

ENCROACHMENT PERMIT APPLICATION REQUIREMENTS

Please provide your email address.

Authority: Oakland Municipal Code Chapter 12.08.080

1. **Letter** from the property owner requesting the encroachment detailing scope of encroachment. Identify owner, agent and provide contact phone number and email. If application is a requirement of a tentative map, provide copy of Zoning Conditions of Approval letter. If related to any other application, please reference that application. The letter is to be addressed to the Director, Public Works Department, 250 Frank H. Ogawa Plaza, Suite 4344, Oakland, California 94612.
2. **Legible, detailed site plan** on 8½" x 11" (max: 11"x17") sheet that clearly delineates the proposed encroachments with dimensions, elevations, north arrow, street name, right-of-way and sidewalk widths, building addresses, existing features including property lines, face of curb, sidewalks, edge of pavement, face of adjacent building, and existing sidewalk obstructions such as joint poles, utility boxes, hydrants, parking meters, signage etc. Samples on reverse.
3. **Non-refundable fees***:

Single family dwelling or duplex ENMI	2,124.03	
Other occupancy types ENMI	2,124.03	
Major encroachment permit ENMJ	5,794.88	City Council action required
Legalize existing encroachment or legalize illegal encroachment	3,724.79	
Amend or rescind existing encroachment	1,324.22	
Bicycle Parking Rack	165.25	

4. **Certificate of Insurance** that complies with the City's standard insurance requirement. Minimum acceptable is to include City of Oakland as "additionally insured" or "other interest(s)". See below for insurance policy liability minimum requirements. Policy is issued to property owner only, not tenant, lessee or contractor.
5. **Copy of the most current, legible, recorded Grant Deed with legal description.**

NOTE: A legal, binding indenture agreement will be created. It needs to be signed properly, notarized and returned to the City before any work related to the encroachment may be started. The document will be recorded with the County of Alameda. Notary must comply with conditions in the current State of California Notary Public Handbook. Noncompliant documents will be rejected and will need to be re-signed and notarized properly.

Standard Insurance Requirements for Encroachment Permits

The permittee/property owner shall maintain fully in force and effect at all times that the encroachment occupies the public right-of-way good and sufficient public liability insurance in a face amount not less than \$300,000.00 for each occurrence, and property damage insurance in a face amount not less than \$50,000.00 for each occurrence, both including contractual liability, insuring the City of Oakland, its officers, agents, employees, and volunteers against any and all claims arising out of the existence of the encroachment in the public right-of-way, as respects liabilities assume under this permit, and that a certificate of such insurance and subsequent notices of the renewal thereof, shall be filed with the City Engineer of the City of Oakland, and that such certificate shall state that the insurance coverage shall not be canceled or be permitted to lapse without thirty calendar (30) days written notice to the City Engineer. The permittee/property owner also agrees that the City of Oakland may review the type and amount of insurance required of the permittee/property owner annually and may require the permittee/property owner to increase the amount of and/or change the type of insurance coverage required.

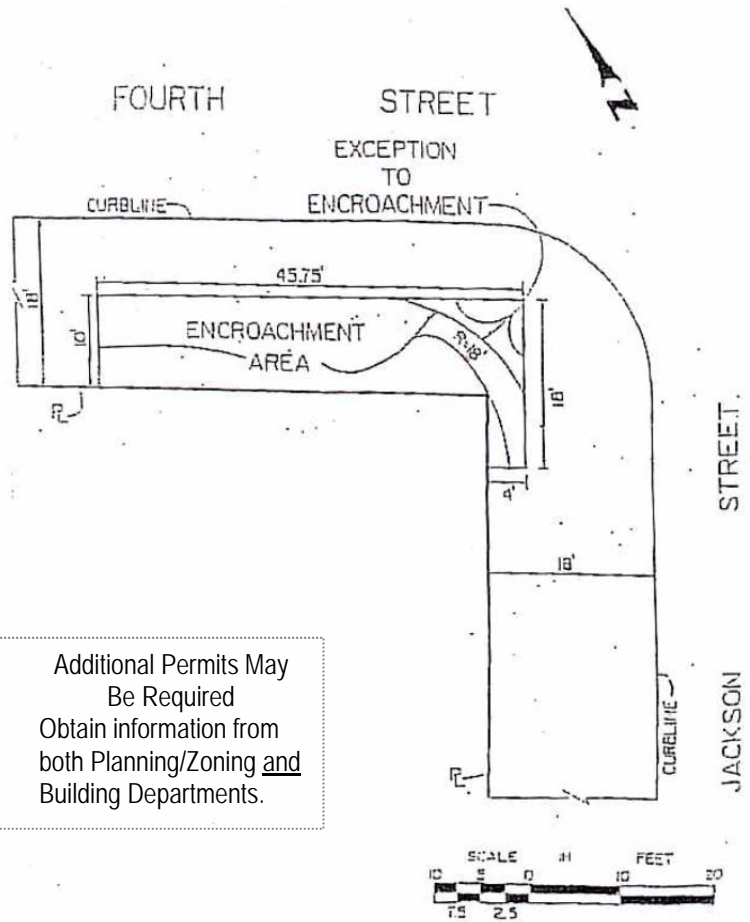
The foregoing endorsements and the following endorsement must be specified in the certificate of insurance:

