

LEGAL ACCESS
(STREET IMPROVEMENT FROM DISTRICT'S
RIGHT-OF WAY)

**ENCROACHMENT PERMIT APPLICATION
PACKAGE**

TENAJA COMMUNITY SERVICES DISTRICT

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ENCROACHMENT PERMIT

TENAJA COMMUNITY SERVICES DISTRICT

What is an encroachment permit?

An encroachment permit is written permission to excavate or otherwise encroach within the right-of-way of roads maintained by the Tenaja Community Services District (TCSD).

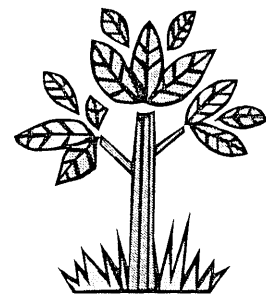
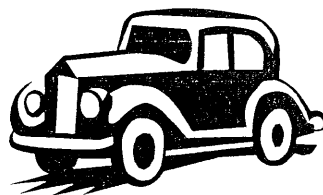
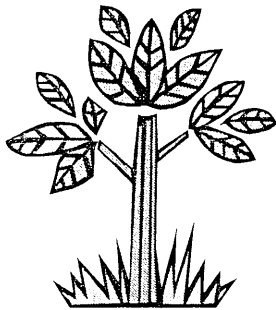
When are they needed?

Permits must be obtained for excavations, tree planting and removal, driveway installation, fence construction, placement of any structures, construction of street improvements and drainage facilities, or generally for any type of work conducted within the road right-of-way.

The intent of the Encroachment Permits is to help ensure consistent and fair management of the process of maintaining control of Tenaja Community Services District's roads/streets as defined in Ordinance #4.

What is the road right-of-way?

The road right-of-way is the **full** width of land controlled by the TCSD, upon which the traveled way is constructed, and which usually extends considerably beyond the edge of pavement (or traveled way) to the edge of the easement on the adjacent private properties. The road right-of-ways usually appear on parcel or tract maps and are dedicated to Riverside County or the TCSD.



Right-of-Way

What is the purpose of an encroachment permit?

Encroachment permits provide a means of regulating incursions into public rights-of-way to safeguard the public interest and to enhance continuing safety and convenience for the traveling public.

What is the process for obtaining an encroachment permit?

An application describing the proposed work must be completed. Construction plans must accompany the application, together with a bond or other financial security to assure compliance with the terms of the permit. Application forms are available from the District office.

ENCROACHMENT PERMIT INFORMATION

The Tenaja Community Services District issues all permits for work to be performed within District maintained rights-of-way. The following is intended, as an aid in obtaining the permits most often required.

ALL PERMITS require that the District be furnished with the following items:

1. District application signed by the owner(s) of record.
2. Detailed Plans showing the proposed encroachment and location.
3. Plans must be signed by registered engineer.
4. Assessor's Parcel Number (APN).

Additionally the following information and fees are required for specific types of encroachments. Please note that in all cases, fees MUST be paid and the permit issued prior to any construction, erection, or planting.

LEGAL ACCESS (STREET IMPROVEMENTS):

1. All legal access requirements on attached Exhibit "A" sheet must be met.

FEES:

1. Permit Fee is \$800.00.
2. Inspection fees will be billed at actual Cost. A deposit of \$2000.00 must be submitted before work begins. Cost for inspection is \$55.00 per hour with a 4-hour min.
3. No work can be done in the right-of-way without District approval and /or inspection on job site. A **48-hour notice** is required before any work can be scheduled. Rescheduling due to lack of performance will be billed to application at a rate of \$220.00.
4. The District and/or the inspector must approve all traffic control. The District may issue a stop order for lack of traffic control and safety measures.

