

# PUBLIC WORKS

# RULES & REGULATIONS

OF THE MANAGER OF THE DEPARTMENT OF PUBLIC WORKS, CITY & COUNTY OF DENVER

## PERTAINING TO THE ISSUANCE OF PERMITS BY THE CITY TRAFFIC ENGINEER

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Approved as to form:

  
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Approved & Adopted

  
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Manager of Public Works

September 12, 2007  
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Effective Date

Adopted Pursuant to Article II of the Charter of the City & County of Denver and Section 2-91 et seq. of the Revised Municipal Code

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**RULES AND REGULATIONS PERTAINING TO THE  
ISSUANCE OF PERMITS BY THE CITY TRAFFIC ENGINEER**

**I. DEFINITIONS**

**Truck** - A truck shall be defined as any motor vehicle, which is used for the transportation or delivery of goods with a body built and designed for that purpose. Section 54-1(76) R.M.C.

**Sidewalk Area** - That portion of a street between the curb lines or the lateral lines of a roadway, and the lateral property lines intended for the use of pedestrians. Section 54-1(64) R.M.C.

**Sidewalk** - That portion of the sidewalk area which is paved. Section 54-1(63) R.M.C.

**Street or Highway** - The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purpose of vehicular travel, or the entire width of every way declared to be a public highway by any law of this state. Section 54-1(68) R.M.C.

**Lane** - The portion of a roadway for the movement of a single line of vehicles. Section 54-1(26)R.M.C.

**Intersection Location** - Includes that portion of a sidewalk area that is situated no more than 30 feet from the point of tangency of the corner radius of an intersection.

**Other Locations** - Includes that portion of a sidewalk area that is situated 30 feet or more from the point of tangency of the corner radius of an intersection.

**Central Business District (CBD)** – The boundaries outlining the area are I-25, Speer Boulevard, 13<sup>th</sup> Avenue, Lincoln Street, 20<sup>th</sup>, Broadway, Park Avenue West.

**Cherry Creek Area (CCA)** - The boundaries outlining the area are University Boulevard to the west, 1<sup>st</sup> Avenue to the south, Adams Street to the east and 3<sup>rd</sup> Avenue to the north

**Premium Meter Area** – Area 1 boundaries are I-25 to the west, 6<sup>th</sup> Avenue to the south, Clarkson Street to the east and Park Avenue West to the north. Area 2 boundaries are University Boulevard to the west, 1<sup>st</sup> Avenue to the south, Adams Street to the east and 3<sup>rd</sup> Avenue to the north.

**Charitable Organization** – Includes charitable organizations, corporations and other entities meeting the requirements set out in Internal Revenue Code, Section 501C, Colorado Revised Statutes, Section 39-26-102 (2.5) or Denver Revised Municipal Code, Section 53-24(1).

## II. AUTHORITY

1. The City Traffic Engineer shall exercise the powers granted in this chapter, consistent with the charter relating to the Manager of Public Works. Section 54-41 R.M.C.
2. Any vehicle or equipment may occupy any street or alley when engaged in providing required services in said street or alley, or to adjacent property, providing said vehicle or equipment is properly authorized. Vehicles or equipment which occupy the traveled lanes, sidewalk, sidewalk area or in any way interfere with the movement of traffic on the traveled lanes of any local, arterial, or collector street must have a written Street Occupancy Permit (SOP) from the City Traffic Engineer or designee, except for those operating under the following conditions:
  - A. Those operating under an excavation permit issued by the manager;
  - B. Those operating under an emergency service truck permit issued by the city traffic engineer;
  - C. Those owned or operated by the city or the Colorado Department of Highways;
  - D. Those operating under a contract to the city or to the state department of highways.Section 54-652 R.M.C.
3. A SOP issued under this subsection is valid only according to the conditions and limitations described on said permit and any violations of such conditions and limitations is a violation of these rules and regulations and Section 54-652(b) R.M.C. If the right-of-way is occupied illegally the City Traffic Engineer or designee and/or the Denver Police Department have the authority to order the immediate removal of all encumbrances from the right-of-way.
4. Emergency Service Trucks may use and occupy any street or alley while actually engaged in providing emergency maintenance service for owned facilities in the public right-of-way. Emergency maintenance service is defined as service of such a necessity that undue hardship or hazard could occur if immediate services were not provided. The City Traffic Engineer or designee may issue an annual permit for emergency service authority if the possibility of hardship or hazard can be demonstrated to his/her satisfaction. Emergency service trucks may not park at any one location in violation of parking regulations longer than four (4) hours without obtaining an SOP from the City Traffic Engineer. While occupying a street or alley in an emergency, the SOP must be displayed, proper traffic control must be set up and the City Traffic Engineer or designee notified. Section 54-654 R.M.C. (in part).
5. The City Traffic Engineer is authorized to permit the movement of vehicles; loads or vehicle and loads combined which exceed the maximum height, width, or

