

**City of Sutter Creek**  
**18 Main Street**  
**Sutter Creek, CA 95685**  
**209-267-5647**

www.cityofsuttercreek.org

RECEIVED: \_\_\_\_\_

FEE PAID: \_\_\_\_\_

**Submission Requirements**

- 1- Application\*
  - 2- Insurance Certificate naming the City, it's officers, officials, employees and volunteers as additional insured in the amount of no less than \$1,000,000.00\*
  - 3- Site Plan\*
  - 4- Traffic Control Plan\*
  - 5- Fees (*Refer to current fee schedule. All Fees must be paid at City Hall*)
- \*All documentation must be submitted via the application portal on the City website*

**ENCROACHMENT PERMIT APPLICATION**

**Project Applicant:**

Name: \_\_\_\_\_

Project Address: \_\_\_\_\_

APN: \_\_\_\_\_ Is this located in the Historic District? Yes ☐ No ☐  
*If yes, please see checklist for Design Review.*

**Property Owner:**

Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_

Phone: \_\_\_\_\_  
Email: \_\_\_\_\_  
Zip: \_\_\_\_\_

Is this person the project contact? If not, please specify who the contact person is.

Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_

Email: \_\_\_\_\_

**WORK TO BE PERFORMED BY:** ☐ Own Forces ☐ Contractor

**ESTIMATED START DATE:** \_\_\_\_\_ **ESTIMATED COMPLETION DATE:** \_\_\_\_\_

**EXCAVATION:** \_\_\_\_\_ Max. Depth \_\_\_\_\_ Avg. Depth \_\_\_\_\_ Avg. Width \_\_\_\_\_  
Length \_\_\_\_\_ Surface Type \_\_\_\_\_

**PIPES:** \_\_\_\_\_ Product Type \_\_\_\_\_ Diameter \_\_\_\_\_ Voltage/PSIG \_\_\_\_\_

**Is the County or other public agency involved in the approval of this project?**

**Yes (if "Yes", check type of project AND attach environmental documentation and conditions of approval)**

☐ COMMERCIAL DEVELOPMENT ☐ BUILDING ☐ GRADING ☐ OTHER \_\_\_\_\_  
☐ CATEGORICALLY EXEMPT ☐ NEGATIVE DECLARATION ☐ ENVIRONMENTAL IMPACT REPORT  
☐ OTHER \_\_\_\_\_

**No (if "NO", please check the category below which best describes the project AND answer questions A-K on page 2)**

☐ DRIVEWAY OR ROAD APPROACH, RECONSTRUCTION, MAINTENANCE OR RESURFACING  
☐ PUBLIC UTILITY MODIFICATIONS, EXTENSIONS, HOOKUPS  
☐ FLAGS, SIGNS, BANNERS, DECORATIONS, PARADES AND CELEBRATIONS  
☐ FENCE ☐ MAILBOX ☐ LANDSCAPING  
☐ EROSION CONTROL ☐ OTHER

**Thoroughly describe work to be done within City right of way:** \_\_\_\_\_

**The following questions must be completed.** The answers to these questions will assist City staff in identifying any physical, biological, social or economic resources that may be affected by your proposed project within the City right-of-way and to determine which type of environmental studies may be required to approve your application for an encroachment permit.

It is the applicant's responsibility for the production of all required environmental documentation and supporting studies and in some cases this may be costly and time consuming. If possible, attach photographs of the location of the proposed project. Please answer these questions to the best of your ability. Provide a description of any "YES" answers (type, name, number, etc.)

