

PROCEDURES FOR ROW ENCROACHMENT MANAGEMENT/REMOVAL
The Eight Step Program

The following steps summarize the Policy Implementation of the SFPUC Right of Way Encroachment Policy.

1. Notice of encroachment appearing to be within the SFPUC right of way.
2. Notify Real Estate Services (RES) to verify whether encroachment is within the right of way using R/W Encroachment Reporting Form.
3. Determine if the encroachment is within the right of way. This determination may require a field survey.
 - If yes and permitted, RES contacts Reporting Party (RP) and sends copy of permit if available; RES may access GIS for further information if necessary.
 - If yes and not permitted, RES delivers initial notification to Encroaching Party (EP) that they may be encroaching in SFPUC's right of way (which notice may include the information or make the request described in step 4 below, if RES is prepared to provide such information or request); provides EP property ownership information if EP advises RES that they believe the notice may be in error; or,
 - If no, notes proximity to right of way and notifies RP.
4. RES provides follow-up letter to EP with date certain to remove encroachment, or to request that EP contact RES to discuss how removal will be accomplished, or to propose revocable permit, if applicable, following or at the time of initial notification to EP.
5. If EP responds to either initial notice or follow up letter, RES may:
 - Work with EP to see that encroachment is removed;
 - Arrange for inspection if encroachment is removed/resolved;
 - Determine whether the permit process may be applicable;
 - Convene the Internal Encroachment Review Committee (IERC – see definition, below);
 - Forward matter to the City Attorney for further action (see Step 6).
6. If EP does not respond to either initial notice or follow up letter, RES forwards to the City Attorney.
7. If EP writes letter to SFPUC regarding the encroachment:

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- Action resolved. Encroachment may be permitted or removed with follow-up inspection by SFPUC Water Enterprise and/or RES staff.
 - Action not resolved. IERC may be convened to prepare a formal recommendation as the final administrative process to remedy encroachment.
 - Action not resolved through IERC. Inform EP that civil action may follow and that encroachment will be physically removed by date certain.
8. If EP does not respond to either the City Attorney or RES, City Attorney proceeds with necessary legal action.

* A rough order of magnitude for resolution of encroachment issues is estimated at 90 – 120 days.

The Internal Encroachment Review Committee:

The Internal Encroachment Review Committee (IERC) will include members from the SFPUC Water Enterprise Divisions and other relevant contributing SFPUC departments. Its purpose is to meet periodically, or as needed, to review encroachment policy, discuss issues brought up by SFPUC staff, recommend actions and to provide administrative decisions relating to correspondence and physical appearances by parties charged with encroachment onto SFPUC right of way. In this way, it is to function as an administrative appeals body for all encroachment matters before considering civil action. The IERC is to be chaired by RES.