



City of Henderson Department of Public Works Survey / Right-of-Way

To insure development plans meet applicable public works standards.

Revocable Permit Checklist and Application

APPLICATION INSTRUCTIONS AND CHECKLIST:

A Revocable Permit is required prior to the installation of any improvements or structures placed within the City of Henderson right-of-way by anyone not working on behalf of the City. All Revocable Permits require City Council approval.

The following items are required when submitting the attached Revocable Permit application:

1. A justification letter, written to the City Engineer, providing detailed information regarding the request for a Revocable Permit. The Justification letter and Revocable Permit application must be signed by the property owner of the property adjacent to the proposed improvements.
2. Complete the attached Revocable Permit application.
 - The application must contain a complete description of the improvements that are to be constructed as stated in the justification letter. An estimated construction duration must also be provided on the completed application.
 - The applicant, property owner, or owner's representative must sign as the Permittee on page 1 and page 5. The permittee's signature on page 5 must be notarized prior to submittal.
3. An 8 ½" x 11" Assessor's Map showing the project location.
4. An 8 ½" x 11" or an 11" x 17" exhibit/plan showing the location of all items to be constructed in the City right-of-way. Provide a planting list and exhibit for any landscaping within the public right-of-way. Details of specialized items may be required.
5. A Public Works Ownership Disclosure Form if the owner is not a single individual owner (includes trusts, general and limited partnerships, corporations, home owners associations, limited liability companies and partnerships, and joint ventures). The form can be obtained at www.cityofhenderson.com >Departments>Public Works>Forms.
6. A printout of the current Corporate Officers from the Nevada Secretary of State web-site (www.sos.state.nv.us >Online Services>Business Entity Search), if the application is signed by an Officer of a Corporation or LLC. If the permit is not being signed by a Corporate Officer listed on the printout from the Secretary of State, a letter of authorization from an Officer listed on the form must be included with the submittal. Authorization forms can also be obtained from the Public Works web-site listed above.
7. Please contact Survey/Right-of-Way at 267-1300 with any questions relating to the Revocable Permit Process.



REVOCABLE PERMIT FOR OCCUPANCY OF CITY OF HENDERSON RIGHT-OF-WAY

PERMIT NUMBER: _____
CITY COUNCIL DATE: _____

OFFICE USE ONLY

1. Permission for excavation, construction, and/or occupancy of City of Henderson right-of-way is hereby granted at the following location:

2. Full description of work:

3. Detailed plans/drawings or maps are attached. _____

(description of items attached)

4. Estimated construction duration from: _____ to: _____
(date) (date)

Name of Property Owner or Developer
(Permittee)

Signature of Permittee

Address: _____

Phone #: _____

This permit is subject to the following conditions and regulations:

1. The following specific clauses are applicable to this Permit.
 - A. **Applicable when the Permittee is a U. S. Government Agency:**

The City of Henderson does not assume any liability for injury or damage to any person or property incident to, or that may arise during and in consequences for: (a) the construction of, erection of, presence of, maintenance of, or failure to properly and safely construct and maintain any or all of the structures and facilities authorized by this permit; or (b) the use, occupancy, and enjoyment of by the United States or the City of Henderson right of way in accordance with this Permit.
 - B. **Applicable when the Permittee is other than a U. S. Government Agency:**

The Permittee shall indemnify and defend the City of Henderson and hold it harmless from and against any liability for injury to persons or damage to property, whether said property may belong to the State or to third parties which injury or damage is sustained by reason of any cause resulting from the exercise of the privilege herein granted.
2. Any facility installed under this permit is subject to relocation or removal of the facility from the City of Henderson right-of-way. All costs for removal or relocation of the facility shall be the Permittee's responsibility unless the provision is waived by the Public Works Director.
3. This permit application and the required justification letter shall be signed by the applicant and notarized prior to submittal to the Public Works Department.
4. The permit, if granted, is subject to all prior valid and existing contracts, leases, liens, reservations, conditions, encumbrances, or claims or title which may affect the property covered by this Permit.
5. All construction shall be performed by a State of Nevada licensed contractor and must comply with the requirements, rules, and regulations of the Nevada Public Service Commission, Nevada Industrial Commission, and the State Labor Commission, in addition to those particularly stipulated herein.
6. A State of Nevada licensed contractor is required to have a copy of the approved Revocable Permit, an approved Barricade Permit, and an approved Encroachment Permit in their physical possession prior to commencing any physical work. Failure to secure such approvals may result in removal of non-standard items from the public right-of-way at the applicant's expense.
7. Prior to commencement of construction, design for all work must be approved in writing by the Public Works Director or his designee. Prior to final completion, all work must be

approved by the Public Works Director or his designee. The Public Works Director or his designee reserves all right to require additional construction to ensure that the work is constructed and maintained in such a manner to ensure the safety of the public.

