

RIGHT-OF-WAY ENCROACHMENT  
PERMIT PROVISIONS

- Approval of this permit requires a set of plans/drawings for proposed work and will expire in ninety (90) days.
- Approved permit shall always be available on the construction site (paper or electronic).
- Prior to starting work, applicant must submit current photos/video with timestamp of the entire work area. Photos/video will be used by the City to review work area upon project completion.
- The provisions of this permit are regulatory and not contractual. No interest or right of an applicant granted by this permit may be transferred to another except by written consent of the City of Alpharetta.
- This permit may be revoked at the discretion of the City of Alpharetta upon notice to the permittee.
- Utility facilities covered hereby shall be installed in accordance with plans/drawings attached hereto and made a part hereof.
- The applicant agrees to comply with and be bound to all applicable governmental codes and regulations, all City of Alpharetta standard details are made a part hereof by reference, and all provisions shown hereon, on the reverse hereof, or attached hereto, during the installation, operation and maintenance of said utility facilities within the public right-of-way.
- Precautions must be taken to protect trees within and/or adjacent to the city right-of-way. Contractor shall provide a map of the work area that identifies any areas where utility work will take place within the drip line of trees. Drip line is defined by the outer edge of a tree's canopy. In areas where utility work will take place within the drip line of trees, the contractor must indicate what utility construction techniques (boring, trenching, etc.) will be used and what methods will be employed to minimize impacts to roots within the drip line area. Contractor shall also take into consideration the structural root plate (SRP) within the drip line of the tree. A tree's SRP is made up of the larger diameter roots that hold the tree up. **Trenching or pit excavation is PROHIBITED within the SRP of any tree** because doing so may make the tree unstable and at risk of falling. Failure to comply with these provisions may result in stop work orders.
- Roadway bores shall maintain a MINIMUM depth of 4 feet. Any exceptions shall be approved by Randy Hyde, Engineering Technician at 678-297-6240.
- No pavement shall be cut without prior approval from the Public Works Dept. Where pavement cuts are approved, contractor shall be responsible for complying with the City of Alpharetta Standard Detail 401 - Utility Cut / Structure Adjustment. Contact Public Works at 678-297-6200 a minimum of 72 hours prior to any paving or striping (temporary or permanent) of public streets.
- Prior to locate markings being placed on decorative hardscapes such as brick, granite, and planting materials, contact Randy Hyde, Engineering Technician at 678-297-6240 for alternative marking methods.
- Sidewalks are not to be closed unless a temporary sidewalk is installed or delineated.
- All police traffic control - Contact Capt. James Simpson at 678-297-6330 a minimum of 72 hours prior to any traffic control needs. All police positions must be filled by Alpharetta police officers only.
- The applicant shall be responsible for all utility relocations and damages resulting from this project including, but not limited to sidewalks, traffic signal systems, sod and other landscape improvements. Disturbed areas must be restored to their original condition within five business days.
- Wireless telecommunication facilities in right-of-way shall go through the Community Development Department.
- No lane closures are permitted before 9AM or after 4PM. Traffic control plan required if in roadway. Work near a school may have modified work schedule.
- During the initial installation or construction of facilities authorized by this permit, or during any future repair removal or relocation thereof or any miscellaneous operations, the permittee shall at all times, maintain traffic control with flagmen, signs, lights, flares, barricades, and other safety devices in accordance with the Federal Highway Administration's Manual of Uniform Traffic Control Devices and as may be necessary to properly protect traffic upon the highway and to warn and safeguard the public against injury or damage.

- It is the applicant's responsibility to verify the limits of public right-of-way, show accurate measurements/distances, and obtain any required construction easement for location of the utility facilities authorized herein.
- No inherent or retained right or privilege of any abutting property owner is affected by this permit nor is the City of Alpharetta responsible for any claim which may develop between the permittee and any property owner concerning the installation of the utility. Permittee is responsible for maintaining access to private driveways during installation of the utility and for restoration of driveways and adjacent landscape to the conditions prior to construction.
- Approval of this permit does not constitute approval of design or construction details for the proposed utility facilities.
- Applicant shall be responsible for obtaining approvals for the proposed installation that may be required by any state or federal governments on roads under their jurisdiction. The applicant shall be responsible for identifying, relocating, adjusting, or repairing damaged public or private owned utilities that are the result or in conflict with construction of this project. The applicant must notify the utility owner of any damage resulting from construction of this project.
- The applicant shall be responsible for all infrastructure relocations, modifications and/or damages such as, but not limited to, utility relocation, utility damage, and all roadway sub-base, sub-grade, and pavement structure damage. **Impacted areas due to construction must be restored back to original conditions.**
- It is expressly stipulated that this permit is a license for permissive use only and the location of utility facilities upon public property pursuant to this permit shall not operate to create or vest any property right in the holder.
- Whenever necessary for construction, repair, improvement, maintenance, safe and effective operation, alteration or relocation of all or any portion of the highway, as determined by the Department of Public Works, any or all of said facilities and appurtenances authorized hereunder shall be immediately removed from the right-of-way, or reset or relocated thereon, as required by the Director of Public Works, and at the sole expense of the permittee. Should the permittee fail to remove or relocate its facilities, upon due notice from the City of Alpharetta, permittee shall be liable for any costs or damages incurred by the City as a result thereof.
- Applicant agrees to indemnify and hold harmless the City of Alpharetta, and all officers, employees or agents of the City of Alpharetta against any and all claims, damages, demands, actions, causes of action, costs and expenses of whatsoever nature, which may result from any injury to, or the death of, any persons or from the loss of, or damage to, property of any kind of nature, when such injury, death, loss or damage arises out of the construction, operation, maintenance, repair, removal or relocation of the facilities covered by this permit.
- The City of Alpharetta Department of Public Works, its engineers, officers, or employees shall not be held responsible or liable for injury or damage that may occur to facilities covered by this permit or to any connection or connections thereto, by reason of highway maintenance and construction activities or highway contractor or permittee operations. The Department's contractor shall not be held liable for any damage that may occur to utility facilities if the permittee has been notified of a construction conflict and given reasonable time to mark or relocate its facilities but has failed to do so.