

## **SINGLE EVENT ENCROACHMENT PERMIT REQUIREMENTS STANDARD CONDITIONS**

**Permittee is required to be aware of and to abide by all provisions of Title 7, Chapter 1 of the Ojai Municipal Code. City codes can be viewed here:**

**<http://wwwqcode.us/codes/ojai>**

The below Standard Conditions apply to all Encroachment Permits issued by the City of Ojai. Failure to abide by these conditions may result in the cancellation of your Permit, and/or payment to the City for all costs incurred by the City for making the right of way safe to the satisfaction of the Director of Public Works.

### **EXPIRATION OF PERMITS:**

Encroachment Permits become null and void at the expiration date indicated on the Permit. The Public Works Director may extend the time, if in his opinion; the work for which the Permit was issued was delayed in completion because of inclement weather, strikes, an act of God, or other causes not within the control of the permittee. (OMC 7-1.113)

### **HARMLESS AGREEMENT:**

Each applicant for a permit shall agree to hold the City and its officers, agents and employees harmless from any and all causes of action, penalties, liabilities, or loss resulting from claims or court actions arising out of any accidents, loss or damage to persons or property occurring as a result of any work performed pursuant to the permit. (OMC 7-1.105)

### **INSURANCE:**

Before a permit is issued, the applicant, or contractor who is to perform the work, shall secure, at his own expense, a policy of broad form comprehensive general, liability insurance. If the work to be performed involves any excavation, the policy shall include an endorsement that affords coverage for explosion, collapse and underground hazards. The policy shall name the City and its officers, employees and agents as co-insured and shall protect them from claims for personal injury, death or property damage suffered by third persons and arising out of the work authorized by the permit and the manner of its installation or construction. The insurance shall be in effect on the date that the work commences and shall expire no sooner than one year after the date on which the work is completed. Insurance cancellation clause shall read, "The issuing company shall mail a 30- day written notice of cancellation to the certificate holder named." A certificate of insurance shall be filed with the Public Works Department. (OMC 7-1.106)

### **INSURANCE LIMITS:**

If the work to be performed under a permit will involve an excavation in a street more than six (6") inches in depth, the applicant or contractor shall furnish the liability insurance coverage required; in an amount not less than Two Million (\$2,000,000) Dollars combined single limit. For all other permits, the applicant or the contractor shall furnish such liability insurance coverage in an amount not less than One Million (\$1,000,000) Dollars single limit. If an applicant or a contractor maintains with the City a certificate of continuous insurance coverage, such applicant or contractor shall change his insurance coverage to be in compliance with the requirements of this section on or before the renewal date of the policy. The City Council may increase, decrease, or waive the insurance limits set forth above in those cases in which the City Council determines that special circumstances justify such an increase, decrease or waiver, and may be changed by resolution of the Council. (OMC 7-1.107.)

**Bonds.**

- a) Before a permit is granted by the Director which authorizes excavation, trenching or removal of the surface of a street, a bond shall be filed with the Director, by the applicant, or by the contractor who will do the work. The bond shall be issued by a corporation duly and legally licensed to transact business in the State of California. The bond shall guarantee the performance of the work authorized by the permit in accordance with all the provisions of the application, the permit and this chapter and shall indemnify the City against faulty or improper workmanship or materials that may be discovered during the performance of the work and for the term of one year after the completion of the work. If an applicant, or the contractor performing the work, intends to perform more than one project requiring a permit under this chapter, the bond may be written so as to apply for more than one permit and it shall indemnify the City against the period of one year after the completion of the work authorized by each permit. (OMC Sec. 7-1.108)
- b) The Director may waive such deposit (or Bond) when the Director finds that the applicant is financially responsible for such costs by reason of past performance or otherwise. (OMC Sec. 7-1.130)

**NOTIFICATION:****CITY**

Prior to commencing any encroachment work (or in the event of an emergency repair, as soon as practical), the Permittee shall notify the City Public Works Department at phone 646-5581 ext. 204 email [pwpermits@oiai.ca.gov](mailto:pwpermits@oiai.ca.gov) 72 hours prior to commencing the work and provide the name, address, telephone number, and license number of the contractor who will be performing the work. (OMC Sec. 7-1.114)

**PUBLIC**

A sign shall notify the public of work scope, beginning and ending date, and contact information (company/name/phone number). If a utility will shut down service, affected residents/businesses shall be notified by door hanger with the same information above, at least 72 hours prior to commencement of work.

