

## **CONSTRUCTION & TRAFFIC CONTROL PERMIT PROCESS**

1. Applicant is required to be a licensed contractor in the City of Thornton.
2. Applicant is to fill out forms completely (traffic control permit requires submitted plan).
3. Applicant may fill out or return permits later.
4. Permits are processed (approved or denied) within two business days unless street closure is required (five days).
5. Performance Surety is required prior to the issuance of any construction permit in the City. (Cash escrow or Letter of Credit only for work within existing City R.O.W.)
6. Plan submittal is required if construction plans are not previously approved.
7. Other items required for permit issuance:
  - A. Prairie dog relocation letter required if grading is part of permit.
  - B. Colorado Department of Public Health and Environmental Stormwater Discharge Permit required if grading exceeds one acre.
  - C. Federal 404 Permit (wetlands mitigation) required if wetlands are being disturbed by construction activity.
  - D. Floodplain Development Permit if any work is proposed in, over, or under a jurisdictional floodplain as defined by City Code, including any grading, directional boring, excavation, spanning with a structure, piers, or temporary works.
8. Construction Equipment declarations must be submitted to the City Sales Tax Division within 90 days of issuance of a construction permit. (See attached instruction sheet and form)

City of Thornton construction permit use taxes are to be paid on the “**Estimated Percentage Basis**”, as prescribed by § 26-391(e)(1) of the Thornton Municipal Code. A construction permit use tax deposit based on a percentage of the **total valuation of the construction contract** is required. The deposit is due at the time a construction permit is issued, and is to be paid by the contractor, owner or agent. Separate additional permit(s), issued by the City Development Department, are required for all construction projects requiring site work such as utilities, paving and landscaping. All site permits require their own valuations apart from the building permit, and use tax is also pre-paid on these permits. **The estimated taxable materials percentage for both site and building permits is fifty percent (50%) of the total valuation of the construction contract.** The following is an example of the permit use tax calculation:

Total Estimated Valuation of Construction Contract:	\$ 100,000.00
Estimated Taxable Percentage:	50%
Estimated Taxable Amount of Materials:	50,000.00
City of Thornton Use Tax Rate:	3.75%
Construction permit Use Tax Due:	\$ 1,875.00

Construction use tax is prepaid on the permit in lieu of City sales tax paid to vendors when materials are purchased. **To avoid double payment of the tax, both the G/C and any subcontractors must present a copy of the permit to all vendors when purchasing construction materials.** The estimated permit use tax applies only to construction materials (property that becomes an *inseparable* part of a completed structure). Construction materials do not include items such as furniture, removable fixtures, window coverings, equipment, tools or similar items.

**Because use tax paid on the permit is based on an estimate, there is typically a difference between the actual materials cost and the amount originally estimated.** In order to reconcile these differences the G/C may (within 90 days of the date of the final Certificate of Occupancy (C/O) or Initial Acceptance) submit a complete “Project Cost Reconciliation Report” providing an accounting of actual material costs, including materials used by sub-contractors. If circumstances prevent the G/C from obtaining material cost information from subcontractors, the City will work with the G/C to determine estimates of such costs. If total project material costs are greater than the permit estimate, resulting in an underpayment of use tax, the G/C will be allowed to pay such tax within the 90-day period without penalty or interest charges. If the actual material costs are lower than the permit estimate, the G/C may apply for a refund. The deadline for refund requests is 18 months from the date of the final C/O or Initial Acceptance. **All related construction records are subject to audit by the City following project completion. Such audits are designed to determine the actual material costs of the project and may be conducted any time within the 36-month statute of limitations following the date of the final Certificate of Occupancy or Initial Acceptance.** If such an audit reveals a tax deficiency, and the G/C has not filed a “Project Cost Reconciliation Report” within the 90-day window, the tax along with a 10% penalty and applicable interest will be assessed to the G/C.

City personnel are available to answer your questions by phone or in person at the Civic Center. Personal assistance is available 8:00 a.m. - 5:00 p.m. Monday through Friday. It is recommended that you call in advance to ensure a tax representative will be available for assistance. The phone number for the City Sales Tax Division is 303-538-7400.



