

ADMINISTRATIVE APPROVAL PROCESS ENCROACHMENT APPLICATION

Departments of Public Works and Community Development, City of Richmond, VA

APPLY TO: DIVISION OF PERMITS AND SERVICES

APPLICATION FEE: \$300 NON-REFUNDABLE

Room 110 City Hall 646-6440

CIRCLE OR FILL BLANKS AS APPROPRIATE

TOTAL # OF PAGES _____ and TOTAL # OF ENCROACHMENTS _____ per this application?

Date: _____

APPLICATION NO. _____

Address of Encroachment _____

NOTE: Any Administrative Approval Process Encroachment Application must include the required liability insurance certificate, but no later than 15 working days after submittal of the application to Room 110 City Hall. In the event the insurance certificate is not received with 15 working days after the submittal, then the application shall become null and void and the applicant will need to submit a new application and fee for approval considerations. (Insurance limits enabled by Ord. 2005-49-122 adopted 06.13.05)

UDC/CAR Required?: Yes No Planning Commission Required?: Yes No

NOTE: See "Encroachment Approval Conditions" on page 2 Project No. _____

+Encroachment No. 1: Existing, Proposed Meets Building Code Requirement? Yes No
Type: Awning, Canopy, Conduit, Cornice, Door, Downspout, Eaves, Façade, Fence, Fiber Optic, Footing, Gutter, Landscaping, Lights, Overhang, Sign, Trim, Wall, Other (and/or more description): _____

Encroachment is: Exposed, Overhead, Underground, Sidewalk, Other _____

Encroachment located along the North, South, East, West line of _____ St., Ave., Rd., Dr., Cir. and being _____ feet from the North, South, East, West line of _____ St., Ave., Rd., Dr., Cir. and extends _____ feet into the right of way: Length: _____ ft. Encroachment Area: _____ sq. ft.

+Encroachment No. 2: Existing, Proposed Meets Building Code Requirement? Yes No
Type: Awning, Canopy, Conduit, Cornice, Door, Downspout, Eaves, Façade, Fence, Fiber Optic, Footing, Gutter, Landscaping, Lights, Overhang, Sign, Trim, Wall, Other (and/or more description): _____

Encroachment is: Exposed, Overhead, Underground, Sidewalk, Other _____

Encroachment located along the North, South, East, West line of _____ St., Ave., Rd., Dr., Cir. and being _____ feet from the North, South, East, West line of _____ St., Ave., Rd., Dr., Cir. and extends _____ feet into the right of way: Length: _____ ft. Encroachment Area: _____ sq. ft.

(CONTINUED – i.e. page 2 must be a part of application) Page 1 of _____

FOR CITY USE ONLY

Community Development Approvals:

Public Works Approvals:

Permits: _____ Date: _____
Zoning: _____ Date: _____
Urban Design/ C.A.R. _____ Date: _____
Planning Commission: _____ Date: _____
Comments: _____

Application No.: _____ Block/Project No.: _____
Date Received: _____
Surveys/Eng.: _____ Date: _____
Comments: _____

Special Conditions Attached: YES _____ pages NO (circle one)
(i.e. in addition to conditions and requirements noted on application)

Permission to encroach is granted subject to all provisions and conditions stated above and/or contained in the City Code. Required)

APPROVAL GRANTED: YES NO (Council Approval Process)

COPY TO: Public Works, Comm. Dev., Assessor, Applicant

Amended last on 01.03.06

Director of Public Works

Date _____

*** You must attach a survey plat or plan illustrating all details of encroachment items. For awning/canopy encroachments, fabric samples and a photo of the building elevation showing where the awning/canopy will be placed are required with this application.***

***Survey Plat or Plan Provided:** (to scale) Entitled: _____

By: _____ Dated: _____

+**Encroachment No. 3:** Existing, Proposed _____ Meets Building Code Requirement? Yes No
Type: Awning, Canopy, Conduit, Cornice, Door, Downspout, Eaves, Façade, Fence, Fiber Optic, Footing, Gutter, Landscaping, Lights, Overhang, Sign, Trim, Wall, *Other (and/or more description):* _____

Encroachment is: Exposed, Overhead, Underground, Sidewalk, Other _____

Encroachment located along the North, South, East, West line of _____
_____ St., Ave., Rd., Dr., Cir. and being _____ feet from the North, South, East, West line
of _____ St., Ave., Rd., Dr., Cir. and extends _____ feet into the right of way:
Length: _____ ft. Encroachment Area: _____ sq. ft.