8. All work not specifically provided for, and which will affect the safety of the traveling public thereon, shall be performed in such a manner as may be directed by the Public Works Director to ensure a minimum of delay or inconvenience.
9. The performance of **ANY** work under the approved Permit shall constitute an acceptance by the Permittee of **ALL** the provisions and terms of the Permit application and **ALL** work shall be prosecuted diligently until completion. **ALL** work authorized by the approved Permit shall be completed within one (1) year from the date of final approval by City Council, or the Permit will be revoked.
10. No brush, shrubs, trees, or other flora now located within the permitted area, or which hereafter may be planted or grown therein, shall be cut, trimmed, mutilated, removed, or disturbed in any manner except with the approval of the Public Works Director.
11. During the construction operation, a valid Barricade Permit must remain onsite. The Barricade Permit must identify proper barricades, warning and directional signs, flags, flares, or other protective devices that will be used to ensure protection to the traveling public. Flagmen on each side of the work area may be required during construction operations, to slow and direct traffic around the work area. Such safety measures shall be identified on the approved Barricade Permit as directed in "The Manual on Uniform Traffic Control Devices for Streets and Highways." (U. S. Department of Transportation, Washington, D.C.), and must comply with local and state law.
12. Open trenching within the limits of the construction shall in no instance remain open during the hours of darkness or on Saturday, Sunday, or holidays unless work is actually performed during these times. Unattended open trenching during these times shall be either backfilled or covered with steel plates or other suitable material, and the condition shall meet the approval of the Public Works Director or his designee.
13. Excavated material, equipment, or materials to be installed, shall not remain on the premises during the hours of darkness or on Saturdays, Sundays, or holidays, unless work is actually being performed, or unless otherwise approved by the Public Works Director or his designee.
14. Construction shall consist of grading in such a manner that the roadway drainage ditch or any natural water course which feeds existing drainage facilities will not be blocked or the free flow hindered at any time. Should the necessity arise to accommodate drainage water, culvert pipe of the size and length and at the location prescribed by the Public Works Director or his designee shall be installed by the applicant's contractor.
15. Any existing paving shall be replaced within two (2) days of completion of work, and if not so performed, the City of Henderson reserves the right to make necessary replacements and repairs. The applicant hereby agrees to pay the actual cost of such work performed by the City upon receipt of proper billing of such work.

16. The applicant shall inform the Public Works Director or his designee of the date of completion of work.
17. The applicant shall make any and all repairs to any facility resulting from the exercise of the privilege herein granted, as soon as the need therefor arises, and shall at all times maintain said facility in good and safe condition.
18. The applicant shall ensure that any non-standard improvements approved comply with any applicable City of Henderson standards or specifications prior to installation.
19. The applicant shall have all or any portion of the non-standard improvements removed from the public right-of-way by a State of Nevada licensed contractor upon written notice from the Public Works Director or his designee. Written notice shall be provided to the applicant at: (provide contact information below)

Address: _____

Phone #: _____

20. Upon notice from the Public Works Director or his designee to the owner/applicant of the facilities installed or his agent, the owner or agent may propose a time within which he will relocate or remove the facilities as required.

If the Public Works Director or his designee and the owner/applicant or his agent agree upon such a time, the Public Works Director shall not, himself, remove the facilities unless the owner or his agent has failed to do so within the time agreed. If the Public Works Director or his designee and the owner/applicant or his agent does not agree upon such a time, the Public Works Director or his designee may remove the facilities at any time after the expiration of thirty (30) days from the service of the original notice upon the owner/applicant or his agent.

21. The Public Works Director or his designee is authorized to remove from the premises any unlicensed facilities which are not removed, or the removal of which is not commenced and thereafter diligently prosecuted, prior to the expiration of thirty (30) days from and after service of notice and demand upon the owner of the facilities or his agent. In lieu of personal service upon such person or his agent, service of such notice may also be made by registered or certified mail and by posting, for a period of five (5) days, a copy of the notice on such facilities described in the notice. Removal by the department of such facilities or the failure of the owner/applicant to comply with such notice and demand, shall give the department a right of action to recover the expense of such removal, cost and expenses of suit, and in addition thereto, the sum of \$100.00 for each day such facilities remain after the expiration of thirty (30) days from the service of the notice and demand.

Subject to all the terms, restrictions, and conditions contained herein, a Revocable Permit is hereby granted to the Permittee to perform the work desired.

IN WITNESS WHEREOF, the parties hereto have set their hands and official seals.

CITY OF HENDERSON, NEVADA:

ATTEST:

BY: _____
RICHARD A. DERRICK
CITY MANAGER/CEO

BY: _____
SABRINA MERCADANTE, MMC
CITY CLERK

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

BY: _____
NICHOLAS G. VASKOV
CITY ATTORNEY

BY: _____
EDWARD McGUIRE, P.E.
DIRECTOR OF PUBLIC WORKS

OWNER/DEVELOPER

BY: _____
(Permittee Signature)

(Print Name)

(Title)

STATE OF NEVADA)
) SS
COUNTY OF CLARK)

This instrument was acknowledged before me this _____ day of _____, 20____, by
_____ (name of party) as _____ (type of authority) of
_____ (Company).

Notary Public, in and for said County and State