



BAKERSFIELD

THE SOUND OF *Something Better*

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, tables and chairs 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.

ENCROACHMENT PERMITS REQUIREMENTS

- ☐ Application
- ☐ Permit Fee of \$621.00
- ☐ Scaled Drawing; Minimum 8 ½ x 11 showing encroachment on the site in relation to existing curb, gutter and sidewalk, signs, trees, streetlights, utility boxes or any item within the encroachment area, along with distances from all items listed above to the encroachment. Drawing to include curb, gutter and sidewalk, line of site requirements (see City Standard T-11) if applicable and any additional information that may assist City staff their review.
- ☐ Type and Amount of Insurance Coverage for encroachment installation or construction for:
Residences: Homeowners Personal Liability coverage in an amount of at least \$300,000
Commercial: See next page
- ☐ Signatures from surrounding neighbors or business owner
- ☐ Boundary survey that shows the right-of-way/property with proposed encroachment location shown prepared by a licensed land surveyor
- ☐ Written justification and description of the need for the encroachment, including dollar amount of any damages and description of damages
- ☐ For walls of any type: Provide wall calculations stamped and signed by a registered civil engineer
- ☐ Contact Dig-Alert 811 for utility markings, provide Dig-Alert ticket number
- ☐ Provide pictures showing all utility markings from Dig-Alert 811
- ☐ Letter from all utility providers in the area stating encroachment does not interfere with their facilities
- ☐ Notice Relating to the Removal of Private Encroachment within Public Road Right-of-Way to be signed, recorded and copy given to City

With the submittal of all items above there is no guarantee of approval from the Public Works Department. If you have additional questions, please contact our office at (661) 326-3724.

Public Works Department
1501 Truxtun Avenue, Bakersfield, CA 93301
661-326-3724 FAX: 661-852-2120



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:** _____

See Encroachment Permit Requirements on reserve side.

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:

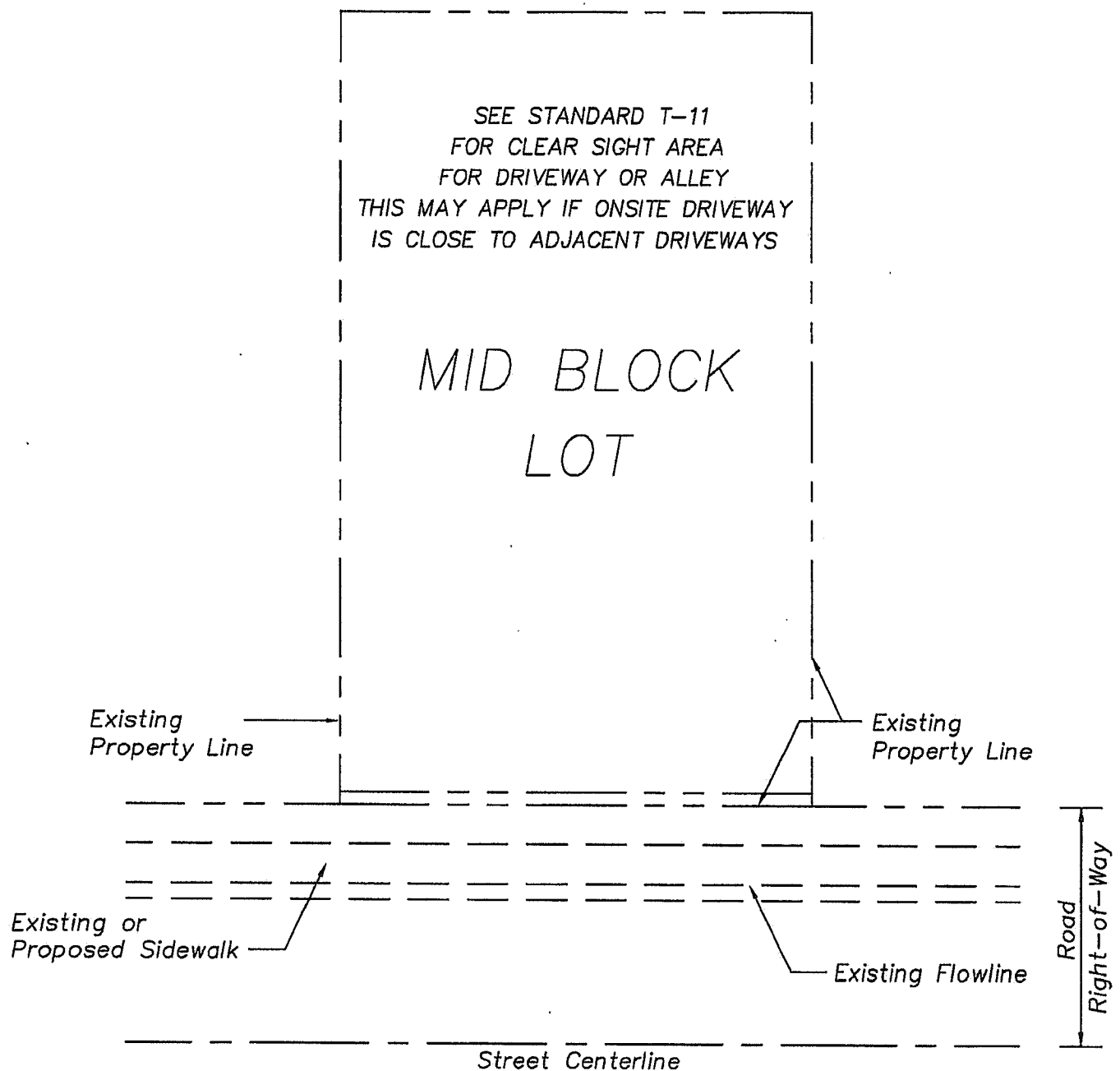
Residences: Homeowners General Liability coverage in an amount of at least \$300,000.00