**APPLICANT INFORMATION**

**Applicant:** \_\_\_\_\_ **Daytime Phone:** \_\_\_\_\_  
**Address:** \_\_\_\_\_ **24HR Phone:** \_\_\_\_\_  
 \_\_\_\_\_ **Mobile Phone:** \_\_\_\_\_  
**Job Location:** \_\_\_\_\_  
**Job Address:** \_\_\_\_\_  
**Job Name:** \_\_\_\_\_  
**Job Description:** \_\_\_\_\_

Applicant hereby agrees to comply with all provisions of the City of Thornton's Building Code, standards specifications, and drawings for design and construction, approved plans, or any other ordinance, code, law, rule or regulation, and that this permit shall be invalid, if, during the performance of the work, a violation of any of the above ensued. Should violations occur and corrective directives are not followed, this permit shall be deemed to be cancelled and the improvements shall be made to conform with these provisions or they shall be removed and replaced at the applicant's expense.

\_\_\_\_\_  
 Applicant's Signature

\_\_\_\_\_  
 Date

**CITY REVIEW**

DATE OF APPLICATION RECEIPT: \_\_\_\_\_

ENGINEERING AND INSPECTION DIVISION: \_\_\_\_\_

TRAFFIC PERMIT REQUIRED/OBTAINED: \_\_\_\_\_

**SPECIAL CONDITIONS**

**PERMIT ISSUANCE**

PERMIT DATE: 3/12/2007

EXPIRATION DATE: 3/12/2008

BY: \_\_\_\_\_  
 Supervising Construction Inspector

\_\_\_\_\_  
 Date

BY: \_\_\_\_\_  
 Development Engineering Manager

3/12/2007  
 \_\_\_\_\_  
 Date

**FEE SCHEDULE**

**Contract Item**

**Contract Cost**

Grading  
 Erosion Control  
 Water Mains  
 Sanitary Sewer Mains  
 Storm Drainage System  
 Asphalt  
 Concrete  
 Landscaping / Irrigation  
 Signage / Striping  
 Miscellaneous (See Special Conditions)

**Total Contract Cost:**

**FEE CALCULATIONS**

Inspection Fee (1% of total contract cost)  
 Sanitary Sewer Infrastructure TV Inspection Fee (3% of Sanitary Sewer Main cost)  
 Plan Review Fee (.5% of total contract cost)  
 Minimum Permit Fee (to bring up to minimum of \$30.00 per code)  
 Materials Sales and Use Tax (3.75% of 50% of total contract cost)

**Total Construction Permit Fee :**

*Note: Contractor must call for inspection with no less than 24 hours advance notice prior to the placement of concrete, backfill, paving, etc.*

**ESCROW CALCULATIONS**

Escrow Type

Amount



## General Conditions

Application – an application for a permit must be made in accordance with chapter 61 of the city of Thornton municipal code prior to any person, firm, or corporation cutting, opening, or excavating any street, alley sidewalk, or other place within the corporate limits of the city of Thornton. The application form must be completed in full and accompanied by diagrams, sketches, plans, and specifications as appropriate to the application before such application will be considered. The acceptance of an application form shall not be construed as an obligation for the city to issue a permit when it appears that the work specified in an application would be in variance with city rules and regulations, or cause substantial or needless damage to a public facility, or create excessive disturbances to traffic, or result in exceptionally dangerous conditions not commensurate with the benefits of such application. The application for a permit will be denied, if in the opinion of designated officials the granting of such permit is not in the best interests of the city of Thornton or its citizenry. The failure of an applicant for a permit to satisfy the general and/or special conditions, or to perform satisfactorily under the terms of a previous permit, shall be just and sufficient cause for denial on subsequent applications.

Cash escrow - prior to the issuance of a permit, the applicant shall deposit with the development engineering a cash escrow in the amount and form as shall be determined by the city engineer. The amount of the cash escrow shall be established separately for each permit and shall represent protection against the failure of the applicant to perform under the terms of the permit, including, but not limited to, the failure to restore the place or property disturbed by the applicant, or agent thereof. The collection, retention, and refund of such cash escrow shall be governed by the policies and/or procedures established by the city of Thornton development engineering.

Licensing – an applicant for a permit shall be licensed to work within the city of Thornton in accordance with the applicable codes, ordinances, rules, and regulations. An applicant shall, regardless of licensing status, maintain the levels of insurance normally required by the city of Thornton, including, but not limited to, insurance for automotive, property damage liability, bodily injury liability, and worker's compensation.

