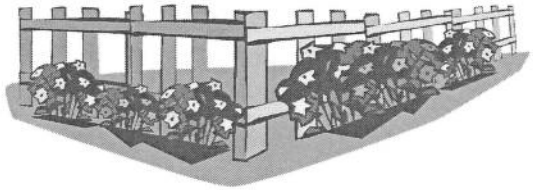
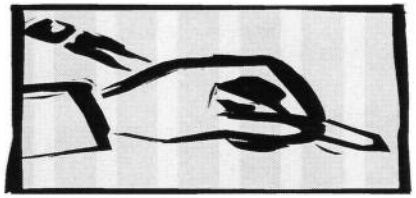
WHAT IS AN ENCROACHMENT PERMIT?

An **Encroachment permit** is defined as a permit for any permanent or temporary fixture such as a fence, wall, architectural moldings, light fixtures, private communication lines or any other facility which intrudes into, upon, over, or under any street, alley, sidewalk or public way, now open or dedicated or which will be dedicated to public use or any property belonging to the City but does not necessarily prevent public travel.
NOTE: Signs in the City right-of-way are illegal per City Municipal Code. No encroachment permit will be issued for signage.



REQUIREMENTS FOR AN ENCROACHMENT PERMIT

1. **Application:** include materials used, height and length. (IE: 60' of 4' high chain link fence at the back of sidewalk along the lot frontage)
Plot Plan: include the location of proposed encroachment in relationship to the existing or future improvements, curbs, gutters and sidewalk. See attached base map for your use.



2. Signatures from surrounding neighbors stating they have no objections to the proposed encroachment located at (address of encroachment). Suggestions on who need to sign: If they can see it from their property, they need to sign.

3. Insurance
Residential – Homeowners policy with $300,000 general liability.

Commercial - $1,000,000 comprehensive general liability insurance with an additional endorsement form in favor of the City, it's mayor, council, officers, agents, employees and volunteers. Insurance to include expiration dates, if applicable, (If not indefinite). **Insurance is to be maintained on the property through the life of the permit.**

4. Permit Fee - $213.00 Permit will stay with the property, not the owner. If the property is sold, the new owners will take on the responsibility of maintaining the encroachment from the former owners.

5. The Application is to be submitted to, reviewed and approved by City Department. After the location has been field inspected, Public Works staff makes comments or restrictions. After reviewing recommendations and verification from Risk Management on insurance, the application is sent to the Public Works Director for final approval. The encroachment permit is not an over the counter approval. Processing time is approximately three weeks. For any questions contact the Public Works Subdivision section at 324-3724.

ENCROACHMENT PERMIT APPLICATION FORM

CITY OF BAKERSFIELD
PUBLIC WORKS DEPARTMENT
1501 TRUXTUN AVE
BAKERSFIELD CA 93301
(661) 326-3724 Fax: (661) 852-2012

LOCATION OF ENCROACHMENT(Address required where available): _____

_____

If there is no address adjacent to work describe limits of work by distances from nearest existing street intersection.

APPLICANT INFORMATION

FULL NAME OF APPLICANT _____

COMPLETE ADDRESS: _____ **PHONE:** _____

_____ **FAX:** _____

_____ **CELL:** _____

PROJECT INFORMATION

DESCRIPTION OF ENCROACHMENT (Example: Wood or wrought iron fence, concrete block wall, raised planter, etc.): _____

_____

_____

PERIOD OF TIME FOR ENCROACHMENT: INDEFINITE or OTHER: _____

(Please Circle)

CONTACT PERSON _____ **PHONE:** _____

Applicant agrees that if this application is granted, applicant shall indemnify, defend and hold harmless the City, its officers agents and employees against any and all liability, claims, actions, causes of action or demands, whatsoever against them, or any of them, before administrative, quasi-judicial, or judicial tribunals of any kind whatsoever, arising out of, connected with, or caused by applicant's placement, erection, use (by applicant or any other person or entity) or maintenance of said encroachment. The applicant further agrees to maintain the aforesaid encroachment during the life of said encroachment or until such time that this permit is revoked.

Applicant further agrees that upon the expiration of the permit for which this application is made, if granted or upon the revocation thereof by the City Engineer, applicant will at his own cost and expense remove the same from the public property or right of way where the same is located, and restore said public property or right of way to the condition as nearly as that in which it was before the placing, erection, maintenance or existence of said encroachment.