length specified in Article XIII, Chapter 54 R.M.C. Such movements shall hereinafter be termed "oversize moves".

6. The City Traffic Engineer is authorized to issue annual oversize moving permits for vehicles, loads, or equipment, which exceeds the maximum height, width, or length, specified in Section 54-724 R.M.C. However no permit shall be issued for a vehicle exceeding sixteen (16) feet in height, seventeen (17) feet in width, or one hundred-thirty (130) feet in length. The City Traffic Engineer may place restrictions on any permit to protect safety and property or to eliminate undue interference with efficient traffic operation.

### **III. PERMIT ISSUANCE**

1. The Engineering Division under the authority of the City Traffic Engineer or designee is solely responsible for the issuance of all permits for the occupancy of the public right-of-way and collection of all appropriate fees.
2. Any person/s who wish to occupy any area on the public right-of-way shall apply to the Engineering Division, Public Works Permit Operation and / or Construction Engineering to obtain a SOP which will be issued only after all concerned parties have met with the City Traffic Engineer or designee and all conditions for permit issuance have been agreed to by the applicant. Any request for an SOP shall contain all information regarding hours, days, project length, permit duration, and any other special conditions as required and shall be submitted with a traffic control plan clearly showing the existing conditions including but not limited to the following: curbs, sidewalks, street lights, signal poles, signs, parking meters and current pavement markings. The traffic control plan shall also contain all proposed signs, barricades, construction fences, walkways parking meter removal / bagging, and all signal relocation. Traffic control plans submitted for occupancy of collector or arterial streets or any occupancy of the Downtown Business District must be prepared by a Certified Traffic Control Supervisor or Licensed Professional Engineer.

The Engineering Division shall approve the location of all signs, signal poles, street lights, pavement markings, and barricades required to warn and re-route pedestrian and vehicular traffic around construction sites. All permit requests shall be made in accordance with the following criteria:

- Requests for an SOP that is not listed below must be submitted 5 working day prior to requested occupancy date
- Requests for an SOP that involves any type of construction / demolition, which includes street cuts, must be submitted 10 working days prior to requested occupancy date
- Requests for an SOP that involve special events must be submitted 60 working days prior to requested occupancy date.

3. The location of all signs, pavement markings and barricades as specified on the permit will be strictly adhered to at all times by the Permittee. All or part of same shall be removed from the street when not in use or as directed by the City Traffic Engineer or designee. When a lane is being utilized as the permit specifies, all barricades and signage shall be in place. Where the City Traffic Engineer or his designee deems it necessary to modify a permit for the improvement of traffic flow, the Permittee shall comply with the modification.
4. The Permittee shall adhere to all conditions of the permit. The Permittee shall also be responsible for ensuring that all subcontractors adhere to all conditions of the permit.
5. The Permittee shall maintain all areas specified on all permits in a neat and orderly manner.
6. Any violations of permit conditions by the Permittee are cause for the immediate revocation of the permit. The City Traffic Engineer or designee and/or the Denver Police Department have the authority to cancel or revoke any permit without cause.

