



Public Works Department  
**CLIENT ASSISTANCE MEMO**

## **Encroachment Permit-General**

Encroachment Permits are required for any work and/or signage that will be taking place within the City Right-of-Way. See page two of this document for further definitions and requirements per the City of Gig Harbor Municipal Code, Chapter 12.02.010.

### **Submittal Requirements**

The following must be submitted as a packet for **each** Encroachment Permit Application:

- Encroachment Permit Application
- Encroachment Permit Fee- \$250.00 for Full Encroachment Permit or \$50.00 for Temporary Encroachment Permit.
- Certificate of Insurance with the City of Gig Harbor named as additionally insured.
- Traffic Control Plan- Approved by Traffic Control Lead or Traffic Engineer. WSDOT standard plans can be used as a *starting point*, but must be signed by TCS or Traffic Engineer prior to submittal.
- Performance Bond equaling 150% cost of work in the Right-of-Way OR \$5,000.00, whichever is greater. Performance Bond must be on City of Gig Harbor Performance Bond Form. *No other form will be accepted.* A Cash-Set Aside Bond is also an option.
- Site plan, showing where work shall take place in the Right-of-Way.
- Any additional information and/or schematics as deemed necessary by the City of Gig Harbor staff, i.e. curb ramp details, pave back details, etc.

### **Approval of Permit**

The Director of Public Works or designee shall issue the approved Encroachment Permit upon review of the application materials listed above, and will then provide a copy to the applicant. If the application does not satisfy all of the above criteria, the Director of Public Works or designee shall deny the application. An Encroachment Permit may be conditioned to the extent necessary to address any engineering, public health, safety, or welfare concerns, and as allowed by applicable law.

### **Appeals**

Appeals of an Encroachment Permit shall be filed and processed as described in Chapter 12.02.060 of the Gig Harbor Municipal Code.

### **Start-up and Closeout Procedures**

To schedule a Pre-Construction meeting with a City Inspector, please call 253-851-6170 at least 48 hours prior to scheduled start of work and ask for the Inspection Line. Leave a message and the Inspector assigned to the Permit will call to schedule a time for the Pre-Construction meeting. It is at this time that any specific conditions issued with the permit can be discussed in greater detail. Any materials that will be permanently incorporated into the Right-of-Way will also need to be submitted to the City Inspector prior to use. Deviations may result in rejection of the work.

**IMPORTANT\*\*\***Please use this same process in closing out the Encroachment Permit once work has been completed. The Performance Bond will not be released until the permitted work has been physically inspected and closed out by the City Inspector.

For additional questions and information, please call Maree' George, Public Works Assistant, at 253-853-7553 or email: [georgem@cityofgigharbor.net](mailto:georgem@cityofgigharbor.net).



## **Encroachment Permit-General**

### **Gig Harbor Municipal Code, Chapter 12.02.010, Encroachment Permits**

Before any person, firm or corporation shall commence or permit any other person, firm or corporation to commence any work to grade, pave, level, alter, construct, repair, remove, excavate or place any pavement, sidewalk, crosswalk, curb, driveway, gutter, drain, sewer, water, conduit, tank, vault, street banner or any other structure, utility or improvement located over, under or upon any public right-of-way or easement in the city of Gig Harbor, or place any structure, building, barricade, material, earth, gravel, rock, debris or any other material or thing tending to obstruct, damage, disturb, occupy, or interfere with the free use thereof or any improvement situated therein, or cause a dangerous condition, an encroachment permit shall be obtained. A separate permit shall be obtained for each separate project.

All permits shall be issued by the director of public works, or the director's designee. The permit is not subject to the requirements in GHMC Title [19](#), and may be issued to the applicant if all requirements deemed relevant by the director of public works are met. Requirements shall include, but are not limited, to the following:

- A.** The proposed use will not protrude into or over any portion of a public right-of-way or public place open to vehicle or pedestrian travel in such a manner as to create a likelihood of endangering the use of such public place by vehicle or pedestrian traffic.
- B.** The proposed use will not protrude into or over any public utility lines including water, sewer, storm drainage, cable, gas, power, or will not block access to the utility lines.
- C.** The requested use must meet all other applicable requirements of this code, including, but not limited to, the underlying zoning regulations applicable to the adjacent property upon which the use will be conducted, constructed or maintained.
- D.** The applicant shall be required to indemnify and hold the city harmless from any and all claims for bodily injury or property damage that may arise out of or in connection with the applicant's permitted use.
- E.** During all periods of use for encroachment permits, the applicant shall maintain public liability and property damage insurance acceptable to the city and/or other insurance necessary to protect the public and the city on premises to be used.
- F.** Such other conditions as may be imposed by the director of public works to reasonably assure that the requested use does not in any way create a likelihood of endangering those who are lawfully using the public right-of-way or public place.
- G.** All conditions shall be subscribed on or attached to the permit.
- H.** Applicant shall consent that in the event the city is required to take enforcement actions to enforce the terms and conditions of the permit, that the city shall be entitled to recover its costs, disbursements, and expenses including its attorneys' fees, which sums may be filed as a lien against applicant's premises and enforceable in the manner provided for the enforcement of mortgages on real property. (Ord. 836 § 3, 2000; Ord. 685 § 2, 1994; Ord. 653 § 1, 1993).