Permit fees – an applicant for a permit shall pay the appropriate fee for such permit, prior to its issuance, in the amount established by the city of Thornton. An applicant who has commenced work prior to the application for or issuance of a permit, unless otherwise specified by ordinance, shall be subject to a fee two (2) times the normal fee for such permit.

Issuance of permit – a permit shall be issued after completion of all aspects of the general and special conditions have been satisfied, upon deposit of the cash escrow, and upon payment of the proper fees and verification as to satisfaction of the licensing and insurance requirements. Applications for permits shall be acted upon within two (2) business days of receipt. The applicant for a permit is specifically forbidden to commence work until the permit for such has been issued. Unless otherwise specified by ordinance, contingent upon giving the development engineering no less than twenty-four (24) hours advance notice of the exact date and time of commencing such work.

Emergency repairs – nothing in these general conditions shall be construed to limit the making of such excavations as may be necessary for the preservation of life and property or for the making of emergency repairs by firms or corporations franchised and/or licensed within the city of Thornton. An application for a permit for such emergency work shall be made on the first business day after such work has commenced.

Revocation of permits – any permit issued by the city of Thornton, authorized by the development engineering, may be revoked by said department for cause without notice.

Time extension – all permitted work shall be completed within the time limits specified on the permit unless the applicant makes a request for a time extension. Such request shall be made by the applicant for a permit at least two (2) business days prior to the expiration of the time limit set forth on said application. Failure to request an extension in accordance with this time frame, or denial of such request, shall obligate the applicant to complete the work within the time limits initially set forth.

Indemnification: the applicant agrees to hold harmless the city of Thornton, the development engineering manager, or designee, and assigns, from any and all claims and actions whatsoever arising from the issuance of this permit, regardless of compliance with the general and special conditions as herein set forth.

Protection of public facilities – the permittee shall perform all work in such manner as to not interfere with access to fire hydrant, water main valves, underground equipment and facilities. The permittee shall not remove, even temporarily, any trees or shrubs within any public place unless specifically authorized to do so by the appropriate city department. No street, alley, sidewalk, or other public facility shall be disturbed, destroyed, or removed beyond the limits specified on the applications for a permit.

Traffic control – the permittee shall control traffic in and around the construction area in full compliance with the requirements of the manual on uniform traffic control devices and the model traffic code as adopted by the city of Thornton, the city barricading manual, and the written and verbal directions issued by the traffic engineer, or designee and assigns. The permittee shall not limit access to private property and shall not hinder vehicular or pedestrian traffic in and around the construction area unless expressly authorized to do so by means of application for and issuance of a traffic control variance.

Protection of existing utilities – the permittee shall not interfere with any existing utility without the written consent of the owner of such facilities. The permittee shall support or otherwise protect all pipes, conduits, poles, wires, or other apparatus which may in any way be affected by the construction activity, and shall do everything necessary to support, sustain, and protect them under, over, along, or across said work. Should any such facility be damaged, the permittee shall immediately so notify the owner of such utility. All damaged facilities shall be repaired and/or relocated by the owner of such facilities and the expense of such repairs and/or relocation shall be charged to the permittee. The permittee shall investigate the existence and location of any and all underground facilities prior to commencing any construction activity and shall protect such facilities against interference and damage.

Pavement removal - all excavations of paved street and alley surfa shall be in compliance with the standards and specifications for the des and construction of public improvements, latest edition.

Curb, gutter sidewalk removal – all excavations of concrete and bitumin curb, curb and gutter, sidewalk or curb, gutter and sidewalk shall confc to the city of Thornton standards and specifications for the design ; construction of public improvements, latest edition.

Cleanup – all debris, rubbish, and surplus materials resulting from w under the terms of this permit shall be removed and disposed of off-site soon as possible; but in any event, no later than at the completior construction. The construction site shall not be used as a storage area debris, rubbish, or surplus materials. All property affected by construction under the terms of this permit shall be restored to a condit equal to, or exceeding that existing prior to construction.

Trench backfill – localized excavations shall be backfilled in accorda with city of Thornton standards and specifications for the desig construction of public improvements, latest edition.

