



John W. Hickenlooper
Mayor

CITY AND COUNTY OF DENVER

DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION

Development Engineering Services
Public Works Plans Review Services
201 W. Colfax Avenue, Room 2.H.10, Dept. 202
Denver, CO 80202
720-865-2782 Fax: 720-865-3281
www.denvergov.org/pwprs

Land Use Permit: Type "A" Entrance Requirements

Authority:	Revised Municipal Code, Chapter 49, Article XIII
Purpose of Permit:	A Type "A" permit allows the encroachment of an item or items in the public right-of-way.
Document Date:	December 30, 2003; Version 1.2
Permit Type:	Type A and Temporary A
Customer Interface:	Most communication with the City will be done through Public Works Plans Review Services (PWPRS), 201 W. Colfax Ave., Dept. 202, Denver, CO 80202.
Permit Definition:	Type A Land Use Permit - allows a property owner to install a significant item or items into public right-of-way (ROW). A significant item is one which by size or construction methods could NOT be removed easily from the right-of-way in a short period of time. Examples of significant items are vaults in the ground, balconies, pipelines under City streets, building foundations, etc. A Type "A" Permit is the "permit process" used by PWPRS on behalf of the Manager of Public Works to allow an encroachment into right-of-way by an "Ordinance" enacted through the City Council. The "Ordinance" which allows the encroachment is binding upon the land and becomes part of the title work for the property which required the encroachment. The sale of the property to another will not repeal the "Ordinance" nor void the commitment of the new owner. In cases in which the encroachment is no longer needed, the City Council passes a "new" Ordinance to revoke the original Ordinance which granted the encroachment in the first place.
Permit Dates:	Permits are renewed annually through the Department of Public Works, Finance and Administration by the permittee providing the associated annual fee. The initial permit commences on the date the Property Owner executes the permit.
Reviewing Agencies, Departments & Companies:	<ul style="list-style-type: none"> ➤ Asset Management ➤ Colorado Department of Transportation (CDOT) <i>(If encroachment impacts State Highways)</i> ➤ Comcast Cable ➤ Commission for People with Disabilities (ADA) ➤ Community Planning and Development: Building Inspection Division ➤ Community Planning and Development: Planning Division ➤ Community Planning and Development: Zoning Division ➤ Council District for encroachment location ➤ Denver Water Department ➤ Emergency Management ➤ Fire Department (if involving balconies and/or fire escapes in an alley) ➤ Metro Wastewater Reclamation District ➤ Office of Telecommunications ➤ Parks and Recreation Department ➤ Public Works: City Engineer ➤ Public Works: Development Engineering Services: Area Engineer ➤ Public Works: Development Engineering Services: City Surveyor ➤ Public Works: Development Engineering Services: Construction Engineering ➤ Public Works: Infrastructure Engineering ➤ Public Works: Street Maintenance ➤ Qwest Communications ➤ Regional Transportation District (RTD) ➤ Xcel Energy

Insurance:	Insurance will be a required condition for this permit. The insurance names the City and County of Denver as an Additional Insured. The insurance policy shall name the Manager of Public Works with minimum limits of coverage of \$250,000/\$500,000 for bodily injury and \$10,000 for property damage, naming the location of the encroachment on public property for which permit is issued (or physical address). If the insurance is not maintained, the authorization herein conferred shall be terminated immediately, and the aforesaid encroachment(s) shall forthwith be removed.
Considerations:	<ul style="list-style-type: none"> ➤ A minimum of eight (8) weeks is required for completion of the process from the initial request to the Ordinance acceptance if submitted electronically; applicants should anticipate a longer review interval if not submitted electronically. Applicants should anticipate longer intervals if any objections (denials and/or conditions) are stated during the agency circulation process. ➤ Pursuant to Chapter 49 of the Denver Revised Municipal Code, Section 49-357 and/or Section 49-463, Permittee must maintain insurance in force consistent with the requirements of the code for the term of this Permit. ➤ The encroachment area must be able to sustain HS-20 loading, the Colorado Highway Standard for weight loads. All required replacement of damaged existing right-of-way improvements will be in accordance with current City codes and standards. ➤ Permittee shall assume full responsibility for any and all damages incurred to Denver Water Department facilities due to activities authorized by the permit. The Denver Water Department, at the sole expense of the Permittee, shall make any and all replacement or repair of Denver Water Department facilities attributed to the permit. In the event Permittee's facilities are damaged or destroyed due to the Denver Water Department's repair, replacement and/or operation of its facilities, repairs will be made by the Permittee at its sole expense. ➤ This is a revocable permit and may be revoked without cause at the discretion of the Manager of Public Works. The Permittee shall fully comply with the provisions of Article IV (Prohibition of Discrimination in Employment, Housing and Commercial Space, Public Accommodations, Educational Institutions and Health and Welfare Services) of Chapter 28 (Human Rights) of the Revised Municipal Code of the City and County of Denver. The failure or refusal to comply with any provision of this Ordinance shall be a basis for revocation of this permit. ➤ Any associated costs for the removal, relocation, replacement or rearrangement of utility company facilities shall be borne by the Permittee. Existing telephone facilities shall not be utilized, obstructed or disturbed. ➤ Costs and other permits, which are necessary for the installation and construction of items of encroachment being permitted, will be the responsibility of the Permittee. A Building Permit from Community Planning & Development <i>may</i> be necessary prior to commencing any work. ➤ If needed, a Street Occupancy Permit will be required prior to construction. Contact DES, Public Works Permit Operations (PWPO) at 303-446-3759 for more information, or access the PWPO web site at www.denvergov.org/PWPermits. ➤ A minimum of five-foot clear sidewalk width and a vertical clearance of eight-feet must be maintained in most residential areas. Most commercial areas require a minimum of eight-foot clear sidewalk width. Encroachments shall be constructed in a manner consistent with minimum pedestrian and vehicle visibility safeguards. Minimum clear walkway areas and safeguards will be as specified by Development Engineering Services. ➤ For underground facilities, according to Colorado State Law (Article 1.5, Title 9, Colorado Revised Statutes), due to the ownership and/or operation of this underground facility, it is the Permittee's responsibility to join the Statewide Notification Association of Owners and Operators of Underground Facilities. Please contact the Utility Notification Center of Colorado, 12600 W. Colfax Avenue, Suite B-310, Lakewood, CO 80215 303-232-1991 for detailed information regarding membership. ➤ Drawings of the encroachment(s) may require a civil engineering review and/or structural review. Drawings must be prepared and stamped by a Professional Engineer registered in the State of Colorado. Structural drawing must show all structural details and design loads and must be prepared and stamped by a Professional Engineer licensed in the State of Colorado. ➤ The parcel legal description and exhibit should conform to the standard set by

