



City of Laguna Hills Public Services and Engineering Department

24035 El Toro Road, Laguna Hills, CA 92653
(949) 707-2650 Fax (949) 707-2633

Standard Encroachment Conditions

Effective 07/26/2004

Updated 01/31/2020

The following standard conditions are part of Encroachment Permit No. _____

THE PERMITTEE AGREES TO ABIDE BY ALL THE CONDITIONS LISTED BELOW.

I. NOTIFICATION PROCEDURES

No Permit is valid until the following notification procedures are performed by the applicant:

1. No access or work shall be performed within the City right-of-way without the full knowledge of the assigned City Public Works Inspector who shall be given not less than **two (2) working days advance** notice of the initiation of permitted use at **(949) 707-2658**.
2. No excavation or concrete removals shall be performed without first obtaining a "Dig Alert" number. Contact Underground Service Alert (USA 800-227-2600) at least **two (2) working days in advance**. The City Public Works Inspector may revoke any permit started without a "Dig Alert" number without refund of fees paid to the City.
3. For work within a City arterial street that requires a lane closure(s)**, the Permittee must notify Public Safety Services at least **4 hours** prior to the commencement of work or lane closure by doing the following:
 - a) Call the Orange County Sheriff's Dispatch Center at (949) 770-6011. Inform them that a lane closure(s) will occur. Give the exact location of work including nearest cross street and the days and hours of work. Ask that this information be relayed to the Sheriff's Department Field Supervisor in Laguna Hills.
 - b) Call the Orange County Fire Authority Dispatch Center at (714) 744-0455. Inform them that a lane closure will occur. Give the exact location of work including nearest cross street and the days and hours of work.

**NOTE: Lane closures require prior approval by the City. See Traffic Control Procedures below.

4. For major construction work on local or collector streets, written notice (door hangers or other notice) of intended work shall be posted by the Permittee at each affected residence twenty-four hours prior to commencement of work.
5. For excavation within 100 feet of a signalized intersection, Permittee shall take additional precaution measures to not impact traffic signal equipment such as detector loops, conduits, etc. Permittee shall assume cost and responsibility for maintaining existing and temporary electrical systems or any other item or portion of work, as may be deemed necessary or advisable for protection of highway and traveling public and payment of all costs incurred by the City of Laguna Hills in repairing facilities damaged during construction. Permittee shall immediately repair or replace any damaged traffic control devices and / or striping facilities.

6. For work involving the removing or replacing of survey monuments, it is imperative that the Permittee notify the City and/or Orange County Surveyors' Office (714) 834-3478 at least 48 hours prior to removing or replacing any survey monuments. All monuments shall be replaced at Permittee's expense and must be replaced in kind within 0.01 feet of their original horizontal and vertical location, by a Licensed Land Surveyor, unless otherwise specified in writing.

II. ADDITIONAL TERMS OF THE PERMIT

7. The Permittee agrees to defend, indemnify, protect and hold harmless the City of Laguna Hills, its officers, officials, employees, agents, and volunteers from and against any and all claims, demands, losses, defense costs or expenses, including any attorney's fees, or liability of any kind or nature which the City of Laguna Hills, its officers, employees and agents may sustain or incur or which may be imposed upon them in any manner or form arising in consequence of the issuance of this Permit or any work performed in consequence thereof.
8. If any deposit is insufficient to pay all fees and costs herein provided, the Permittee shall, upon demand, pay to the City an amount equal to the deficiency.
9. Protection of the public is paramount. In the interest of public safety, the City reserves the right to make any changes and prescribe such additional conditions to any approved Encroachment Permit as he may deem necessary for the protection of the public. The City will contact the Permittee by telephone as soon as practically possible and follow-up with a written letter notifying the Permittee of the changes.
10. If the Director of Public Services deems work done under any Encroachment Permit is unsafe, dangerous, or otherwise not in the public interest, the Director may immediately revoke and VOID the Permit without refund of fees paid to the City.
11. Any conditions shown in regulations, attachments, and/or provisions of Codified Ordinances and all applicable laws, rules and/or regulations of the City of Laguna Hills or any other regulatory governing agency pertinent to work on the face of this Permit must be complied with. Section 6424 of the California Labor Code requires contractors planning excavation or trench work to obtain a Permit for such work from the State of California, Department of Industrial Relations, Division of Industrial Safety.