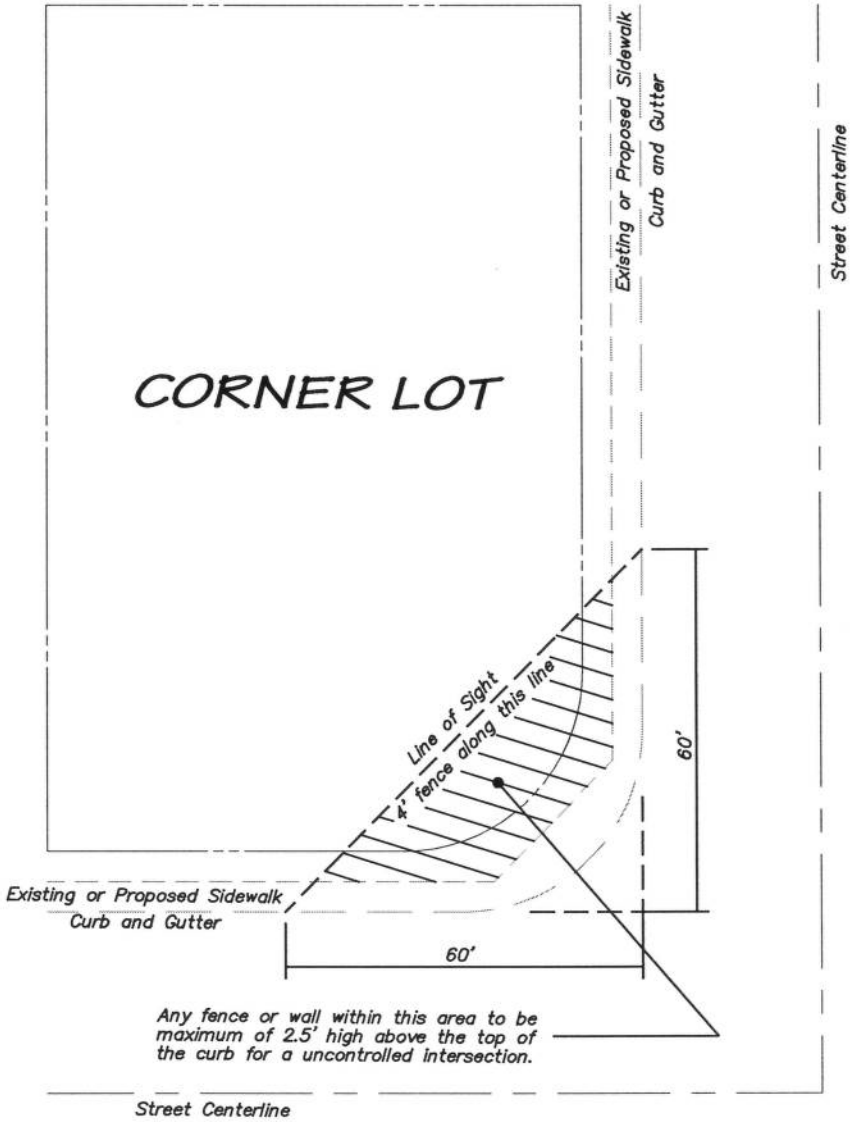
Applicant further agrees to obtain and keep all liability insurance required by the City Engineer in full force and effect for however long the encroachment remains. Applicant shall furnish the City Risk Manager with a Certificate of Insurance evidencing sufficient coverage for bodily injury or property damage liability or both and required endorsements evidencing the insurance required. The type(s) and amount(s) of insurance coverage required are:

Residences: Homeowners General Liability coverage in an amount of at least $300,000.00

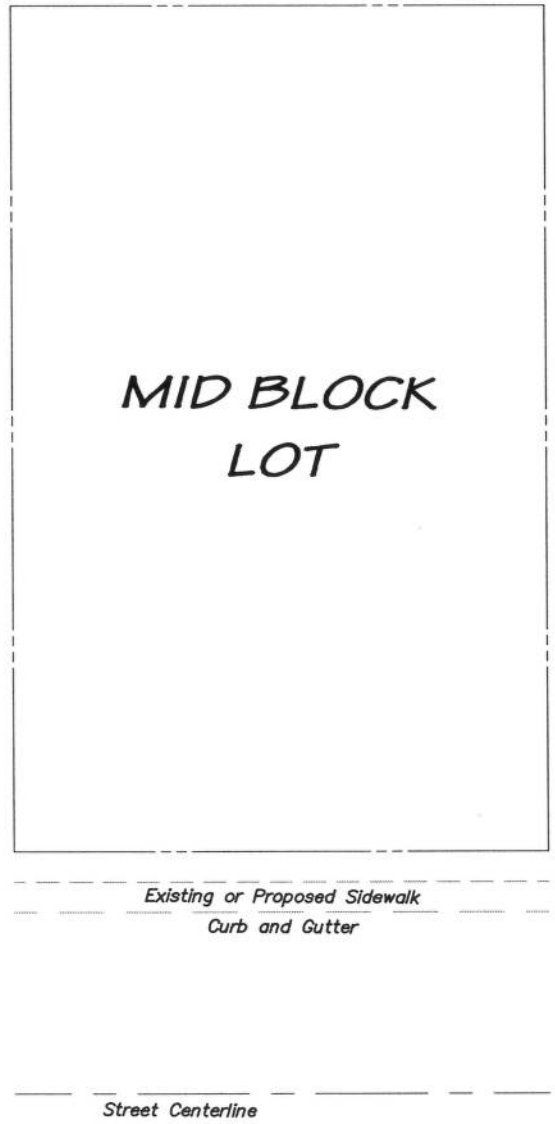
Commercial: Commercial Liability coverage in an amount of at least $1,000,000.00