	<p>the DES Surveying Web page. Review these standards and refer any questions to DES Surveying.</p>
Cancellation:	<p>If the current or any future Property Owner desires to cancel the Ordinance and remove the encroachment, a separate letter asking for revocation must be submitted along with the current revocation fees. A site inspection will be performed to verify the encroachment(s) have been removed. A review by any applicable City of Denver agency or outside company (i.e. utility companies) may also be performed.</p>
Application:	<ul style="list-style-type: none"> ➤ The Property Owner and or Agent for the Owner must submit an application letter requesting a Type "A" Land Use Permit to: <ul style="list-style-type: none"> Public Works Plans Review Services 201 W Colfax Ave, Room 2.H.10, Dept 202 Denver CO 80202-5329 <p>It is preferred that all application materials be sent electronically to Denver.Row@ci.denver.co.us. The following electronic formats are supported: .doc, .tif, .jpg, .pgf.</p> <ul style="list-style-type: none"> ➤ The Application Letter must include the following information: <ul style="list-style-type: none"> ➤ An itemized list of each item to be covered in the Permit. ➤ An explanation of why the public right-of-way must be utilized to accomplish the proposed project. ➤ The Initial Processing Fee as detailed in the Fees section of this document. ➤ A dimensioned site plan including height, width, length of each item with ties to the building lines, the property line(s) and/or curb flow lines, including vertical clearances if appropriate. This site plan should be as detailed as possible. ➤ The <i>Property Owner and Agent</i> for the property. Include name, address, telephone number, fax number, and e-mail address.
Approval Process:	<ul style="list-style-type: none"> ➤ PWPRS will distribute the review documents to all the necessary reviewing entities. ➤ Upon review of the documents from all reviewers, PWPRS will send to the Property Owner/Agent, a Status Report listing any objections (denials or conditions) that must be addressed: <ul style="list-style-type: none"> ➤ Owner/Agent is responsible to remedy any and all objections from the commenting reviewers <i>before</i> the request is processed further. ➤ Once all objections have been resolved, the Owner/Agent shall provide to PWPRS two (2) original sets of the Legal Descriptions prepared by a Land Surveyor licensed to practice in the State of Colorado. A set consists of the written description and an exhibit of the encroachment area. A Legal Review Fee, as detailed in the Fees section of this document, must be included with the submittal. ➤ After the Legal Description has been reviewed and found to be correct, the Owner/Agent shall submit an Ordinance Fee, as detailed in the Fees section of this document. ➤ The Legal Review Fee and the Ordinance Fee must be paid by the Owner/Agent prior to submission to City Council as detailed in the Fees section of this document. ➤ PWPRS will then prepare the <i>Request for Ordinance</i> documents in coordination with the City Attorney's Office. These documents will be used to prepare a Council Bill and will be presented at Mayor-Council, followed by two separate readings at City Council. This portion of the process will require at least three weeks. ➤ The Friday following the second City Council reading, the City will publish the official "Ordinance" in the Denver Business Journal if passed by City Council. ➤ PWPRS will contact the Owner/Agent in writing after publication, providing a formal Acceptance Letter of the Ordinance which must be signed by the Owner and returned with the Documentation Fee, as detailed in the Fees section of this document. PWPRS will take the signed Acceptance Letter to the Clerk and Records Office for recording.
Temporary "A" Revocable Permit	<ul style="list-style-type: none"> ➤ If time is of the essence, a Temporary "A" Revocable Permit, valid for one year from the date of issuance, may be requested. Before such a request will be honored, the following must happen:

	<ul style="list-style-type: none"> ➤ Remove all denials and understand and abide by all conditions. ➤ Write a letter of application requesting a temporary permit. ➤ Provide the Temporary "A" Permit fee as detailed in the Fees section of this document.
Fees:	<p>\$ 1,500.00 Initial Processing Fee (non-refundable)</p> <p>\$ 300.00 Legal Review Fee (non-refundable)</p> <p>\$ 300.00 Ordinance Fee (non-refundable)</p> <p>\$ 20.00 Documentation Fee (non-refundable)</p> <p>\$ 200.00 2003 Annual Fee</p> <p>\$ 600.00 Request to cancel the Ordinance once passed by City Council.</p> <p>\$ 200.00 Temporary "A" Permit</p> <ul style="list-style-type: none"> ➤ Checks or Money Orders must be made payable to <i>Manager of Revenue</i>. ➤ Fees are subject to change and are available on our website, www.denvergov.org/PWPRS.
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