#### **IV. EXCEPTION TO PERMIT FEES**

1. City sponsored community projects, and charitable organizations, will be required to obtain all necessary permits for special events but may be eligible for a reduction in applicable permit fees. Any charitable organization seeking a permit will be required to provide documentary proof of that organization's tax exempt status at the time of permit application. Documentary proof may include:
  - a current copy of a 501C3 tax exemption form;
  - a current State of Colorado Tax Exemption Certificate; or
  - a current City and County of Denver Tax Exemption LetterIf the presented documentation is approved, a reduction in any applicable permit fees will be granted. All other activities will be required to pay all permit fees.

#### **V. PERMIT FEES**

1. Fees for permits shall be required and administered according to the following schedule. Fees, with the exception of inspection fees, shall be applied daily for each day of use.
2. *Street Occupancy Permit Fees*
  - A. There will be a fee of \$50.00 for the issuance / inspection of any SOP. In addition, a lineal foot charge or square foot charge will be assessed due to public inconvenience according to the following fee schedule (The City Traffic Engineer or designee may modify or waive the fees for use of the public right-of-way):

## Street Occupancy Fee Schedule

### **Residential Fee Schedule:**

#### **\$50.00 issuance and inspection fee**

Sidewalk Closure: \$0.15 lf/day

Alley Closure with access: \$0.15 lf/day

Alley Closure without access: \$0.30 lf/day (entire length of alley)

Street Closure maintaining one lane of access: \$0.15 lf/day

Complete Road Closure (no access): \$0.30 lf/day (entire road length)

### **CBD and CCA Alley and Sidewalk**

#### **Fee Schedule:**

\$50.00 issuance and inspection fee

Alley Closure with access: \$0.25 lf/day

Alley Closure without access: \$0.50 lf/day (entire length of alley)

Sidewalk closure \$0.05 square foot / day minimum 5 foot width

### **Collector and Arterial Lane Closure (Non Rush Hour)**

#### **Fee Schedule:**

\$50.00 issuance and inspection fee

Sidewalk Closure: \$0.25 lf/day

1<sup>st</sup> Lane and Parking Lane Closure: \$0.45 lf/day

2<sup>nd</sup> Lane Closure: \$0.90 lf/day

3<sup>rd</sup> Lane Closure: \$1.80 lf/day

Entire Road Closure: all lane closures fees stated above and \$0.45 lf/day for the entire length of the detour.

### **Collector and Arterial Lane Closure (Rush Hour)**

#### **Fee Schedule:**

\$50.00 issuance and inspection fee

Sidewalk Closure: \$0.25 lf/day

1<sup>st</sup> Lane and Parking Lane Closure: \$0.50 lf/day

2<sup>nd</sup> Lane Closure: \$1.00 lf/day

3<sup>rd</sup> Lane Closure: \$2.00 lf/day

Entire Road Closure: all lane closures fees stated above and \$0.50 lf/day for the entire length of the detour.

### **Non Standard Occupancy Fee's**

- A re-application fee will be issued for any traffic control plan that is denied for accuracy or compliance with the MUTCD: Permit fee + \$100.00.
- Unauthorized sidewalk, street, or alley closure or reinstatement of revoked permit: Permit Fee + up to \$500.00 per day for non-compliance.
- Any permits that have been requested by the applicant to be processed in a non-standard time frame as stated above: Permit fee + \$500.00

- a. The Permittee will be charged the length of a block for a sidewalk closure when 5' unobstructed width can not be maintained. The sidewalk must be closed at each

intersection and pedestrians must be directed to the next accessible cross walk. If a temporary sidewalk can be constructed that complies with current City standards the permittee will be charged 10% of the normal sidewalk closure fee for the length of the property. This does not include CBD or CCA.