The Commercial Liability policy must identify City and City's mayor, council, officers, agents, employees, and designated volunteers as Additional Insureds.

Encroachment Permit Fee: $208.00



LOCATE FENCE OR WALL ON ABOVE DRAWING



LOCATE FENCE OR WALL ON ABOVE DRAWING

BAKERSFIELD
Public Works Department
1501 Truxtun Avenue
Bakersfield, California 93301
(661) 326-3724

TO WHOM IT MAY CONCERN:

We the undersigned, have no objection to the construction of a fence beside the sidewalk within the public right-of-way.

_____ By: _____
(Street for proposed encroachment) (Owners Name)

_____ Phone: _____
(Address of proposed encroachment)

SIGNED:

1.) Name: _____ Date: _____
Address: _____

2.) Name: _____ Date: _____
Address: _____

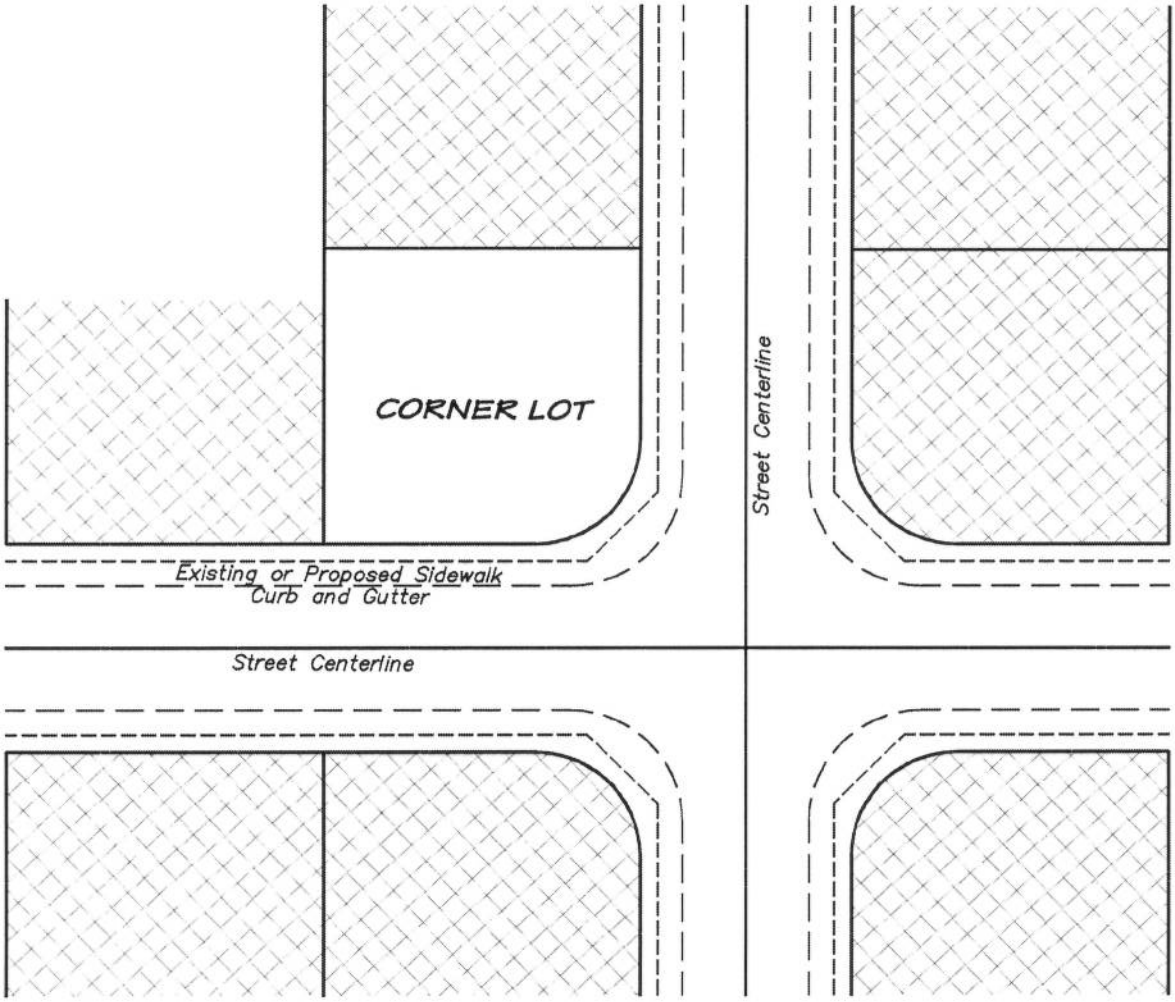
3.) Name: _____ Date: _____
Address: _____

