



CITY OF MANTECA

COMMUNITY DEVELOPMENT
DEPARTMENT

REVOCABLE ENCROACHMENT PERMITS SUBMITTAL AND PROCESSING REQUIREMENTS

1. Before an application form is filed, the applicant should discuss the feasibility of the proposed right-of-way encroachment with staff members from the Community Development Department. This class of projects is limited to minor structures such as:

Low fences and retaining walls, walkways, stairs and construction incidentally related to landscape activities such as stepping stones, walking surfaces, planter areas, and irrigation systems but a revocable encroachment permit shall not be used for any structure or improvement that, if demand is made for its removal, will create any nonconforming conditions under the provisions of the Municipal Code or any other Code, regulation or standard.

It is important to note that the City's approval is entirely discretionary and limited to minor types of structures and improvements that will be consistent with all other policies and regulations. Use and maintenance of any encroachment within the public easement is not a right but a privilege extended by the City acting as the custodian of the overall public interest.

2. The application form, which may be obtained at no cost from the Community Development Department, consists of a Revocable License and Encroachment Permit Agreement Form containing four pages. The form must be read carefully and signed by the property owner in the presence of a notary. If approved, the agreement has legal implications for all current and future owners of the property and the owner may wish to consult with an attorney.

3. The information required on the agreement form must be typed or printed clearly in black ink. Page five of the agreement should consist of an 8 1/2" x 11" sheet of paper entitled "Encroachment Plan," which must also be drawn clearly and legibly using conventional drafting practices which include the following:

A) The plans shall be based upon accurate field measurements at a scale of no less than 1"=20' showing existing gradients and improvements within twenty-five feet of the project area;

B) Property lines, easements, drainage patterns and cultural features shall be shown true to scale and dimensions within twenty-five feet of the project area. The complete right-of-way must be identified upon the plan and shall identify the adjacent and opposite edge-of-pavement. In addition, if the property is located within 25 feet of a cul-de-sac, the plan must identify the complete cul-de-sac right-of-way and edge-of-pavement;

[Type here]

- C) Proposed improvements shall be legibly and accurately shown as to line and grade, including surface elevations, wall heights, fence heights, cut/fill slopes and materials;
- D) Grading information shall be shown if applicable.

4. After the Agreement form and accompanying materials have been prepared, they may be submitted to the Community Development Department for review, together with a filing fee, ownership verification.

7. Upon approval by the Community Development Director, or designee, the original copy of the agreement form must be recorded by the applicant before construction may commence. You will be notified when the document is ready for recording, usually within three or four days after the 14-day right-of-appeal period has lapsed.

8. The Revocable Encroachment Permit Agreement is not a construction permit. A separate construction and/or building permit must be obtained for work within the public right-of-way and, in most cases, additional detailed plans showing construction details are required. All work must be in compliance with the approved agreement, permit and plans as verified by field inspection.

9. Certain types of work in the public way require the services of licensed and insured contractors. Examples of these activities are mechanical excavations, pipeline and other utility work, construction of concrete and masonry structures and placement of asphalt pavement.



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REVOCABLE ENCROACHMENT PERMIT APPLICATION

Project Address:

APN #

Project

Description: _____

Proposed Start Date: _____ Proposed End Date: _____

Plans Submitted: _____ Work to be done by (Contractor): _____

Phone No. : _____ Job Foreman: _____

Job Phone: _____ 24 Hour Emergency Phone #: _____

Address: _____

City of Manteca Business License #: _____

Ins. Co.: _____ Policy #: _____

Liability Limits: _____

[Type here]

Applicant: _____

("Permittee") Address: _____

Home Phone: _____ Work Phone: _____

Owner (if different than Applicant): _____

Owner's Address: _____

Home Phone: _____ Work Phone: _____

USA Inquiry #: _____ (Required for any excavation in a Public Right of Way or Private Easement. For further information, contact the USA Regional Notification Center at 1-800-642-2444 at least 2 working days prior to proposed start of excavation).

The work authorized by this permit shall be subject to all terms, conditions, and restrictions set forth herein. This permit consist of this page and the General/Special Conditions attached and made a part hereof and any drawing referenced above. The project, as specifically described, is to be strictly construed and on other activity shall be permitted. Any work performed that is not part of the permit shall be promptly removed at the expense of the Permittee. The Permittee and/or his, her or its contractor shall indemnify and save harmless the City of Manteca, its officers, agents, employees, and servants from all claims, suits, or actions of every name, kind, and description, brought for, or on account of, injuries to or death of any person or damage to property resulting from the performance of the work authorized or required, or the equipment or item constructed by this Permit or Permittee and/or his, her, or its contractor, their officers, agents, employees, and/or servants.

Signature of Applicant

Fee: \$_____ Acct #: _____

Date Received: _____

Received By: _____