"Notwithstanding any other provision in this policy, the insurance afforded hereunder to the City of Oakland shall be primary as to any other insurance or reinsurance covering or available to the City of Oakland, and such other insurance or reinsurance shall not be required to contribute to any liability of loss until and unless the appropriate limit of liability afforded hereunder is exhausted."

Important information on reverse...

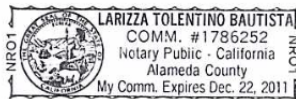
Important Information

- Encroachment -- any object or structure placed either in, under, or over any City street or any other public property in which the City has an easement or other interest.
- Permit is discretionary and encroachment may not be allowed.
- Agreement is always only between property owner and City of Oakland, not business owner or lessee.
- No above-ground structure is allowed within five feet (5') of edge of pavement on unimproved streets (17.124.030).
- Insurance policy holder is always only property owner; not agent, contractor or consultant.
- Agreement must be notarized exactly as name(s) appear on the deed. For example, John Fredrick Smith should not be notarized as Johnny Smith.
- Encroachment permits will not be granted to allow private use of the Public Right-of-Way.
- Ensure notary stamp is clear and legible. Smudged, illegible documents will be rejected.
- Sidewalk café: Allow 5.5' clear space around any/all structures for pedestrian access.

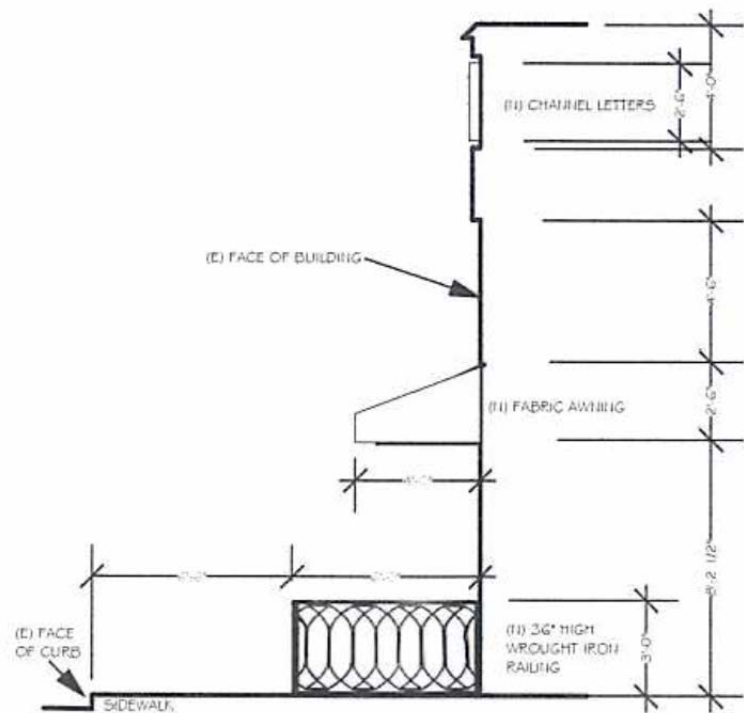


Additional Permits May Be Required
Obtain information from both Planning/Zoning and Building Departments.

Correct Notary



Incorrect



SECTION