III. HOURS OF WORK – ALL STREETS & RIGHT-OF-WAY

12. **NO work shall be performed:**

- a) On local and collector streets: Before 7:00 a.m. or continue after 4:00 p.m.
- b) On arterial streets: Before 9:00 a.m. or continue after 4:00 p.m.
- c) For all streets: On weekends and City designated holidays, or on rainy days during which erosion of materials cannot otherwise be controlled by use of Best Management Practices (BMPs).

IV. ENCROACHMENT PERMIT DOCUMENTATION PROCEDURES

13. A copy of the approved Encroachment Permit and approved plans, if any, must be kept on the job site at all times. Permittee agrees that it shall be his or her responsibility to provide the contractor, subcontractor, or any other agent responsible for construction of the permitted use within the City right-of-way, with a copy of the Encroachment Permit and a complete set of approved plans.

V. CONTRACTOR / PERMITTEE COORDINATION WITH CITY AND OTHERS

14. Public counter staff shall, to the extent practical, verify that the proposed project and / or lane closure(s) does not conflict with an on-going City project, or another, previously permitted operation. In the event of multiple contractors working in the same area, it shall be the responsibility of the Permittee to coordinate his work with the City Inspector in order to avoid a potential conflict in the field.
15. This Permit does not give Permittee permission to delay or interfere with the construction of City projects. If proposed work will occur within the project limits of a City project, installation shall be subject to the approval of and at the convenience of the City's contractor. Prior to any excavation or work, written permission must be obtained from said contractor and presented to resident engineer, stating that the installation **will not delay** or interfere with said contractor's operation. If permission is denied, then the work shall be delayed until completion of said contract.

VI. TRAFFIC CONTROL / LANE CLOSURE PROCEDURES

16. A copy of the approved Traffic Control Plan, if applicable, must be kept on the job site at all times. If traffic control is not performed according to the approved Traffic Control Plans or if the Traffic Control Plan is not available for inspection by the City Public Works Inspector upon request or if, upon request, the traffic control is not corrected to the satisfaction of the Public Works Inspector, **the Permit will be VOID** and no refund of fees will be provided.
17. For arterial streets, all work must have an approved Traffic Control Plan unless waived by the Engineering Department in which case the Permittee shall follow the Work Area Traffic Control Handbook, or if the Permittee is a public utility governed by the Public Utilities Commission, the California Joint Utility Traffic Control Manual. Traffic Control Plans shall be prepared in accordance with the Work Area Traffic Control Handbook (WATCH) and prepared, stamped, and signed by a Licensed Civil Engineer. Traffic control within the construction area shall be done in accordance with the approved Traffic Control Plan.
18. For arterial streets, NO obstructions (i.e. lane closures) of arterial traffic lanes or sidewalks are allowed between 7:00 a.m. and 9:00 a.m. and after 4:00 p.m., Monday through Friday. Said restriction shall apply to vehicles, equipment, material, traffic control devices, excavation, stockpile, or any other form of obstruction. No obstructions may be left overnight. Any exceptions must be approved, and will be noted on the Encroachment Permit at the time of issuance.
19. For arterial and collector streets, A changeable message board advising the public of project duration is required to be installed 72 hours in advance of a project that affects traffic for 2 weeks or more.
20. For local and collector streets, the work site MUST be flagged and barricaded to the satisfaction of the field inspector and shall be in compliance with the latest edition of the Work Area Traffic Control Handbook (WATCH) or the Work Area Protection and Traffic Control Manual, if the Permittee is a public utility governed by the Public Utilities Commission, and two-way traffic shall be maintained at all times.
21. For local and collector streets, written notice of intended work shall be posted by the Permittee at each residence within a 200' radius, twenty-four hours prior to commencement of work.
22. All approaches to private driveways and intersecting roads and streets shall be kept open to traffic at all times, unless otherwise approved by the Director of Public Services or his/her designee.