Temporary repair – as soon as the excavation has been backfilled ; compacted, the pavement surface shall at least receive a temporary rep on arterial and collector streets. The temporary repair shall consist of least four (4) inches of cold patch asphalt. On local streets, the tempor repair shall consist of carrying the granular backfill materials up to surface of the adjoining pavement. Traffic shall not be allowed to pass o the construction area until the temporary repair has been made. In event of unacceptable maintenance, the permittee shall be so notified ; shall make the required improvements within twenty-four (24) hours notice before being liable for the cost of the city making s improvements. In emergency situations, the city will make improvements immediately and will bill the permittee accordingly.

Pavement repair – upon completion of backfilling, compaction, ; temporary repairs, if any, the permittee shall complete the perman repairs. The permanent repairs shall be completed as soon as weat permits and shall be in compliance with the city of Thornton standards ; specifications for the design and construction of public improveve latest edition.

Inspections – the public works director, or designee and assigns, s conduct such inspections as are reasonably necessary for the enforcem of these general conditions. The conducting of such inspections shall waive the permittee of the responsibility to conform to the general ; special conditions as herein set forth or to comply with any and all ot rules and regulations as may reasonably apply.

Warranty – the permittee shall be responsible, when applicable, for ; and all repairs necessary as a result of the excavation for a period of (1) year after completing the permanent repairs to the satisfaction of ; city of Thornton.

Exclusion – this permit is a license for permissive use only and does operate to create or to vest any property rights to the permittee. T permit does not in any way supersede any present codes or ordinances; the city of Thornton.



CITY OF THORNTON

Inspector:

NO.

CITY OF THORNTON
9500 CIVIC CENTER DRIVE
THORNTON, COLORADO 80229
(303)538-7385

TRAFFIC CONTROL PERMIT

TYPE OF PERMIT REQUESTED:

- OVER SIZE VEHICLE, RIGHT-OF-WAY CLOSURE, PARKING RESTRICTION CHANGE, SPECIAL RIGHT-OF-WAY USAGE, SPEED LIMIT REDUCTION (CONSTRUCTION ZONE ONLY), OTHER

STATEMENT OF PERMIT REQUESTED:

PERMIT DESCRIPTION:

SPECIAL CONDITIONS:

DATE(S) REQUESTED: FROM: TO: TIME LIMITATIONS: FROM: TO:

CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFIES THAT I/WE AGREE TO ASSUME ANY AND ALL RESPONSIBILITY AND TO ABIDE BY ALL RULES, REGULATIONS AND CONDITIONS AS SET FORTH IN THE CITY OF THORNTON RULES, REGULATIONS, CONDITIONS AND STIPULATIONS (REFER TO BACK PAGE) OF THIS PERMIT, AND CODES FOR TRAFFIC CONTROL.

REQUESTING PERSON OR AGENT (SIGNATURE), REQUESTING PERSON OR AGENCY TITLE, REQUESTING PERSON OR AGENT'S ADDRESS, REQUESTING PERSON OR AGENT'S TELEPHONE NO., FEE(S) PAID \$, PERMIT STATUS: APPROVED/DENIED, DATE: 11/22/2005, DEVELOPMENT ENGINEERING, DATE