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

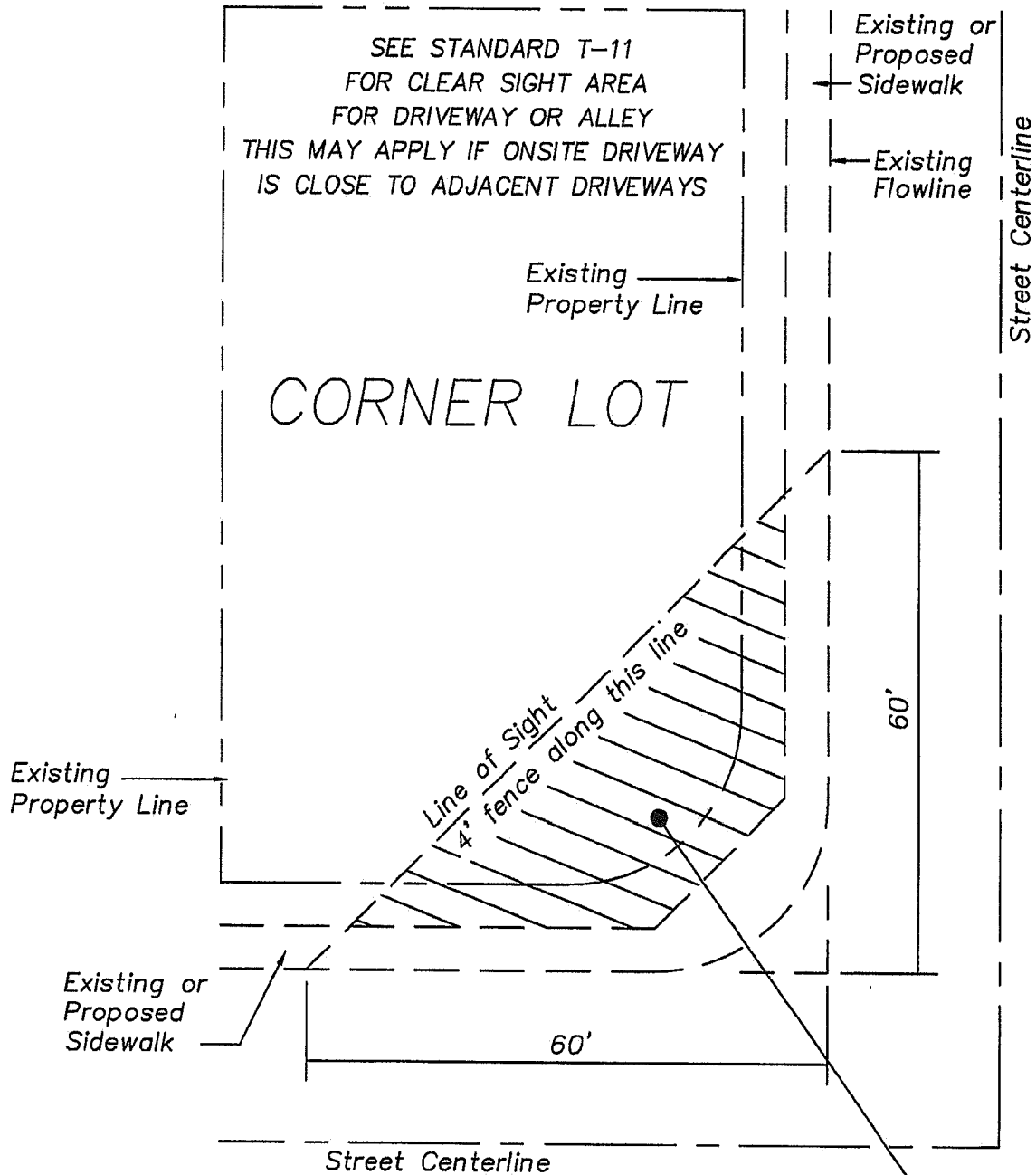
The Commercial Liability policy must identify City and City's mayor, council, officers, agents, employees, and designated volunteers as Additional Insureds.