TENAJA COMMUNITY SERVICES DISTRICT
32395-B Clinton Keith #10
Wildomar, CA 92595
(951) 678-9778

PERMIT APPLICATION

I hereby apply for a permit to construct the following:

(Legal Access with the Right-of-Way/Street Improvements)

Property Owners Name: _____

Mailing Address: _____

City, State, and Zip: _____

Daytime Phone Number _____ Other phone Number _____

Assessor's Parcel Number _____

I (We) agree to abide by all requirements set forth in my permit and this application, and I (We) agree to the following:

- Indemnify, defend and save the District, its authorized agents, officers, representatives and employees, harmless from and against any and all penalties, liabilities or loss resulting from claims or court action arising out of any accident, loss or damage to persons or property happening or occurring as a proximate result of any work undertaken under the permit granted pursuant to this application.
- Notify the District in writing at least 48 hours in advance of the time when work will be started, and upon completion of the work, immediately notify the District in writing of such completion.
- Inspection shall be made by TCSD for finish grade approval prior to placement of surfacing (if required).
- If TCSD is not notified, any work performed is subject to immediate removal at my expense, and my deposit will be forfeited.
- Remove or relocate an encroachment installed or maintained under this permit, upon written notice from the District.
- Accept full responsibility for complying with Federal, State, and County environmental laws receiving any necessary environmental clearances and/or permits, prior to commencing any work as authorized by this permit.
- To keep and maintain the entire area in a safe and serviceable condition in accordance with standards adopted from time to time by the Tenaja Community Service District. If, upon service of notice to perform, the Permittee fails to comply, the District may cause the maintenance to be performed at the Permittee's or their Successor(s) expense.

This Permit is subject to summary cancellation by the District if the permittee or their successor(s) fail to strictly comply with any term or condition hereof.

I (We) acknowledge receipt of a copy of this application and agree to said terms.

Property owner signature

Date

Property owner signature

Date

IMPORTANT NOTICE:

Just filling out the Permit Application and receiving a Clearance letter from the District does NOT imply you have an encroachment permit.

There are several items that must be submitted before the permit is issued.

I have read the permit application and acknowledge all requirements. I will not begin any work in the Right-of-way until actual permit is issued.

Signed _____

Dated _____

CHECK OFF LIST FOR LEGAL ACCESS ENCROACHMENTS STREET IMPROVEMENTS FROM RIGHT OF WAY

ITEMS RECEIVED AND ATTACHED	RECEIVED YES X	INCOMPLETE PERMIT NOT VALID UNTIL COMPLETED
Application signed by person doing improvement or person in charge of project.		
Assessor's Map Showing location of connection		
Deposit check (or other funds) of \$2,800.00		
Hydrology study showing sizing of culverts		
A Plan & Profile showing street, if street plans creating the right-of-way are not available. 300' from centerline existing of roadway. Surfacing to Right of way or 20' min from edge of pavement. If culvert required, a hydrology study must be included and sizing of culverts.		
Compaction test/soils report		
Clearance from RCWD or other utility agencies (if required)		
Contractors information and insurance documents- as required (if different contractors are used for grading or paving both insurance documents must be filed)		

Exhibit "A"

LEGAL ACCESS STREET IMPROVEMENT REQUIREMENTS

1. Improvements shall not interfere with the natural drainage.
2. If a culvert is required it shall be of adequate size for the area drained. The applicant shall provide a hydrology study by a registered engineer sizing the culvert.
3. If a culvert is required it shall be 12 gage and a minimum 24" diameter CSP. If multiple pipes are required, there shall be 1/2 diameter separation between pipes.
4. The improvement shall be surfaced with 3" minimum of AC pavement on 4" Class II base. The driveway shall be surfaced a minimum of 20' from edge of paved roadway
5. The centerline of the improve shall connect at 90° to the centerline of the paved roadway
6. The improvement must be graded in such a manner that no water will drain on the District's paved roadway.
7. A plan must be submitted showing the plan and profile and location of the connection. If plans are not available, a plan and profile shall be submitted for approval for AC pavement on 4" Class II base. 22' wide pavement with return radius
8. The connection shall be paved from the edge of existing pavement to the right-of-way line.
9. Contractors name, address, Contractor's Certificate of Insurance naming the District as "additional insured" for general liability (\$1,000,000-minimum), and license number must be submitted to the District before any work begins and encroachment permit is issued. Job site, owners name or APN must be included on insurance documents.
10. Inspection fees will be deducted from deposit and all remaining funds will be refunded within a one-year period, only if all requirements are met and all paperwork is submitted (per **Exhibit B**).
11. **Compaction test must be submitted.** Test requirements are as follows:
 - a) top 12" must be 95% compacted.
 - b) All materials below the top 12" compaction must be 90%
 - c) R-value minimum of 70
 - d) TCSD engineer will determine number of compaction test required and number of locations.