- b. When closing a parking lane the permittee is required to place "no parking" signs adjacent to the parking lane, at least 24 hours prior to occupancy to reserve the requested area. This does not include any parking lanes with parking meters (see note 3G).
- c. The City Traffic Engineer or designee may authorize an annual SOP for residential streets if a company can demonstrate that the occupancy of the right-of-way is required due to safety reasons. The contractor must also demonstrate that a typical traffic control plan can be applied to their daily operations. This does not include any SOP that involve street cuts, demolition or construction. A letter must be submitted to Public Works Permit Operation to request the permit. The letter must describe the operation in detail.
- d. When the height of a building, structure, utility, construction equipment or demolition equipment exceeds the horizontal distance from the back of the sidewalk, a covered pedestrian walkway must be constructed or the sidewalk must be closed. To minimize the impact to pedestrians the construction of the covered pedestrian walkway is preferred. The design of the covered pedestrian walkway shall be prepared by a Professional Engineer, registered in the State of Colorado. The design shall be submitted on one or more 8.5-inch by 11-inch drawings in sufficient detail to illustrate all the construction information, including gates, foundations materials, etc. The design must comply with all aspects of AASHTO, the Manual of Uniform Traffic Control Devices and all current City standards. Each drawing shall be stamped and signed by a Professional Engineer. In addition a Professional Engineer shall field inspect the finished covered walkway and shall submit a letter to the area inspector from Construction Engineering within seven days after completion of the covered walkway. Said letter shall include the date of inspection and a statement that to the best of the Professional Engineer's knowledge, the covered walkway has been constructed according to their

design. If the covered walkway is constructed outside of the CBD or CCA the Permittee will be charged 10% of the normal sidewalk closure fee for the length of the property. If it is constructed within the CBD and CCA the Permittee will be charged \$0.05 per square foot for the area that is closed to pedestrians. Permittees may petition the City Traffic Engineer or designee if they wish to pursue different engineering controls.

- e. If the proposed traffic control affects a signalized intersection the permittee will be required to provide a uniform police officer at their own cost.
- f. Containers or dumpsters (dumpsters) may be placed in the right-of-way for a period of not longer than 180 days in a 12 month period. The permit must be obtained by the owner of the dumpster or by the owner's agent. The dumpster must be placed adjacent to the property requesting the permit either in a parking lane or adjacent to the sidewalk area. The dumpster may not block the sidewalk at any time. After final placement, the dumpster must meet the required sight distance criteria as defined in American Association of State Highway and Transportation Officials (AASHTO). The dumpster must have at a minimum 4' of reflective tape on all sides or a lighted barricade placed on each side and two in the middle of the dumpster. If a dumpster is placed in the public right-of-way without a SOP, the owner of the dumpster will be notified and assessed a \$500 non-compliance fee in addition to the normal fees for the permit. If the permit is not obtained within 24 hours of being notified, the dumpster may be removed from the right-of-way by Public Works pursuant to Section 49-246 R.M.C. The owner will be assessed the full permit fee, a \$500 non-compliance fee and all other fees associated with the removal of the dumpster.
- g. All fees for use of the public right-of-way will be assessed for the entire period and collected at time of permit issuance or at a time agreed to by the City Traffic Engineer or Designee.

### 3. *Parking Meter / Kiosk Permits*

#### A. Parking Meter / Kiosk Permit Fees

- a. When a project requires closing a parking space adjacent to a parking meter the cost to bag the meter will be \$25.00 per day per

meter in premium meter areas and \$15.00 per day per meter in all other areas.

