



**CITY OF FORTUNA**  
**ENCROACHMENT PERMIT APPLICATION**  
*(No work can be started until an approved permit has been issued)*

Permit #:

Date Recd:

Date Issued:

**APPLICATION:** (Applicant must complete Items 1 through 9 and sign below, and also read and sign the Terms and Conditions page on the back of this application)

1. Applicant's Name: \_\_\_\_\_

2. Applicant's Address: \_\_\_\_\_

3. Contractor's Name: \_\_\_\_\_

4. Contractor's Address: \_\_\_\_\_

5. Contractor's License #: \_\_\_\_\_ Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

6. Contact Person: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

7. Project Location: \_\_\_\_\_

8. Project Description (Attach Plans): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

9. Estimated Start Date: \_\_\_\_\_ Estimated End Date: \_\_\_\_\_  
*(Allow 10 working days for approval )*

10. In signing this permit, Applicant agrees to the Terms and Conditions and Insurance coverage must be provided by Applicant in compliance with the City's requirements. (See Reverse)

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Contractor: \_\_\_\_\_ Date: \_\_\_\_\_

*This section for City use only.*

**FEE:**

Encroachment Permit Fee: \$ \_\_\_\_\_ Receipt # \_\_\_\_\_ Paid/Date: \_\_\_\_\_ Received By: \_\_\_\_\_

**REVIEW:**

Routed:	Approved:	Special Conditions Attached:
____ Engineering: _____		( )
____ Chief of Police : _____		( )
____ General Services Superintendent: _____		( )
____ Parks Director: _____		( )
____ Deputy Director Public Works: _____		( )
____ Building Official: _____		( )
____ Planning: _____		( )
____ Risk Manager: _____		( )

**FINAL APPROVAL:**

Approved By: \_\_\_\_\_ Date Approved: \_\_\_\_\_  
 City Manager

Inspection Required: Yes  No  Building Permit Required: Yes  No

Inspector Assigned to Project: \_\_\_\_\_ Bldg Permit #: \_\_\_\_\_

Inspection Phone # \_\_\_\_\_ Fire Department Notified on: \_\_\_\_\_

***Required inspection shall be requested at least 24 hours in advance.***

**CITY OF FORTUNA**  
**ENCROACHMENT PERMIT GENERAL TERMS AND CONDITIONS**

**ALL WORK WITHIN THE CITY OF FORTUNA RIGHT OF WAY SHALL COMPLY WITH THE FOLLOWING TERMS AND CONDITIONS:**

1. Public Safety, traffic safety, and worker safety shall be maintained in compliance with Federal, State and Local Law. It shall be the applicant's responsibility and liability to comply with all applicable laws including: Cal-OSHA; State Department of Transportation Construction Safety, and the State Construction Safety Orders administered by the State Department of Industrial Relations, available through the State of California. Safety and warning devices shall be installed and maintained for all work within the Public Right of Way, within trenches, excavations, and around obstructions. No Public access shall be permitted under overhead construction work. Traffic control signs, flags, lights and other warning and safety procedures shall conform to these cited State requirements, including the Manual of Traffic Safety in Construction Work Zones published by the State Department of Transportation. Continuous vehicle and pedestrian access shall be maintained unless otherwise specifically provided by this Encroachment Permit under SPECIAL CONDITIONS.
2. No concrete shall be place or poured; or asphalt paving placed; or pipeline trenches back-filled; or structures back-filled until the designated City Inspector has made an inspection and the work has been approved. Required inspections must be scheduled at least 24 hours in advance.
3. Access to fire hydrants and public facilities shall be maintained at all times.
4. Refuse, trash, waste materials or unused materials shall be removed from the Public Right of Way within 4 hours after completion of work.
5. No street shall be closed without first notifying the following agencies, a minimum of 24 hours in advance:

Fortuna Public Works Department:	725-7630	City Ambulance	725-8020
Fortuna Building Department:	725-7640	Humboldt County Sheriff's Department	445-7251
Fortuna Police Department	725-7550	California Highway Patrol	822-5981
Fortuna Fire Department	725-5021	California Department of Forestry – Fortuna Office	725-4413
6. **INDEMNITY AGREEMENT:** By signing this permit the Applicant agrees to indemnify, defend, and hold harmless City and its officers, officials, employees and volunteers from and against all claims, damages, losses and expenses, including attorney fees, arising out of the performance of the work described herein, caused in whole or in part by any negligent act or omission of the Applicant, any contractor, any subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable except where caused by the active negligence, sole negligence or willful misconduct of the City. Applicant Initials: \_\_\_\_\_
7. Applicant shall procure and maintain for the duration of the Permit, insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance of the work or the activities of the event for which this Permit is issued. Said insurance shall include Applicant, his agents, representatives, employees, volunteers, contractors, subcontractors and any other persons employed by Applicant in the course of the work or event.

**Prior to final approval, the City of Fortuna MUST have the following insurance documents on file:**

**INSURANCE CERTIFICATE** for (generally\*) \$2 million in Liability coverage containing the following components:

- The insurance policy number.
- A statement that the policy shall not be cancelled, except after thirty days prior written notice to the City of Fortuna.
- An original, authorized signature.

**LIABILITY INSURANCE ENDORSEMENT** Which must contain the following (this actually amends your policy):

- The insurance policy number.
- The endorsement number.
- The statement naming "The City of Fortuna, including its officers, officials, agents, employees and volunteers as an additional insured."
- A statement indicating your insurance as primary.
- A statement that the policy shall not be cancelled except after thirty days prior written notice to the City of Fortuna.
- An original, authorized signature.

**WORKERS' COMPENSATION**

- Workers' Compensation Insurance as required by the State of California, or;

- 1.) I certify that, in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that, if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions. Applicant Initials: \_\_\_\_\_, or;
- 2.) I certify I am the Property Owner and NO portion of this work will be done by others. Applicant Initials: \_\_\_\_\_

**WARNING: Failure to secure workers' compensation coverage is unlawful, and shall subject an employer to criminal penalties and civil fines up to one hundred thousand dollars (\$100,000) in addition to the cost of compensation, damages as provided for in section 3706 of the labor code, interest, and attorney's fees.**

\* General liability insurance limits are generally \$2,000,000; however, the City reserves the right to require lower or higher limits if it determines it to be in the City's best interest.

**Insurance is to be placed with insurers with a current A. M. Best's rating of no less than A:VII.** Certificates and endorsements must bear an **original** signature by a **person authorized to bind** the issuing insurance company.

Any exceptions to the above requirements must be requested and approved by the City's Risk Manager prior to commencement of work.

I have read and understood the Terms and Conditions listed above: \_\_\_\_\_  
**(Applicant Signature)**