23. Trenching for installation across any intersecting roadway open to traffic shall be progressive. Not more than one-half (1/2) of the width of a traveled way shall be disturbed at one time, and the remaining width shall be kept open to traffic by bridging or backfilling. Trench plates, if used, shall be non-skid and ramped.
24. If oversize loads are necessary to transport equipment to or from a site, a Transportation Permit shall be obtained as a separate permit.
25. Monitoring Well(s) – Permit applications to install a new monitoring well within the public right-of-way shall be reviewed and approved by the Director of Public Services or his/her designee prior to Permit issuance. Lane closure permits to sample existing wells may be issued on either a yearly, or per-event basis.

VII. GOOD HOUSEKEEPING & SAFETY PRACTICES

26. Permittee shall prevent dust or other materials from becoming a nuisance or annoyance.
27. Applicant shall comply with NPDES requirements for general construction activity providing appropriate Best Management Practices (BMPs). No runoff shall be allowed to enter the storm drain, or discharged into the street. A Water Quality Management Plan (WQMP), a Storm Water Pollution Prevention Plan (SWPPP), erosion control plan, etc. shall be required as applicable for the project to ensure the project does not conflict with NPDES and City requirements.
28. Right-of-way shall be left in neat and orderly condition at the end of each working day. Intake and outlet ends of all culverts shall be left free from all excess materials and debris.
29. Any excavated material shall be cast away from the improved portion of the highway. Excavated material cannot be stockpiled on any City streets.
30. Permittee shall maintain neat, safe, clean and sanitary conditions at all times to the satisfaction of the City Inspector. The Permittee shall supply portable toilet facilities.
31. All Underground Service Alert (USA) / utility markings shall be removed at the time of completion of work.
32. NOTE: The City of Laguna Hills does not perform any inspection under this Permit pertaining to the protection and safety of personnel or equipment; this is the responsibility of the Permittee.

VIII. RIGHT OF WAY WORK – GENERAL CONSTRUCTION REQUIREMENTS

33. Streets under moratorium as designated by the City Public Services Department will require special construction practices. The City of Laguna Hills prohibits the cutting of any public street pavement within five (5) years of a street overlay and within three (3) years of a street slurry seal. Refer to *XI. Special Construction Practices for Moratorium Streets* below. To check if a street is under moratorium, call the City Public Services Department at (949) 707-2657.
34. Open cutting of streets will require coordination with the City of Laguna Hills Public Works Inspector.
35. Any repairs or replacement of City improvements, damaged as a result of removal of permitted encroachment, as determined by the City field inspector, Director of Public Services, or his designee, shall be done at the sole expense of the Permittee and replaced per the latest City of Laguna Hills' standards, PF&RD Standard Plans, and/or the Standard Specifications for Public Works Construction, as applicable.

36. Repairs to damaged City facilities shall be made functional immediately. Complete and final repairs are to be completed within ten (10) days. In the event the repair/replacement is not accomplished within ten (10) calendar days from the date of start of work and action by the City is necessary, the Permittee, successors or assigns shall reimburse the City for any costs incurred to make said repairs.
37. Any improvements above ground shall provide: 18" clearance from curb face, 48" clearance on sidewalk for vertical obstructions. The City inspector, prior to installation, must inspect each location. Mailboxes in the parkway shall conform to PF&RD standards 1205, 1211, and 1212, and United States Postal Service Regulations.
38. The Permittee shall make proper arrangements satisfactory to the Director of Public Services or his/her designee for the cost of relocating any structure, public utility, tree, or shrub where such relocation is made necessary by the proposed work for which a Permit is issued.
39. The uppermost portion of any pipeline or other facility shall be installed not less than 36-inches below the lowest portion of the roadway surface or ditch, unless otherwise authorized in writing by the Director of Public Services or his designee, except as otherwise regulated by the California Public Utilities Commission.
40. All trenching or boring in streets shall be properly backfilled or properly protected (i.e. non-skid metal plates) at the end of each working day. Pedestrian access on sidewalks shall be maintained as much as practicably possible. If pedestrian access is blocked, place "Closed Sidewalk" signs at the beginning and end of the sidewalk or at the nearest intersections.
41. Non-skid metal plates, if used, shall be fastened down to prevent moving. Metal plates will not be allowed to remain in traffic lanes more than ten (10) consecutive working days. Temporary asphalt shall be used to eliminate any vertical changes. Applicant shall properly place advance warning signs on the right-of-way "Steel Plates Ahead" or approved sign when using steel plates as part of the construction.
42. All native material backfill shall be compacted to a relative density of at least 90% of the maximum density. The top 12" of backfill shall be compacted to 95% relative compaction.
43. Sand bags must be on site for storm drain protection prior to any work. Sand bags will be placed in front of storm drain inlets during construction, except on rainy days. Sand bags will be kept in good working condition.
44. **Additional construction requirements may be applicable depending upon the type of work.** In all cases, work MUST be performed to the satisfaction of the City Public Works Inspector. The City Public Works Inspector reserves the right to STOP and request remediation of all work if construction is not done to the Inspector's satisfaction.

