/applicant and the contractor who will be doing the proposed construction work. Be sure to include the State Contractor's and Town Business License numbers and classification. Please remember to sign the application.

3) **Site Specific Sketch** – The sketch should show the following information:
   a) Include the type and location of the work to be accomplished within the right-of-way. The work area should be tied out to the centerline of the street and to the nearest intersection.
   b) Include or show on separate sheet. A vehicular and/or pedestrian diversion plan using appropriate safety equipment, such as barricades, cones, arrow boards, signage, etc.
   c) The sketches should be drawn on 8 ½" x 11" paper; the maximum size shall be 11" x 17".

4) **Certificate of Insurance** - Submit a certificate of insurance which meets Town requirements. See form titled "Insurance Requirements".

5) **Fees** – Fees according to the Town Comprehensive Fee and Fine Schedule, Engineering Division, will be required prior to permit issuance.

   NOTE: In the event than a homeowner intends to replace broken sidewalk within the public right-of-way in front of their residence, and/or install infill sidewalk that is not part of a development or planned improvements by the Town, a no-fee encroachment permit may be approved and granted. Please coordinate with Staff to determine if a no-fee permit would be applicable for a portion of or the entire scope of any proposed improvements.

6) **Application Submittal** – Submit a completed application, along with the items listed above to the address listed at the top of this form.

Coordination

Depending where your work takes place within the Town, you may be required to coordinate with any of the following listed below. Please take this coordination into account when planning your schedule, as permits from other agencies may require a significant lead time.

- **Police Officers** – Any work at or within 150 feet of a signalized intersection may require traffic control, pursuant to Town Code Section 15.20.020, by the Town police officer(s). The need for police officer(s) will be determined based on site conditions.

- **Santa Clara Valley Transportation Authority (VTA) Bus Stops** – Should your work impact or require the temporary closure of any existing VTA Bus Stop, you will be required to contact the VTA (408-546-7667) to determine their requirements.

- **Caltrans** – When working on a Town street that is also a State Highway (i.e. Los Gatos-Saratoga Road, etc.), you will be required to contact Caltrans (408-452-7131) to obtain the necessary encroachment permit.

- **Santa Clara Valley Water District (SCVWD)** – When working in a Town street and a monitoring well needs to be installed and/or removed, you will be required to obtain a SCVWD Well Permit prior to obtaining a Town Encroachment Permit. The SCVWD Well Permit applications and instructions may be found at the following website: http://www.valleywater.org/EkContent.aspx?id=354&terms=WELL+DESTRUCTION

- **County of Santa Clara Fire Department** – When removing underground storage tanks a Hazmat Permit is required from the County of Santa Clara Fire Department prior to obtaining a Town Encroachment permit. Please contact the County of Santa Clara Fire Department, Fire Prevention Office (408-378-4010).

Permit Conditions

All encroachment permits will include Town's standard conditions (See Attachment A).

For any further questions or inquiries, contact the Counter Staff at (408) 399-5771.

ATTACHMENT A
STANDARD ENCROACHMENT CONDITIONS

1) All work shall be performed in conformance with the following:
   a) TOWN OF LOS GATOS ENGINEERING DESIGN STANDARDS AND SPECIFICATIONS (unless specifically stated otherwise on the plans)
   b) These plans and details

2) No work may be started on-site without an approved Encroachment Permit issued by the Town of Los Gatos, Parks Public Works Department located at 41 Miles Avenue, Los Gatos, CA 95030. A Town Encroachment Permit is required for any work within the public right-of-way. A State Encroachment Permit is required for any work within State right-of-way (if applicable). The Permittee and/or Contractor shall be responsible coordinating inspection performed by other governmental agencies.

3) A Pre-Job meeting shall be held with the Town Engineering Inspector from the Parks and Public Works Department prior to any work being done. The Contractor shall call the Inspections Line at (408) 399-5771 at least forty-eight (48) hours prior to any grading or onsite work. This meeting should include:
   a) A discussion of the project conditions of approval, working hours, site maintenance and other construction matters;
   b) Acknowledgement in writing that Contractor and Applicant have read and understand the project conditions of approval, and will make certain that all project sub-contractors have read and understand them prior to commencing work and that a copy of the project conditions of approval will be posted on site at all times during construction.