- A. Will any existing vegetation and/or landscaping within City right-of-way be disturbed?  
\_\_\_\_\_
- B. Are there waterways (e.g. river, creek, pond, natural pool or dry streambed) adjacent to or within the limits of the project or City right-of-way?  
\_\_\_\_\_
- C. Will the proposed project generate construction noise levels greater than 86 dBA (e.g. jack-hammering, pile driving)?  
\_\_\_\_\_
- D. Will the proposed project incorporate land from a public park, recreation area or wildlife refuge open to the public?  
\_\_\_\_\_
- E. Are there any recreational trails or paths within the limits of the proposed project or City right-of-way?  
\_\_\_\_\_
- F. Will the proposed project impact any structures, buildings, or bridges within City right-of-way?  
\_\_\_\_\_
- G. Will the proposed project impact access to any businesses or residences?  
\_\_\_\_\_
- H. Will the proposed project impact any existing public utilities or public services?  
\_\_\_\_\_
- I. Will the proposed project impact existing pedestrian facilities, such as sidewalks, crosswalks or overcrossings?  
\_\_\_\_\_
- J. Will new lighting be constructed within or adjacent to City right-of-way?  
\_\_\_\_\_
- K. Will this project cause a substantial change in the significance of a historical resource or cultural resource? ☐ YES ☐ NO  
(if "YES", provide a description) \_\_\_\_\_
- L. Is this project on an existing City street where the activity involves removal of a scenic resource including a significant tree or stand of trees, a rock outcropping or a historic building? ☐ YES ☐ NO (if "YES", provide a description) \_\_\_\_\_
- M. Is work being done on the applicant's property? ☐ YES ☐ NO (if "YES", attach 3 complete sets of site and grading plans.) \_\_\_\_\_
- N. Will the proposed project require the disturbance of soil? ☐ YES ☐ NO  
If "YES", estimate the area within City right-of-way in square feet AND acres: \_\_\_\_\_ sq.ft. AND \_\_\_\_\_ acres  
estimate the area outside of City right-of-way in square feet AND acres: \_\_\_\_\_ sq.ft. AND \_\_\_\_\_ acres
- O. Will the proposed project require dewatering? ☐ YES ☐ NO  
If "YES", estimate total gallons AND gallons/month. \_\_\_\_\_ (gallons) AND \_\_\_\_\_ (gallons/month)  
SOURCE\*: ☐ STORM WATER ☐ NON-STORM WATER
- P. How will any storm water or ground water be disposed of from within or near the limits of the proposed project?  
☐ Storm Drain System ☐ Combined Sewer / Storm System ☐ Storm Water Retention Basin  
☐ Other (explain): \_\_\_\_\_

**PLEASE READ THE FOLLOWING CLAUSES PRIOR TO SIGNING THIS ENCROACHMENT PERMIT APPLICATION.**

The applicant understands and herein agrees that an encroachment permit can be denied, and/or a bond required for non-payment of prior or present encroachment permit fees. Encroachment Permit fees may still be due when an application is withdrawn or denied, and that a denial may be appealed, in accordance with the City's appeal process. All work shall be done in accordance with the City's rules and regulations subject to inspection and approval.

The applicant, understands and herein agrees to the general provisions, special provisions and conditions of the encroachment permit, and to indemnify and hold harmless the City, its officers, directors, agents, employees and each of them (Indemnitees) from and against any and all claims, demands, causes of action, damages, costs, expenses, actual attorneys' fees, judgments, losses and liabilities of every kind and nature whatsoever (Claims) arising out of or in connection with the issuance and/or use of this encroachment permit and the placement and subsequent operation and maintenance of said encroachment for: 1) bodily injury and/or death to persons including but not limited to the Applicant, the City and its officers, directors, agents and employees, the Indemnities, and the public; and 2) damage to property of anyone. Except as provided by law, the indemnification provisions stated above shall apply regardless of the existence or degree of fault of Indemnities. The Applicant, however, shall not be obligated to indemnify Indemnities for Claims arising from the sole negligence and willful misconduct of City, its officers, directors, agents or employees. An encroachment permit is not a property right and does not transfer with the property to a new owner.

**COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA) OF 1990:** All work within City right-of-way shall be conducted in compliance with all applicable Federal, State and Local Access laws, regulations and guidelines including but not limited to the Americans with Disabilities Act Accessibility Guidelines (ADAAG), the Public Rights-of-Way Guidelines (PROWG), and the current Improvement Standards.

**DISCHARGES OF STORM WATER AND NON-STORM WATER:** All work within City right-of-way shall be conducted in compliance with all applicable requirements of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Department, to govern the discharge of storm water and non-storm water from its properties. Work shall also be in compliance with all other applicable Federal, State and Local laws and regulations, and with City's Encroachment permit requirements and City Standards. Compliance with the City's NPDES permit requires amongst other things, the preparation and submission of a Storm Water Pollution Protection Plan (SWPPP), or a Water Pollution Control Program (WPCP), and the approval of same by the appropriate reviewing authority prior to the start of any work.

**APPLICANT CERTIFICATION, SIGNATURE(S), AND AGREEMENT TO PAY APPLICATION PROCESSING COSTS.**

I hereby certify that the statements furnished herein and on any attached pages present the data required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

I hereby certify that I own or am the authorized representative of the owner of the land hereby requesting Encroachment Permit approval and that I am aware of and do agree to pay the hourly rates as established by resolution of the City of Sutter Creek for the time spent by the City staff as necessary to process, review and provide consultation to the City concerning this application. I am also aware that said hourly charges are in addition to set fees required for preliminary review and administration and may also include charges to monitor compliance with conditions of approval if my request is approved.

SIGNATURE OF APPLICANT OR AUTHORIZED AGENT	PRINT OR TYPE NAME	TITLE	DATE