



# PERMIT REVOCATION APPLICATION

## FOR ENCROACHMENTS & ENCUMBRANCES IN THE PUBLIC RIGHT-OF-WAY

If an Encroachment Permittee desires to remove an Encroachment and cancel the associated Encroachment Permit, the Permittee shall first obtain applicable permits and remove the Encroachment and restore the public Right-of-Way (ROW) to the same, or improved, condition as before the Encroachment was installed to the satisfaction of Department of Transportation and Infrastructure (DOTI). After DOTI confirms the Encroachment is removed and the ROW restored, the Encroachment Permit Revocation will be processed. Encroachment Permit Revocations will be approved by either DOTI or City Council in the same way the Encroachment Permit was originally approved. Questions on this application or the process can be sent to [DOTI.ER@denvergov.org](mailto:DOTI.ER@denvergov.org).

### APPLICATION:

- Completed Application submitted to [DOTI.ER@denvergov.org](mailto:DOTI.ER@denvergov.org) with the following items:
- Copy of Encroachment Permit, Resolution, or Annual Encroachment Permit Bill
- Additional materials supporting justification for Revocation (e.g. photos of removal and restoration)
- Revocation Fees (must be paid immediately after ER provides an invoice for your application)

### ENCROACHMENT OWNER/PERMITTEE:

Company Name: Intermountain Health

Contact Name: Dan Le

Property Address: 1375 E. 19th Ave.

Telephone Number: 303-946-5795 Email Address: dan.le@imail2.org

### ENCROACHMENT PERMIT INFORMATION:

Project Name: Private Sanitary Sewer at 1835 Franklin

Permit Number: 1995-ENCROACHMENT-0011901

Adjacent Property Address: near 1835 Franklin

### JUSTIFICATION FOR REVOCATION:

The sewer was demolished in December 2017

**SIGNATURE:** Dan Le Digitally signed by Dan Le  
DN: c=US, e=dan.le@imail2.org, OU=Intermountain Health,  
CN=Dan Le  
Date: 2024.07.15 17:21:18-0600

**DATE:** 7/11/24

**PRINT NAME:** DAN LE

**TITLE:** Project Manager

**COMPANY:** Intermountain Health.

City and County of Denver – Department of Transportation & Infrastructure  
 Right-of-Way Services | Engineering & Regulatory  
 201 West Colfax Ave. Dept. 507 | Denver, CO 80202  
[www.denvergov.org/doti](http://www.denvergov.org/doti)  
 Phone: 720-865-3003

1 BY AUTHORITY

2 ORDINANCE NO. 980

COUNCIL BILL NO. 982

3 SERIES OF 1995

COMMITTEE OF REFERENCE:

4 PUBLIC WORKS

5 TRANSPORTATION

6 A BILL

7 FOR AN ORDINANCE GRANTING A REVOCABLE PERMIT OR LICENSE,  
8 SUBJECT TO CERTAIN TERMS AND CONDITIONS, TO ST. JOSEPH'S  
9 HOSPITAL, TO CROSS LAFAYETTE STREET WITH 8-INCH UNDERGROUND  
10 PRIVATE SANITARY SEWER NEAR 1835 FRANKLIN STREET.

11 BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

12 Section 1. That the City and County of Denver hereby grants St.  
13 Joseph's Hospital, its successors and assigns, a revocable permit or  
14 license to encroach with 8-inch underground private sanitary sewer in the  
15 following described area:

A strip of Lafayette Street, being 10.00 feet wide, and lying 5.00 feet on each side of the following described centerline:

Commencing at the northeast corner of the intersection of Lafayette Street and 18th Avenue;  
thence northerly along the easterly right-of-way line of Lafayette Street 319.10 feet to the true point of beginning;  
thence westerly on a deflection angle to the left of 90° 00' 00" to the westerly right-of-way line of Lafayette Street and the point of terminus.

