

ENCROACHMENT PROCEDURES

Encroachments are defined as private uses into, upon, over, or under the City's Right of Way. The City's Office of the City Engineer (OCE) initiates the application for an encroachment permit that covers tunnels, vaults, pedestrian walkways, basements, tiebacks, railroad spurs, utilities, high and low voltage circuits, cables, conduits, signs, tanks, balconies, canopies, etc. The encroachment procedure and application do not apply to requests to install a network of equipment and Wireless networks and components of wireless networks, including antennas and other above ground Facilities, within the Right-of-Way. An executed License Agreement for Wireless Facilities and Poles in the Right-of-Way is required before these above ground facilities can be installed in the Right-of-Way.

The following is a step-by-step procedure to obtain an encroachment permit:

1. Applicant submits a complete Encroachment Permit Application Package to the City of Houston's Office of the City Engineer Encroachment Section.

Encroachment package includes:

- a. Application fee of \$1,376.35 for each street or other method as approved by the City Engineer.
Make check payable to: City of Houston
- b. Application Form and Encroachment Questionnaire
The application form and questionnaire must be filled out completely and accurately. If the application and/or questionnaire is not completed properly, the applicant will correct the application personally.
- c. Certificate of Insurance (COI)
 - Worker's Compensation at statutory limits;
 - Employer's Liability, including bodily injury by accident and by disease, for \$500,000 combined single limit per occurrence and a twelve (12)-month aggregate policy limit of \$1,000,000;
 - Commercial General Liability (CGL) Coverage which includes broad form coverage, contractual liability, bodily and personal injury, completed operations, operations hazard, explosion collapse and underground hazards for \$2,000,000 per occurrence and twelve (12) - month aggregate policy limit of \$4,000,000;
 - Automobile Liability Insurance (for automobiles used by the Permittee during its performance under this Permit, including employer's non-ownership and hired auto coverage) for \$1,000,000 combined single limit per occurrence.
 - City of Houston must be listed as an additional insured somewhere on the COI or the policy, either per contract/agreement or in regard to CGL and Automobile Liability Insurance.
 - City of Houston must be the Certificate Holder.
- d. The city approved drawing number - after Plan is approved and a drawing number is assigned, applicant emails the drawing number to Encroachment Group.
- e. Mapping data
 - Applicant submits electronic file showing the route, location and dimensions of

- encroachment items.
 - Mapping data is delivered in ESRI's ArcInfo or ArcView format aligned with the City's GIS (COHGIS & GIMS) mapping system and supplied Data format utilizing the following coordinate settings.
 - Coordinate system description: Projection-Stateplane; Texas South Central_FIPS_4204_Feet; NAD83; Unit=Feet; Spheroid=Clarke 1866
 - f. The Renewal of Application is same package with new application except no drawing number is required. If the encroachment condition has not been changed since last permit was issued, you can use existing drawing. otherwise, a drawing with encroachment location and dimensions is required.
2. Office of the City Engineer/Encroachment Group will review the application, calculate the annual administration and inspection fee, discuss with applicant and work with the City attorney of the Legal Department to draft encroachment agreement.
 3. The City attorney will forward the draft encroachment agreement to permittee for review, comment and approval.
 4. Final encroachment agreement will be signed and notarized by permittee and HPW director or his/her designee.
 5. Applicant must take the encroachment permit to Harris County Civic Court to obtain the record agreement in Harris County Real Property located at 201 Caroine, 3rd floor Houston Texas 77002
 6. Applicant must email the copy of the recorded permit to OCE/Encroachment Group for filing.
 7. Applicant must take the recorded encroachment permit to Houston Permitting Center (HPC) to obtain the construction permit.
 8. Encroachment annual fee calculation
 - Encroachment annual fee consists of three parts:
 - Volume along each street
\$0.0045 per cubic feet, or \$134.24, whichever is greater
 - Volume crossing each street
\$0.0045 per cubic feet, or \$134.24, whichever is greater
 - Administration fee of \$33.56 for each permit

The 1st year annual fee will be due on the date of permit issuance. Each subsequent annual fee will be billed and must be paid on or before each anniversary of the date of the permit issuance.

ENCROACHMENT CHECKLIST

- Application Fee of \$1,376.35
- Application Form
- Encroachment Questionnaire
- Certificate of Insurance
- The City approved property survey or plat/replat (if property platted/replated since acquired by applicant)
- GIS Mapping Data (electronic file)
- Property deed or lease (if applicant is lessee)
- Exhibit with red cloud annotating the encroachment area and surrounding streets

APPLICATION PACKAGE SUBMITTAL

Encroachment application package is available online to download:

[Encroachment Permit | Houston Permitting Center](#)

For expedited service, submit completed application and supplemental documents via email to:

Rightofway.encroachment@houstontx.gov

Documents can also be mailed with up to 4 to 6 weeks to complete the administrative review:

City of Houston, Office of the City Engineer
Encroachment Permits
1002 Washington Ave, 2nd Floor
Houston, TX 77002

ADDITIONAL POINTS OF CONTACT

Office of the City Engineer/Plan Review Administration (Intake), City of Houston
1002 Washington Ave., 2nd Floor
Houston, TX 77002
832-394-9110

 rightofway.encroachment@houstontx.gov

 832.394.9130

 <https://bit.ly/3Dv2K5m>

Construction Permits:

Houston Permitting Center, City of Houston
1002 Washington Ave.
Houston, TX 77002

Paving 832-394-9130, 2nd Fl. **Sanitary** 832-394-8888, 3rd Fl.
Storm 832-394-9130, 2nd Fl. **Water** 832-394-8888, 3rd Fl.
Alley 832-394-9130, 2nd Fl. **Street Cut** 832-394-9130, 2nd Fl.