Encroachment Permit Fee: \$621.00

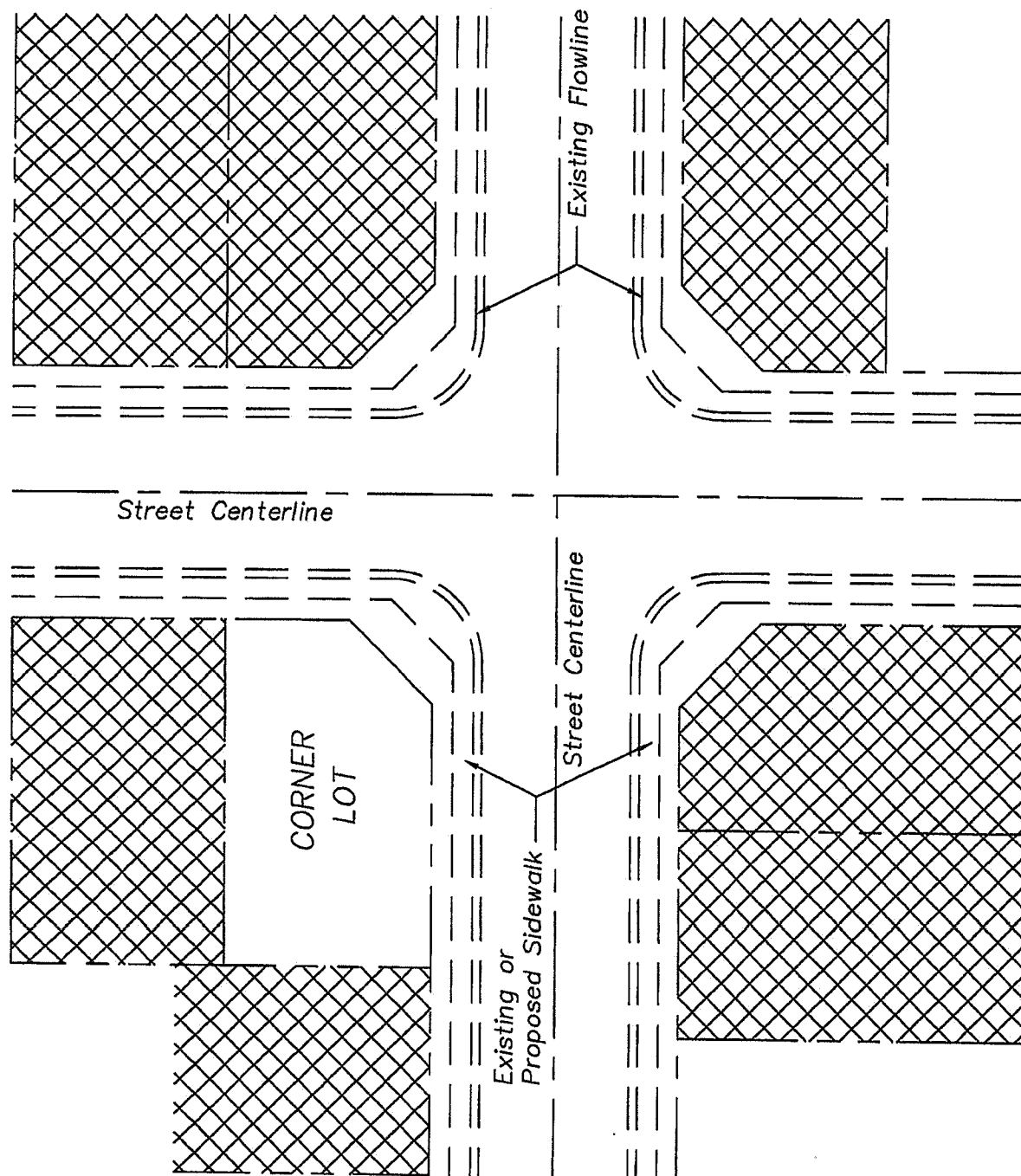
ILLUSTRATE LOCATION OF ENCROACHMENT
ON THE DRAWING BELOW
WITHIN ROAD RIGHT-OF-WAY AREA
INCLUDING DRIVEWAY ON THE LOT
AND ON ADJACENT LOTS
DISTANCE FROM CURB TO ENCROACHMENT