4) Approval of plans does not release the Applicant and Contractor of the responsibility for the correction of mistakes, errors, or omissions contained therein. If, during the course of construction of the improvements, public interest and safety requires a modification or departure from the Town Specifications or these improvement plans, the Town Engineer shall have full authority to require such modification or departure and to specify the manner in which the same is to be made.

5) Approval of this plan applies only to the improvements as indicated on the plans. This approval does not confer any rights of entry to either public property (unless specifically covered by a current Encroachment Permit) or the private property of others and does not constitute approval of any other improvements.

6) It shall be the responsibility of the Applicant or Contractor to identify, locate and protect all underground facilities. The Applicant or Contractor shall notify USA (Underground Service

Alert) at 1-800-227-2600 a minimum of forty-eight (48) hours but not more than fourteen (14) days prior to commencing all work.

7) All work shall be performed in such a manner as to comply with the standards established by the Air Quality Management District for airborne particulates.

8) The Contractor shall comply with all local, state and federal laws, codes, rules and regulations governing the work identified on these plans. These shall include, without limitation, safety and health rules and regulations established by or pursuant to the Occupational Safety and Health Act or any other applicable public authority.

9) The Contractor shall provide qualified supervision on the job site at all times during construction.

10) Contractor shall exercise all necessary caution to avoid damage to any existing trees, surface improvements, drainage, water, sewer, electrical or telecommunication facilities whether or not above ground or underground. Contractor shall bear full responsibility for any damage thereto.

11) Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered civil engineer qualified to practice land surveying.

12) During construction, all applicable work (subgrade, paving, etc.) shall be inspected by the Applicant's soils engineer. The engineer shall be notified at least forty-eight (48) hours before beginning such work. The engineer shall be on-site to verify conditions as required in his report. Should any changes to the report recommendations be necessary, Town approval shall be obtained prior to any associated work.

13) The results of the construction observation and testing should be documented in an "as-built" letter/report prepared by the Applicants' soils engineer and submitted for the Town's review and acceptance before final release of any occupancy permit is granted.

14) All private and public streets accessing Project Site shall be kept open and in a safe, drive-able condition throughout construction. If temporary closure is needed, then formal written notice to the adjacent neighbors and the Town of Los Gatos Parks and Public Works Department shall be provided at least one (1) week in advance of closure and no closure shall be granted without the express written approval of the Town. No material or equipment shall be stored in the public or private right-of-way.

15) The contractor shall install and maintain fences, barriers, lights and signs that are necessary to give adequate warning and/protection to the public at all times.

16) It is the responsibility of the Applicant or Contractor to make sure that all dirt tracked into the public right-of-way is cleaned up on a daily basis. Mud, silt, concrete and other construction debris SHALL NOT wash into the Town's storm drains.

17) Good housekeeping practices shall be observed at all times during the course of construction. The storing of goods and/or materials on the sidewalk and/or the street will not be allowed unless a special permit is issued by the Engineering Division. The adjacent public right-of-way shall be kept clear of all job related dirt and debris at the end of the day. Failure to maintain the public right-of-way according to this condition may result in the Town performing the required maintenance at the Applicant, Contractor, and/or Developer's expense.

18) All work shall be undertaken in accordance with conditions and requirements of the project Storm Water Pollution Control Plan and/or Storm Water Pollution Prevention Plan, the Town of Los Gatos Storm Water Quality Management Program, National Pollutant Discharge Elimination System (NPDES) and any other permits/requirements issued by the State of California Regional Water Quality Control Board. Plans (including all updates) shall be onsite at all times. No direct storm water discharges from the Project Site will be allowed onto Town streets or onto the public storm drain system without treatment by an approved storm water pollution prevention device. Maintenance of the private storm water pollution prevention devices shall be the sole responsibility of the owner. Discharges or connection without treatment by an approved and adequately operating storm water pollution prevention device shall be considered a violation of the above referenced permit and the Town of Los Gatos Stormwater Ordinance.

19) The Applicant shall repair or replace all existing improvements not designated for removal that are damaged or removed because of the Applicant or Contractor's operations. Improvements such as, but not limited to: curbs, gutters, sidewalks, driveways, signs, pavements, raised pavement markers, thermoplastic pavement markings, etc. shall be repaired and replaced to a condition equals to or better than the original condition. Existing improvement to be repaired or replaced shall be at the direction of the Engineering Construction Inspector, and shall comply with all Title 24 Disabled Access provisions. The Applicant shall request a walk-through with the Engineering Construction Inspector before the start of construction to verify existing conditions.