# PERMIT STIPULATIONS

1. Contact resident(s) to be affected.
2. Provide Type "A" frame barricade(s) as specified with flashing light(s).
3. Must allow emergency vehicles(s) in area.
4. Provide "ROAD CLOSED" sign(s).
5. Provide "ROAD CLOSED TO THROUGH TRAFFIC" sign(s).
6. Provide "CONSTRUCTION AHEAD" and "MEN WORKING" sign(s) for each direction of travel affected.
7. Provide "MERGE LEFT" OR "MERGE RIGHT" sign(s).
8. Provide "LEFT LANE CLOSED AHEAD" or "RIGHT LANE CLOSED AHEAD" sign(s).
9. Provide channelization devices(s).
10. Provide "NO LEFT TURN" or "NO RIGHT TURN" sign(s).
11. Provide "KEEP LEFT" or "KEEP RIGHT" sign(s).
12. Provide flag person for each direction of travel affected.
13. Provide Type "I" barricade(s) with flashing lights as specified.
14. Provide Type "II" barricade(s) with flashing lights as specified.
15. Provide Type "III" barricade(s) with flashing lights as specified.
16. Provide guide barrels/drums with flashing lights as specified. Barrels/drums will be used on all night time operations.
17. Provide detour as specified.
18. Raise all power lines and raise traffic control devices as needed and replace as required.
19. Provide "WIDE LOAD" sign(s).
20. Provide "OVERSIZE LOAD" sign(s).
21. Notify Police Department in advance of each move at 303-450-9331.
22. Notify Traffic Engineering in advance of each move at 303-538-7341.
23. Cover "NO PARKING" sign(s) after time allocated.
24. Uncover "NO PARKING" sign(s) after time allocated.
25. Residents must comply with posted restriction on parking.
26. Vehicles cannot be left unattended for a period of time longer than five (5) minutes.
27. All participants must obey all traffic control devices.
28. All workers in right-of-way shall wear safety vests.
29. All signs and barricades shall conform to MITCD standards, latest edition.
30. All signs and barricades will be free of graffiti and meet standards for visual appearance.
31. All work is for Monday through Friday, 8:30 a.m. until 3:30 p.m., unless noted otherwise in the Special Conditions.
32. Any deviation to the Special Conditions shall have prior approval of Traffic Engineer.
33. All appropriate traffic control signs will be turned away from the view of motorists when work is not occurring.
34. Copy of permit must be retained on job site at all times and presented upon request by any City personnel. Copy of permit shall reveal front and back of original traffic control permit.

## Code Basis for Cash Escrow for Construction in City Owned Right-of-Way

### Sec. 2-272. Construction permits.

f. (3) *Performance bond/letter of credit.*

a. *Performance guaranty.*

1. No construction permit shall be issued for excavation, construction activity, or work within the City ROW until the applicant therefore shall first deposit, unless otherwise agreed upon between the City and the permittee by agreement or contract, with the City a cash escrow or letter of credit acceptable to the City in an amount determined by the City Engineer utilizing the cost data manual as published by the State Department of Transportation, latest revision or other generally accepted engineering methodology to establish estimated costs, to be sufficient to cover the entire value of the project as specified under the conditions of the ROW construction permit.
2. No construction permit shall be issued for construction activity, excavation or work activity within the City in connection with a commercial or residential development project unless the applicant shall first deposit, unless otherwise agreed upon between the City and the permittee by agreement or contract, with the City a cash escrow or other form of performance guaranty acceptable to the City in an amount determined by the Development Engineering Manager utilizing the cost data manual as published by the State Department of Transportation, latest revision, or other generally accepted engineering methodology to establish estimated costs to be sufficient to cover the entire expense of replacing any materials removed or damaged during construction as specified under the conditions of the site construction permit.
3. The performance guaranty provided for in either Subsection 1. or 2. of this section shall be conditioned upon the permittee's faithful performance of the duties prescribed in this section, all provisions of City ordinances, rules and regulations, and upon payment of all judgments and costs rendered against the applicant for any material violation of City ordinances or state statutes that may be recovered against the applicant by any person for damages arising out of any negligent or wrongful acts of the applicant in the performance of activity authorized by the construction permit. If the performance guaranty is in the form of a performance bond, the City may bring an action on the performance bond or letter of credit on its own behalf or on behalf of any person so aggrieved as beneficiary. The performance bond or letter of credit must be approved by the City as to form and as to the responsibility of the surety thereon prior to the issuance of the construction permit.
4. If the security deposited with the permit application is at any time deemed to be insufficient, the permittee shall, within ten days after receiving notice of such deficiency from the City, deposit with the City such additional security as the City Engineer or Development Engineering Manager considers necessary to correct the deficiency. Failure to deposit such funds within the prescribed time allotted shall result in the revocation of any applicable permits until at such time as all security deposit conditions have been satisfied.
5. The City shall refund to the permittee 85 percent of any applicable deposits or guarantees within 60 days of the initial acceptance of any construction activity, with the exception of any such activity relating to a specific street cut into an existing street, in which case 100 percent of any applicable deposit or guaranty shall be retained until the final acceptance, as defined in this chapter.
6. Any remaining deposit or type of performance guaranty which has not been refunded by the City, as specified in Subsection 3. of this section, shall be held in escrow until at such time as the conditions of any warranty periods have been satisfied. The City Engineer or Development Engineering Manager shall then cause the remainder of any such deposit or other form of guaranty to be released. In the event the permittee fails to perform any replacement/repair work within 60 days following written notification of work deficiencies, the City Engineer or Development Review Manager shall utilize the proceeds of the deposit or other guaranty to cause the replacement/repair work to be completed.
7. Any deposit, escrow, or other means of performance guaranty which has been retained by the City until the satisfactory completion of the final acceptance or warranty period which has been deemed refundable to the permittee, shall be returned within 60 days following the end of the one-year warranty period. In the event that such funds remain unclaimed, provisions pursuant to Article II of Chapter 26 shall apply, unless as otherwise stated in this chapter.