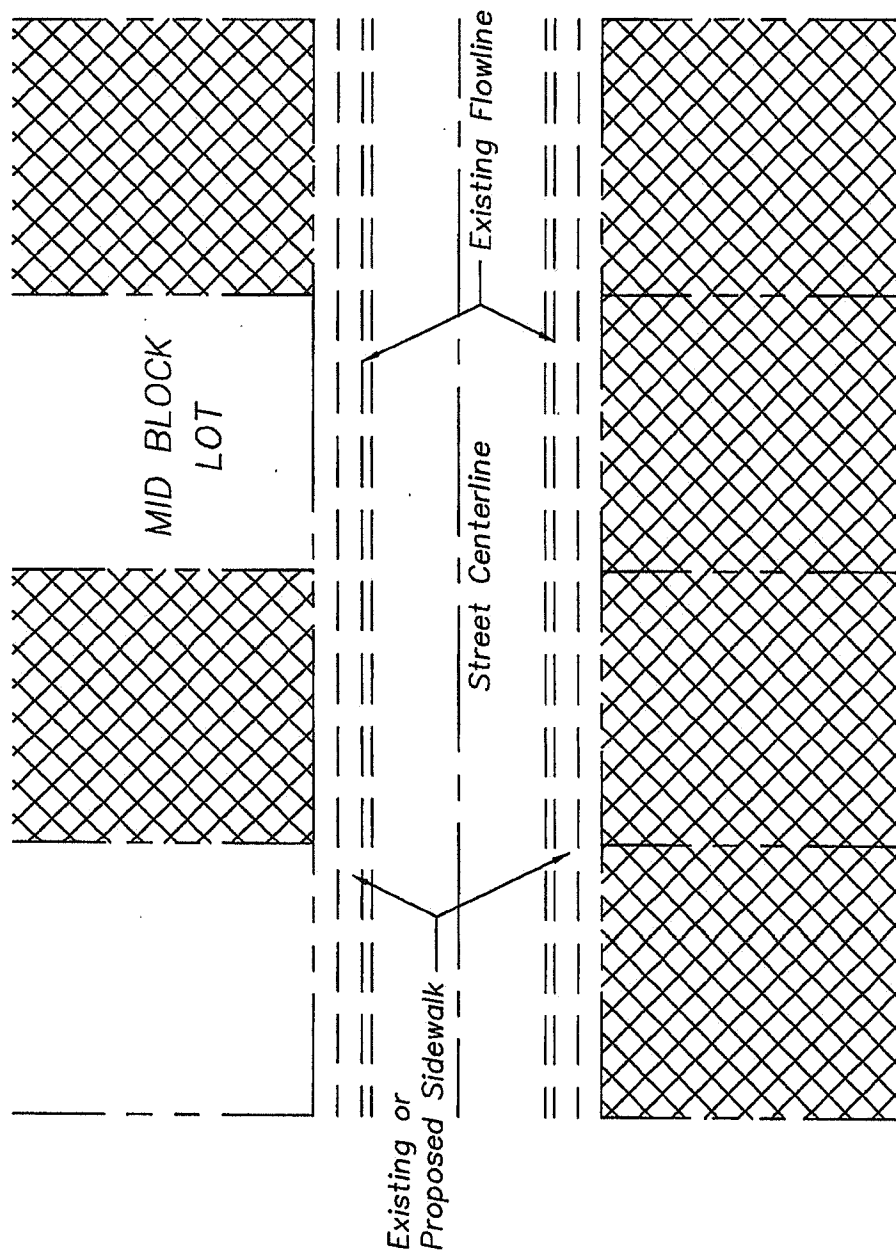
ILLUSTRATE LOCATION OF ENCROACHMENT
ON THE DRAWING BELOW
WITHIN ROAD RIGHT-OF-WAY AREA
INCLUDING DRIVEWAY ON THE LOT
AND ON ADJACENT LOTS
DISTANCE FROM CURB TO ENCROACHMENT



