



CITY OF ANAHEIM ENCROACHMENT LICENSE INFORMATION

This information sheet explains how your application will be processed, what fees you must pay, and what information you must submit. This publication is intended to be an informal means of informing the public about a City process. The sheet is not intended to create any sort of legal obligation on the City's part. The actual process is governed by City ordinances, regulations and procedures, and the reader should make specific inquiry to the City for specific cases.

If you have any questions after you have read this information, please contact the Real Property Division at 714-765-5176.

WHAT IS AN ENCROACHMENT?

The City of Anaheim holds interests in various properties, including rights-of-way and easements granted to the City for among other things, utility, roadway and trail purposes.

Encroachment approval is a process by which private property owners, firms, or corporations want to develop or use any portion of a City Right-of-Way or Easement in a manner other than its intended use. This review process is intended to ensure the health and safety of the public as well as protect against potential damage to the streetscape, trees and vegetation, sidewalks, streets, utilities and other publicly owned amenities. The grant of an encroachment license is a legislative act undertaken in the sole discretion of the City. No notice or hearing is required to consider an application for an Encroachment License.

WHAT IS AN ENCROACHMENT LICENSE?

An Encroachment License is a formal agreement signed between the City and the property owner(s) and recorded with the Orange County Recorder's Office. The intent of the Encroachment License is to formally recognize the encroachment and clearly establish the terms and conditions specific to the encroachment. An Encroachment License does not create or convey any property interest in the City property.

WHEN IS AN ENCROACHMENT LICENSE REQUIRED?

An Encroachment License is required any time property owners, firms, or corporations want to develop or use any portion of a City Right-of-Way or Easement in a manner other than its intended use.

HOW YOUR APPLICATION WILL BE PROCESSED

The steps involved in reviewing your Encroachment License Application are summarized below:

1. Within five days after submittal of the application, information and fee deposit, the Real Property Division will review the submittal for completeness. If the submittal is complete, the application is formally accepted for processing and continues through the review process. If the application submittal is incomplete and additional information or clarification is required, you will be notified in writing. Until the application is deemed complete, it will not proceed through the process.

2. After the application is complete, the Real Property Division will route the plans and materials to City Departments and other agencies for review and comment. At this stage of the review process, the Real Property Division will analyze the agency comments and the project to determine if the findings for approving the encroachment can be made. If additional information is needed, the applicant will be notified in writing within 30 days.
3. If additional information is not needed, the Real Property Division will request the City Attorney's office prepare an Encroachment License. The Real Property Division will then forward three originals to the property owner(s) for signature before a notary public.
4. After the executed originals are received by the Real Property Division, the documents will be routed to the Director of Public Works for final approval and signature. After the Director of Public Works has executed the three originals, the license will be recorded with the Orange County Recorder's Office.
5. Upon receipt of the recorded license, the Real Property Division will forward one original to the applicant and the file will be deemed complete.

FEES

No application for an encroachment license will be accepted unless accompanied by the encroachment application fee. The cost of processing this application is charged according to the hours spent by staff in reviewing and analyzing the project. The total cost varies according to the size of the project and the complexity of the issues involved. An hourly rate will be charged, as opposed to a flat rate, and a Minimum Initial Deposit with the City, the sum specified in the Public Works Fee Schedule for Encroachments, is required.

http://www.anaheim.net/depts_servc/pub_works/dev_svc/fee_sched.html

If at any time the minimum balance is insufficient to cover the cost of the remaining charges, the applicant will be immediately notified and the additional amount required by the applicant to continue the processing of the application will be required. If the amount of the Additional Deposit is not received by the City within fifteen (15) working days after the due date, the processing of the application will be terminated until payment is received. Any remaining DTF funds will be sent to the applicant when the project is finalized or the applicant submits a written request to discontinue the application.

SUBMITTAL REQUIREMENTS

The items listed in the Encroachment Application must be submitted as part of the application package in order for the application to be considered complete for processing. Your application will not be accepted if all of the items listed are not submitted.



**DEPARTMENT OF PUBLIC WORKS
APPLICATION FOR ENCROACHMENT LICENSE**

Date: _____

APPLICANT INFORMATION

Name: _____	Company: _____
Address: _____	City, State, Zip _____
Phone No. _____	Alternate Phone: _____
Fax No. _____	Email: _____

PROPERTY OWNER'S INFORMATION (IF DIFFERENT FROM ABOVE)

Name: _____	Company: _____
Address: _____	City, State, Zip _____
Phone No. _____	Alternate Phone: _____
Fax No. _____	Email: _____

LOCATION OF THE AREA TO BE ENCROACHED UPON

PURPOSE OF REQUEST

SUBMITTAL CHECKLIST

- Legible copy of the recorded easement(s) or legal description of the area to be encroached upon.
- 8 ½ x 11 sketch or plot showing the relationship of the proposed encroachment to the existing City facilities. Show exact dimensions. The drawing and/or legal description must bear the signature and stamp if prepared by a Civil Engineer or Licensed Surveyor.
- A copy of the owners Grant Deed or Title Report.
- A check made payable to the City of Anaheim for the processing of the Encroachment Application. The sum required for the Encroachment License Application is specified in the Public Works Fee Schedule.

http://www.anaheim.net/depts_servc/pub_works/dev_svc/fee_sched.html
- Completed application.

I certify that I am the owner or agent of the property owner for the above property. I understand that the cost of processing this application is charged according to the hours spent by staff in reviewing and analyzing the project. The total cost varies according to the size of the project and the complexity of the issues involved. The applicant understands that there is an hourly rate being charged, as opposed to a flat rate, and a Minimum Initial Deposit with the City, the sum specified in the Public Works Fee Schedule for Encroachments, is required.

If at any time the minimum balance is insufficient to cover the cost of the remaining charges, the applicant will be immediately notified and the additional amount required by the applicant to continue the processing of this application will be required. If the amount of the Additional Deposit is not received by the City within fifteen (15) working days after the due date, the processing of this application will be terminated until payment is received. Any remaining DTF funds will be sent to the applicant when the project is finalized or the applicant submits a written request to discontinue the application.

Date: _____

Signature: _____

Printed Name: _____

FOR OFFICE USE ONLY

Real Property File No: _____

Associated Project No.: _____

Existing DTF Account No.: _____

Date Application Received: _____