- b. If the project is located in an area where Kiosk's are used in place of a parking meter the permittee will be charged \$25.00 per 20' per day of parking lane in premium meter area and \$15.00 per 20' per day in all other areas. The Permittee must place "no parking" signs 24 hours prior to occupancy.
- B. Discounted parking meters may be requested for approved charitable organization events at a cost of \$10.00 per meter. The applicant must fill out a request for discounted meters and provide proof of its tax exempt status in accordance with Section IV, above.
  - C. Parking Meters that are temporarily removed for a project will be charged at the rates specified in section 3A, above, from the time the meter is removed until the meter is re-installed. Meter head removal can only be performed by Right-of-Way Enforcement.
  - D. If a meter is permanently removed for a project and is supported by both Traffic Engineering Services and Development Engineering Services in the form of a Transportation Engineering Plan the permittee will not be assessed any fees for the permanent removal of the meter. The Permittee will be responsible to obtain and pay full price for any meters requiring permits that are not included in the Transportation Engineering plan for the duration of the construction.
  - E. If a parking meter is permanently removed for a project without the support of Traffic Engineering Services and Development Engineering Services the permittee will be assessed a fee of the total yearly meter revenue and citation revenue multiplied by 15.
  - F. A re-application fee of 50% of the total fee up to a maximum of \$100.00 will be issued if a permittee needs to modify an existing permit. This includes but is not limited to change of dates and/or change in meter numbers.
  - G. Permittee must obtain the meter permit if part of a street occupancy permit prior or at the same time as issuance of any street occupancy permit.
  - H. If the permittee requests the support of Right-of-Way Enforcement for meter bag removal outside the normal time frames, the permittee will be charged \$55.00 / hour minimum of 2 hours during the normal work week (M-F 6:30 – 4:30) and a minimum of 4 hours during the weekend or overtime.

#### 4. *Public Parking Permits*

The permit fee for the issuance of any Public Parking Permit will be \$100.00 per space allowed by the permit. In the case of an area not having a definite space, a charge of \$.1.50 per square foot per year will be charged for the total area of usage. There also will be an annual inspection fee of \$15.00 for each permit issued.

5. *Hang Tags*

Application for the following hang tags may be made to the City Traffic Engineer or designee:

- A. Emergency Service Vehicle Hang Tag may be issued pursuant to section 54-654 R.M.C. The permit can only be issued to those who own facilities in the public right-of-way. The fee for the hang tag is \$30.00.
- B. Truck Loading Hang Tag may be issued pursuant to section 54-493 R.M.C. Permittee must provide a copy of the vehicle registration at time of application with a letter on a company letterhead requesting the hang tag. The permit will not be issued to any vehicle registered as a passenger vehicle. The fee for the hang tag is \$100.00 per vehicle.
- C. Special Parking Hang Tag may be issued pursuant to section 54-482 R.M.C. Such a tag may be issued in order to allow and identify an exception to the posted parking signage as noted on the Hang Tag. For example, Special Hang Tags may be issued to override an existing 2 hour parking restriction.
- D. School Parking Hang Tag may be issued to school faculty and volunteers only. Permit is valid for time restricted parking areas only. The hang tag will be valid for a 2 block radius during schools hours and school events only.

**VI. RESPONSIBILITIES OF THE PERMITTEE**

- 1. All barricades and signage as specified on any permit will be the responsibility of the applicant and will be in accordance with the MUTCD as revised by the Colorado Supplement.
- 2. The Permittee is responsible for the removal of all refuse deposited on State Highways, city streets, or the sidewalk prior to reopening for vehicular or pedestrian traffic. The Permittee shall ensure that all areas are returned to the original or better condition prior to construction or closure.
- 3. Nothing in any permit issued by the City Traffic Engineer nor in any statement made by him or personnel of this office, shall relieve the Permittee from liability for all injury or damage to persons and property, nor may such a permit relieve

the Permittee from complying with all other applicable requirements of the Revised Municipal Code, or those of any affected agency. Further, in the event that any claim is made against the City and County of Denver or any department, officer, or employee thereof, through, by reason of, or in connection with any act or omissions of the Permittee, the Permittee shall defend, indemnify, and hold each of them harmless from any claim.

Street occupancy permits will be required on new street sections after initial acceptance and deeding is final.