Real Property Records, Harris County Civil Court
201 Caroline, 3rd floor
Houston, TX 77002
713-755-6439

ENCROACHMENT APPLICATION FORM

OWNER INFORMATION

Name: _____

Contact: _____

Contact Phone: _____

Email: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Billing Address: _____

City: _____ State: _____ Zip Code: _____

APPLICANT INFORMATION

Name: _____

Contact: _____

Contact Phone: _____

Email: _____

Address: _____

City: _____ State: _____ Zip Code: _____

CONSULTANT INFORMATION

Name: _____

Contact: _____

Contact Phone: _____

Email: _____

Drawing Log Number: _____ Approved Drawing: _____

ILMS Number: _____

ENCROACHMENT SITE INFORMATION

Address: _____

City: _____ State: _____ Zip Code: _____

Lot: _____ Block: _____ Subdivision: _____

Description of Encroachment: _____

Dimensions of Encroachment on Each Street: _____

Volume of Encroachment on Each Street: _____

Total Volume of Encroachment: _____

APPLICANT'S STATEMENT

I hereby accept all conditions hereinabove mentioned and certify that all statements herein recorded by me are true.

Signature: _____

Print Name: _____

Date: _____

ENCROACHMENT QUESTIONNAIRE

1. Type of Encroachment:

- | | | | |
|---|-------------------------------------|---|-----------------------------------|
| <input type="checkbox"/> Water line | <input type="checkbox"/> Sewer line | <input type="checkbox"/> Storm sewer line | <input type="checkbox"/> Signs |
| <input type="checkbox"/> Conduit | <input type="checkbox"/> Cable | <input type="checkbox"/> Tunnel | <input type="checkbox"/> Basement |
| <input type="checkbox"/> Tieback | <input type="checkbox"/> Vault | <input type="checkbox"/> Balcony | <input type="checkbox"/> Canopy |
| <input type="checkbox"/> Bridge | <input type="checkbox"/> Railroad | <input type="checkbox"/> Walkway | <input type="checkbox"/> Tank |
| <input type="checkbox"/> Other (specify): _____ | | | |

2. Who is the owner of the facility?

3. Who will be the operator of the facility?

4. Please provide the accurate legal name of the owner.

5. What will occupy the City's Right-of Way?

6. How many streets the encroachment crossing? Please provide each street name.

7. What will be the method of construction that will be used for the project, i.e., trenching, boring, cutting, or other (please describe)?

8. If it is pressure facility, what is the operating psi for the facility? What is the testing pressure of this facility?

ACORD **CERTIFICATE OF LIABILITY INSURANCE** DATE (MM/DD/YYYY)
08/04/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER input property owner's information	CONTACT NAME: PHONE (A.S. No. Ext): _____ FAX _____ E-MAIL _____ ADDRESS: _____ INSURER(S) AFFORDING COVERAGE _____ NAIC # _____ INSURER A: _____ INSURER B: _____ INSURER C: _____ INSURER D: _____ INSURER E: _____ INSURER F: _____
---	---

COVERAGES CERTIFICATE NUMBER: HOU003800220-03 REVISION NUMBER: 3

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADOL INSD	SUBR WYS	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input type="checkbox"/> OCCUR <input type="checkbox"/> GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER: _____						EACH OCCURRENCE \$ _____ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ _____ MED EXP (Any one person) \$ _____ PERSONAL & ADV INJURY \$ _____ GENERAL AGGREGATE \$ _____ PRODUCTS - COMP/OP AGG \$ _____
B	AUTOMOBILE LIABILITY ANY AUTO _____ OWNED AUTOS ONLY _____ HIRED AUTOS ONLY _____ SCHEDULED AUTOS NON-OWNED AUTOS ONLY _____			61UENDH9982			COMBINED SINGLE LIMIT (Ea accident) \$ _____ BODILY INJURY (Per person) \$ _____ BODILY INJURY (Per accident) \$ _____ PROPERTY DAMAGE (Per accident) \$ _____
	UMBRELLA LIAB <input type="checkbox"/> OCCUR _____ EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE _____ DED _____ RETENTION \$ _____						EACH OCCURRENCE \$ _____ AGGREGATE \$ _____
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIET OR PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	90-20891-001			PER STATUTE _____ OTHER _____ EL. EACH ACCIDENT \$ _____ EL. DISEASE - EA EMPLOYEE \$ _____ EL. DISEASE - POLICY LIMIT \$ _____

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Re: BGE20007048 & GCF20118119
 City of Houston is included as an additional insured where required by written contract or agreement.

CERTIFICATE HOLDER **CANCELLATION**

City of Houston Office of the City Engineer/ROW Encroachment 1002 Washington Ave., 2nd Floor Houston, TX 77002	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE _____
---	---

ACORD 25 (2016/03)

The ACORD name and logo are registered marks of ACORD

© 1988-2016 ACORD CORPORATION. All rights reserved.