IX. STREET WORK – CONCRETE REPAIR / CONSTRUCTION REQUIREMENTS

45. The bore or tunneling of any concrete apron, curb, gutter or sidewalk or drive approach shall be backfilled with two-sack cement slurry. Open cuts shall be backfilled also with two-sack cement slurry to within four (4) inches of finished surface.
46. Where Portland Cement Concrete pavement is removed or damaged, replacement Type V Portland Cement Concrete pavement conforming to Standard Specifications for Public Works Construction, latest edition, Section 201, and approved by the City Inspector MUST be provided to the next score joint. NO partial slabs will be allowed. In no case shall any sidewalk removal/re-placement be less than 20 square feet and the smallest dimension not less than 48 inches. All final repairs shall be complete within five working days of initial sidewalk removal.

47. Where Portland Cement Concrete pavement, *as part of a handicap ramp*, has been removed or damaged, replace Type V Portland Cement Concrete pavement conforming to Standard Specifications for Public Works Construction, latest edition, Section 201, approved by the City Inspector, and conforming to the latest Americans with Disabilities Act (A.D.A.) Standard as determined by the City Public Services Department.

X. STREET WORK – ASPHALT REPAIR / CONSTRUCTION REQUIREMENTS

48. Final patching of trench or boring shall be of high quality material to the satisfaction of the City Public Works Inspector. Permanent pavement must be placed within ten (10) working days after completion of backfilling operations.
49. The applicant upon request will furnish certification for all materials and work, including compaction tests, to the City Public Works Inspector. Certification for all materials and work, including compaction tests, will be paid for by the Permittee.
50. All asphalt repairs shall conform to Section 302-5 Asphalt Concrete Pavement and Section 600-2 ARHM (Asphalt Rubber Hot Mix) of the Standard Specifications. Final pavement repair shall be complete within twenty (20) working days from the initial excavation. Pavement and base repair limits / dimensions shall be determined by the Director of Public Services prior to Permit issuance and/or by the City Inspector upon inspection of the work. Additionally:
- a) Final pavement repair shall be 1-inch greater asphalt and 1-inch greater aggregate base in depth than existing road construction but in no case be less than 4-inches Asphalt Concrete (AC) over 6-inches Aggregate Base (AB) on local streets, and 6-inches AC over 8-inches AB on arterial streets.
 - b) Trenches backfilled with two sack cement slurry shall leave a 4-inch depth for Asphalt Concrete (AC) re-paving and shall be cold planed to a depth of 1 inch on the perimeter of the trench and paved to the extent determined by the Director of Public Services and / or the City Inspector.
 - c) Trenches parallel to the street centerline will require cold planing the full lane width (12 feet) 0.17 feet deep and re-paved flush with adjoining pavement.
 - d) Linear underground installation of utilities by trench/bore resulting in extensive potholes and/or bore pits will require a slurry seal coat a minimum of one (1) full lane width on arterial streets or a minimum of one-half the roadway width on residential streets for the full length of the affected portion of the respective roadway as determined by the Director of Public Services and/or by the City Inspector.
51. Two sack cement sand slurry mix is required as backfill when tunneling under any concrete structure, or on all lateral excavations within arterial streets unless directed to do otherwise by the City Inspector. For trenches that traverse the street, slurry seal may be required 100 feet from either side of the centerline of trench or to the beginning of the nearest intersection, whichever is nearest.