+**Encroachment No. 4:** Existing, Proposed _____ Meets Building Code Requirement? Yes No
Type: Awning, Canopy, Conduit, Cornice, Door, Downspout, Eaves, Façade, Fence, Fiber Optic, Footing, Gutter, Landscaping, Lights, Overhang, Sign, Trim, Wall, *Other (and/or more description):* _____

Encroachment is: Exposed, Overhead, Underground, Sidewalk, Other _____

Encroachment located along the North, South, East, West line of _____
_____ St., Ave., Rd., Dr., Cir. and being _____ feet from the North, South, East, West line
of _____ St., Ave., Rd., Dr., Cir. and extends _____ feet into the right of way:
Length: _____ ft. Encroachment Area: _____ sq. ft.

Encroachment Approval Conditions (including, but not limited to, the following)

1. Applicant/owner shall satisfy all requirements for survey plat or plan and insurance as stated on the back of this form.
2. The Licensee, on the Licensee's own behalf and on behalf of any successor or assign, shall acknowledge and assume all responsibility for the permitted use of the right of way and the installation, construction, maintenance, repair, operation and removal of the encroachments, which shall be undertaken without risk or liability to the City. Upon approval and/or authorization for the encroachment, the owner, his heirs, devisees, successors and assigns shall agree to indemnify, keep and hold the City free and harmless from liability (i.e. liability insurance in City's name) on account of injury or damage to persons or property growing out of or directly or indirectly resulting from such encroachment or other use for which the permit is sought, and the maintenance, operation, construction, and removal thereof: and if any suit or proceeding shall be brought against the City, at law or in equity, either independently or jointly with such owner on account thereof, the owner will defend the City in any such suit or proceedings without expense to the City; and in the event of a final judgment or decree being obtained against the City, either independently or jointly with the owner, then the owner will pay such judgment or comply with such decree with all costs and expenses of whatsoever nature and hold the City harmless.
3. The Director of Public Works may issue a written notice at any time requesting the encroachment to be removed, thereby revoking the authorization for the encroachment. Upon such notice, the Licensee, or any successor or assign: shall be responsible for the removal of the encroachment; shall bear all costs directly or indirectly associated with the removal; and, shall be responsible for reimbursing the City for all associated removal costs in the event the Licensee, or any successor or assign, fails to remove the encroachment by the notice deadline and the City chooses to remove the encroachment with City forces. Removal bonds shall be required in accordance with the City Code.
4. All cost incident to the encroachment to be borne by the applicant, including, but not limited to, realignment of utilities, replacement of street signs, etc., as directed by City Agencies.
5. It shall be the sole responsibility of the applicant to provide the Department of Community Development, Division of Permits and Services (Room 110 City Hall) with written evidence that all conditions of the Administrative Approval Process Encroachment Application have been satisfied. Conditions and requirements are to be satisfied within a 6-month period from Director's signature, or the application/approval becomes null and void.
6. The applicant/owner shall bear all costs for repair, relocation, or replacement of the encroachments in the event of damage or movement due to, but not limited to, vehicular travel, alterations or failure of City utilities, or due to the public's use of the right-of-way.
7. Applicant shall secure proper permits (i.e. Work in Streets permit required prior to any installation of encroachment), and the work shall be performed in a manner satisfactory to the Directors of Public Works and Community Development.
8. Applicant shall satisfy all other conditions as attached to this application, as contained in the City Charter, and as recommended by the City administration. Upon signing this permit application, the applicant agrees to abide by all applicable provisions of Chapter 90, et. seq. of the City of Richmond, Va. Code and/or as authorized by the building code.
9. Underground fiber optic cable (associated conduit, etc.) or telecommunication encroachments must meet and satisfy fiber optic cable installation policies, requirements of the Division of Permits and Inspections in Pubic Works, and any franchise requirements.

Applicant's Printed Name: _____ Applicant's Signature _____ Tel. No.: _____

Owner's Printed Name: _____ Owner's Signature: _____ Tel. No.: _____

Owner's Name: _____ Date: _____

(type or print)

*** Your copy of the approved encroachment will be available once the review by other agencies has been completed and an approval has been
grated**