Any encroachment within
this area to be maximum of
2.5' high above the top of the curb
for a uncontrolled intersection.



RECOMMENDED SIGNATURE LOCATIONS



RECOMMENDED SIGNATURE LOCATIONS



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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 an encroachment within the public right-of-way.

(Street for proposed encroachment)

By: _____

(Owners Name)

(Address of proposed encroachment)

Phone: _____

SIGNED:

1.) Name: _____
Address: _____

Date: _____

2.) Name: _____
Address: _____

Date: _____

3.) Name: _____
Address: _____

Date: _____

4.) Name: _____
Address: _____

Date: _____

5.) Name: _____
Address: _____

Date: _____

6.) Name: _____
Address: _____

Date: _____

7.) Name: _____
Address: _____

Date: _____

- See Signatures needed for approval page



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Insurance Requirements for Encroachment Permits As of October 2021

The City of Bakersfield has the following mandatory insurance requirements for encroachment permits issued to business owners, the following insurance is required:

Commercial General Liability

1. Current policy with limits of no less than \$1,000,000 per occurrence
2. Coverage must be on an occurrence basis (versus claims made)
3. An additional insured endorsement is required and must include the following language:

*"The City Bakersfield, its mayor, council, officers, agents, employees and volunteers are included as an additional insured" *****

Please Note

- A statement on a certificate of insurance naming the City of Bakersfield as an additional insured is not sufficient; copy of the policy endorsement naming the City as such must be included. ****
- All commercial insurers must have an AM Best's rating of A-/VII or better on the general liability policy. (Go to www.ambest.com to determine insurance company rating.)

For encroachment permits issued to homeowners the following insurance is required:

- Homeowner's personal liability insurance of no less than \$300,000.
- Additional insurance and/or endorsements may be required if the City determines that the work may expose the City to unusual risks.

EMAIL ALL INSURANCE DOCUMENTATION TO ADMRSK@BAKERSFIELDCITY.US

Listed above are the minimum requirements currently in effect and are subject to change. The City of Bakersfield reserves the right to change, alter or modify the requirements based on the elements of a particular project.

For additional information please call (661) 326-3738, or visit our webpage at bakersfieldcity.us

Risk Management Division
1600 Truxtun Avenue, Bakersfield, CA 93301
661-326-3738 FAX: 661-852-2030