XI. SPECIAL CONSTRUCTION PRACTICES FOR STREETS UNDER MORATORIUM

Streets under moratorium as designated by the Director of Public Services will require special construction practices. The City of Laguna Hills prohibits the cutting of any public street pavement within five (5) years of a street overlay and within three (3) years of a street slurry seal. To check if a street is under moratorium, call the City Public Services Department at (949) 707-2657.

It is not the City's intent to prohibit necessary improvements to the infrastructure. All companies still have the ability to "bore" under new pavement, or to place work in the parkway area. Upon submission of proof of no alternative or in the case of an emergency, open cutting may be approved under the below requirements by the Director of Public Services or his/her designee. This option is strongly discouraged and will be allowed only if the installation is critically needed and no other alternatives exist. In this way, the City can maintain the integrity of new streets and forestall deterioration by preventing the inevitable intrusion of water and differential settlement of pavement near street patches.

52. For trenching in recently paved / overlaid streets, final resurfacing of street shall include grinding down existing pavement a minimum of 0.17' (2 inches) in depth as follows:
- a) For trenches perpendicular to traffic lanes:
 1. On Residential Streets, Grind 10 feet on either side of the trench line and for the full width of any traffic lane(s) that have been cut.
 2. On Arterial Streets, Grind 50 feet on either side of the trench line and for the full width of any traffic lane(s) that have been cut.
 - b) For trenches parallel to traffic lanes and for small excavations: Grind the entire width of the traffic lane for the full length of the trench plus 10 feet on either end, but not less than 100 feet.
 - c) For pothole repairs, see item #54.

Final pavement course in the area of the grinding shall be placed with a self-propelled paving machine, using all applicable City standards for pavement installation unless other methods are approved, in advance of the work, by the Director of Public Services.

53. For trenching in recently slurry sealed streets, final slurry seal shall be applied to the patched area no sooner than 30 days or later than 90 days after the completion of the pavement repair. The area is to be slurried as follows:
- a) For trenches perpendicular to traffic lanes: Slurry seal 50 feet on either side of the trench line and for full width of the street.
 - b) For trenches parallel to traffic lanes and for small excavations: Slurry seal the entire width of the street for the length of the trench, but not less than 100 feet.

Slurry seal materials shall be Type II and the method of application shall meet City approval.

54. For potholing in either slurry sealed or paved / overlaid streets, the following standard apply:
- a) Potholes shall be no more than 2 feet by 3 feet.
 - b) No more than two potholes may be performed in any 10 foot x 20 foot section of new pavement. If this cannot be accomplished, then the pavement section to be potholed will be treated under #52 or #53 above.
 - c) After potholing and exploration is finished, all potholes shall be filled with two-sack sand cement slurry such that final top surface is two inches lower than the surrounding surface. Perform a one foot wide by 0.17 foot deep grind for a "tee cap". Pave the area with two inches of AC such that the surface is level with the adjoining pavement. If the finished surface of the pothole repair is not acceptable to the City Public Works Inspector, then the pothole repair surface shall be ground down and refinished in accordance with item #52 and/or #53, as deemed appropriate by the City Public Works Inspector.

XII. ENCROACHMENT AGREEMENTS FOR NON-STANDARD IMPROVEMENTS

55. Where non-standard improvements such as pavers, colored/stamped concrete, planter/retaining walls, etc. are proposed and approved to be constructed within the City right-of-way, the Owner shall agree to execute an Encroachment Agreement as part of the Encroachment Permit Application.
56. When an Encroachment Agreement is required as determined by the Director of Public Services, an 8½"x11" drawing reflecting all work within the City right-of-way shall accompany the Encroachment Permit Application and include the following information:
 - a) Street information including street name, centerline, right-of-way line, curb line, sidewalk (if any) and approximate distances.
 - b) Parcel information including house number, assessor's parcel number, tract number, lot number, front property line and side property lines with bearings.
 - c) Location, description and dimension of the encroachment.
 - d) Plans must include north arrow, scale used, and be fully dimensioned