Civic Center  
9500 Civic Center Drive  
Thornton, Colorado 80229

Financial Services Division  
303-538-7400  
FAX 303-538-7556  
[www.cityofthornton.net](http://www.cityofthornton.net)

## **Construction Equipment Declarations**

Section 26-389(a)(5) of the Thornton Municipal Code requires all contractors that store or use construction equipment in the City to complete a construction equipment declaration form for all equipment with a purchase price of at least \$2500. A declaration is also required for all leased or rented construction equipment regardless of its value.

This declaration should be completed within 90 days of bringing the equipment into the City. If additional equipment is used on the project or if the equipment is used for longer than originally anticipated, an additional declaration must be submitted at the completion of the project. For projects where the equipment is used for less than 90 days, the declaration must be filed within 10 days of substantial completion of the project.

All construction equipment is subject to use tax. The amount of use tax due depends on how long the equipment is located in the City and how much municipal sales/use tax was previously paid on the equipment. Do not confuse sales and use tax with SMM taxes paid upon registration of equipment.

Please complete the enclosed equipment declaration form for all equipment to be used on your project. If another City's sales or use tax was paid on the equipment declared, please enclose documentation (such as invoices or assessment letters) showing payment of such tax. Upon receipt of the declaration the City will calculate the amount of any tax due and will send an assessment. *If the equipment is voluntarily declared, you will only be responsible for the tax due. If the City discovers use of equipment through an audit of the project, you will be assessed for tax, penalty and interest.*

Subcontractors bringing equipment into the City are also required to complete declaration forms, so please provide all of your subcontractors with copies of this form. Additional forms can be obtained from the City Sales Tax Division.

If you have any questions, please call the City Sales Tax Division at 303-538-7400.



Civic Center  
 9500 Civic Center Drive  
 Thornton, Colorado 80229-4326

Financial Services Division  
 303-538-7400  
 FAX 303-538-7556  
 www.cityofthornton.net

**CONSTRUCTION EQUIPMENT DECLARATION FOR PRORATION OF MUNICIPAL USE TAX**  
 In accordance with Section 26-389.(a)(5) of the Thornton Municipal Code

**ATTN: RACHEL QUINTANA, FINANCIAL SERVICES DIVISION**  
**PHONE: 303-538-7591 FAX: 303-538-7556**

**PROJECT NAME:**  
**PROJECT ADDRESS:**

**CONTRACTOR:**

	Type & Description of Equipment COSTING \$2,500 OR MORE ONLY	Leased or Rented (X)	Serial Number	Date of Purchase	Purchase Price	Municipal Tax Paid- (Attach Invoice)
1						
2						
3						
4						
5						

ADDITIONAL SPACE AVAILABLE ON BACK OF FORM OR ATTACH ADDITIONAL SHEETS AS NEEDED.

*I DECLARE UNDER THE PENALTIES OF PERJURY THAT THE ITEMS OF CONSTRUCTION EQUIPMENT LISTED ABOVE (WILL BE/WERE) BROUGHT INTO THE CITY OF THORNTON FOR USE ON THE ABOVE REFERENCE PROJECT:*

FOR A DURATION OF \_\_\_\_\_ DAYS  
 FROM \_\_\_\_\_ TO \_\_\_\_\_ (Give Dates)

\_\_\_\_\_  
 SIGNATURE DATE

\_\_\_\_\_  
 PRINT NAME TITLE PHONE

*(FOR FINANCE DEPARTMENT USE ONLY)*

Date Form Received \_\_\_\_\_ Tax Due \$ \_\_\_\_\_ Date Paid \_\_\_\_\_