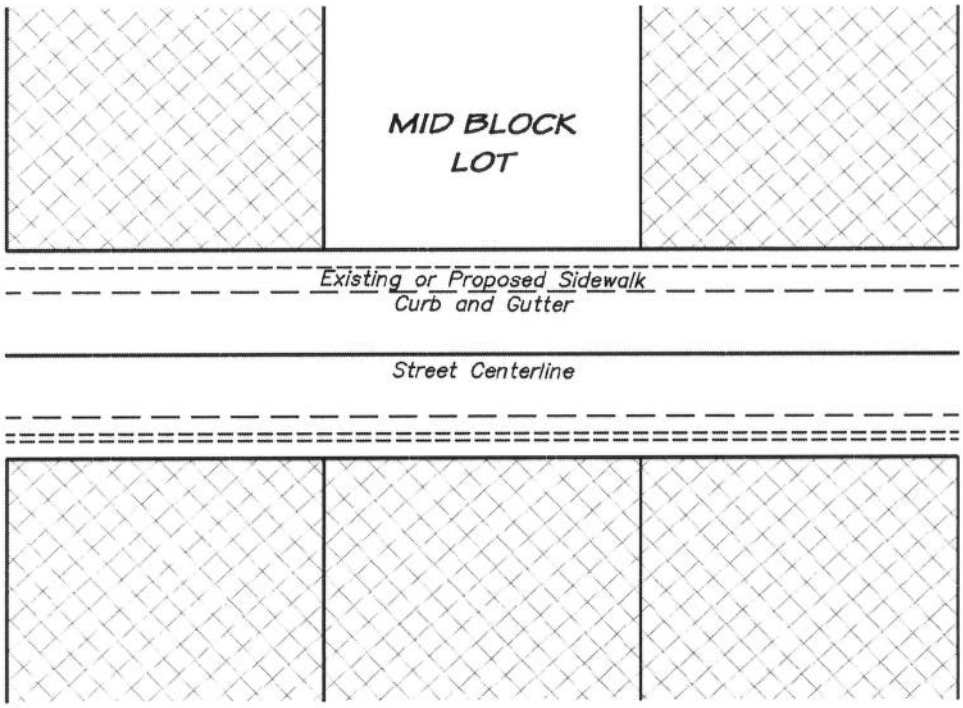
4.) Name: _____ Date: _____
Address: _____

5.) Name: _____ Date: _____
Address: _____

6.) Name: _____ Date: _____
Address: _____

- See Signatures needed for approval page





SIGNATURES NEEDED FOR APPROVAL OF APPLICATION

BAKERSFIELD
Public Works Department
1501 Truxtun Avenue
Bakersfield, California 93301
(661) 326-3724

ENCROACHMENT PERMITS REQUIREMENTS

1. Application

2. Permit Fee of $213.00

3. Drawing; Minimum 8 ½ x 11 showing encroachment on lot in relation to the existing curb, gutter and sidewalk, along with distances from curb, gutter and sidewalk to the encroachment. Drawing to include curb, gutter and sidewalk and any additional information that may assist the City in making a determination as to your request.

4. Type and Amount of Insurance Coverage for fence installation or construction for;

   A. Residences
      Homeowners General Liability coverage in an amount of at least $300,000

   B. Commercial
      Commercial General Liability coverage in an amount of at least $1,000,000

      Additional Insured Verbiage (for Commercial)

      The City of Bakersfield, its mayor, council, employees, agents and volunteers are added as additional insured's with respect to _____
      (i.e. the installation of a chain link fence at 1501 Truxtun Avenue)