**PERMITS AVAILABLE OR IN VEHICLES:**

The permittee shall make the permit available for inspection by the Director, or their representative, or by any peace officer or other person having responsibility for safety or maintenance of a highway. The Director hereby requires that a copy of the approved Permit, with all attachments, be kept at each jobsite while work is being conducted and available for inspection by a City representative. (OMC Sec. 7-1.211)

**TRAFFIC CONTROL:**

The permittee or contractor shall provide, and continually maintain, construction area traffic control signs, striping, properly equipped flagmen, and other traffic control devices. All traffic controls shall be in accordance with the California Traffic Manual (most recent edition). Failure to provide acceptable traffic control or to comply with any other condition of the Permit will result in a job shutdown until released by the City. (OMC 7-1.410)

**BACKFILL AND RESURFACING:**

A minimum of 3 feet of asphalt concrete shall be left between the longitudinal trenches and existing edge of pavement per the attached County of Ventura Standard Plate E-10a.

**AMOUNT OF OPEN TRENCHES:**

In any trenching operation, the open trench shall not be in excess of one day's work ahead of the trench work proper, unless specifically authorized by the Director.

**OPEN EXCAVATIONS:**

No open excavation shall be left within the City right-of-way after normal working hours. At the end of each workday, all excavations within roads, parkways, medians, shoulders, and the like shall be backfilled to a smooth, level grade free of humps or depressions, satisfactory for public use and acceptable to the City, or covered by trench plates if approved by the Director. (OMC 7-1.407)

**PRESERVATION OF DRAINAGE:**

If the encroachment work interferes with the established drainage, the permittee shall provide for proper drainage, in a manner approved by the Director. (OMC Sec. 7-1.406)

**TEMPORARY MAINTENANCE:**

Temporary trenches shall be consistently maintained by the permittee or contractor during and after working hours to ensure a satisfactory surface for public use and acceptable to the City. Unless permanent paving is placed immediately, temporary bituminous resurfacing two (2") inches thick shall be placed and continually maintained wherever an excavation is made through pavement, sidewalks and driveways. (OMC 7-1.408)

**REPLACEMENT:**

All improvements within the road right of way, which include road signs, road stripping, road symbols, and the like, which are damaged, removed, or obliterated as a result of the permittee's work shall be repaired and/or replaced. Repairs or replacements shall be equal to, or better than, the existing improvements and shall match them in finish and dimensions. (OMC 7-1.411)

**CLEANUP AFTER COMPLETION:**

Immediately after the completion of the work, the permittee shall clean up and remove all materials, earth, and debris of any kind. If the permittee fails within twenty-four (24) hours after having been notified to do so by the City, the work may be done by the City and the permittee will be charged for the costs incurred. When a pole, guy-stub, or similar timber is removed and not replaced, the entire length thereof shall be removed from the ground and the hole backfilled and compacted. (OMC 7-1.420)

**CONDITIONS FOR RECENTLY PAVED/MORATORIUM STREETS:**

- 3/8" Asphalt Concrete Mix
- Extra Special Attention to assure new trench asphalt finish matches existing Asphalt Concrete Finish
- Type 2 slurry over entire length of trench, including "T" cut and extending a minimum of 5 feet on both ends of the trench
- No Divots or Aggregate Clumping
- No Soil Placement on Street

**WHEN TREE PERMITS ARE REQUIRED:**

A tree permit shall be required when any person wishes to trench, grade, fill, compact or place construction material of any type in the "Drip Line" of an Oak, Sycamore, Mature or Heritage tree.

Applications for a tree permit shall be accompanied by a report prepared by an ISA-certified arborist, or deposit funds so that the City can arrange for an arborist's report at the applicant's expense.

"Drip Line" shall mean the area around a tree that encompasses a series of points formed by the vertical dripping of water from the outward branches and leaves of a tree, plus five (5') feet beyond those points. (OMC Sec. 4-11.03)

**WORKING HOURS/DAYS:**

Construction hours shall be limited to between 7:00 a.m. and 5 p.m. on weekdays. Construction activities authorized by a valid City of permit may, as warranted by the project, exceed the noise level limits of OMC Section 5-11.04 on a temporary and short-term basis during the authorized construction hours, as determined appropriate and necessary by the Community Development Director.

No construction work shall be performed on weekends or City holidays. (OMC Sec. 5-11.05)

City observed holidays are as follows:

- New Year's Day
- Dr. Martin Luther King Jr. Day
- President's Day
- Cesar Chavez Day
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Eve
- Christmas Day
- New Years Eve