16 Section 2. The revocable permit or license granted by this  
17 ordinance is expressly granted upon and subject to each and all of the

1 following terms and conditions:

2 (a) According to Colorado State Law, (Article 1.5, Title 9,  
3 Colorado Revised Statutes), due to licensee's ownership and/or operation  
4 of this underground facility, it is licensee's responsibility to join the  
5 Statewide Notification Association of Owners and Operations of Underground  
6 Facilities. Licensee shall contact the Utility Notification Center of  
7 Colorado, 2801 Youngfield Street, Suite 301, Golden, Colorado 80401,  
8 Telephone 232-1991, for detailed information.

9 (b) All construction in, on or over the area of encroachment  
10 shall be accomplished in accordance with the Building Code of the City and  
11 County of Denver. Plans and specifications, governing the construction  
12 of said encroachment, shall be approved by the Manager of Public Works and  
13 the Director of the Building Inspection Division prior to construction.  
14 Upon completion, a reproducible copy of the exact location and dimensions  
15 of the encroachment shall be filed with the Manager of Public Works.

16 (c) The licensee shall pay all costs of construction and  
17 maintenance of said encroachment and upon revocation of permit as provided  
18 herein or upon abandonment shall pay all costs of removing the said  
19 structures from the encroachment area and return the street to its  
20 original condition under the supervision of the City Engineer.

21 (d) This revocable permit or license shall not operate or be  
22 construed to abridge, limit or restrict the City and County of Denver in  
23 exercising its right to make full use of Lafayette Street as a public  
24 thoroughfare nor shall it operate to restrict the utility companies in  
25 exercising their rights to construct, remove, operate and maintain their

1 installations within the said street.

2 Any costs that are incurred relocating facilities for the  
3 utility companies during construction within the encroachment area will  
4 have to be borne by the licensee.

5 (e) The licensee is to assume full responsibility for any and  
6 all damages incurred to facilities of the Water Department and/or drainage  
7 facilities for water and sewage of the City and County of Denver due to  
8 activities authorized by the permit. Any and all replacement or repair  
9 of facilities of the Water Department and/or drainage facilities for water  
10 and sewage of the City and County of Denver attributed to the work shall  
11 be made by the Water Department and/or the City and County of Denver at  
12 the sole expense of the licensee.

13 (f) The sidewalk and street over the encroachment area shall  
14 be capable of withstanding an HS-20 Loading in accordance with the latest  
15 AASHO Specifications. The installations within the said encroachment area  
16 shall be so constructed that the paved sections of the street can be  
17 widened without requiring additional structural modifications.

18 The sidewalk shall be constructed so that it can be removed  
19 and replaced without affecting structures within the encroachment area.

20 (g) The licensee shall agree to indemnify and always save the  
21 City and County of Denver harmless from all costs, claims or damages  
22 arising out of the rights and privileges granted by this permit to the  
23 extent it is permitted by law.

24 (h) During the existence of said encroachment, the licensee or  
25 permittee, its successors and assigns, at its expense, and without cost

1 to the City and County of Denver, shall procure and maintain a single  
2 limit comprehensive general liability insurance policy with a limit of not  
3 less than \$500,000.00. All overages are to be arranged on the occurrence  
4 basis and include coverage for those hazards normally identified as X.C.U.  
5 during construction. The insurance coverage hereinabove enumerated  
6 constitutes a minimum requirement and such enumeration shall in no way be  
7 deemed to limit or lessen the liability of the licensee or permittee, its  
8 successors or assigns, under the terms of this revocable license or  
9 permit; all of the insurance coverage required herein shall be written  
10 in form and by a company or companies approved by the Manager of Public  
11 Works of the City and County of Denver and authorized to do business in  
12 the State of Colorado. A certified copy of all such insurance policies  
13 shall be filed with the said Manager of Public Works, and each such policy  
14 shall contain a statement therein or endorsement thereon that it will not  
15 be cancelled or materially changed or altered without at least thirty (30)  
16 days prior written notice, by registered mail, to the said Manager of  
17 Public Works at least thirty (30) days prior to the termination of the  
18 term; all such insurance policies shall be specifically endorsed to  
19 include all liability assumed by the licensee or permittee hereunder and  
20 shall name the City and County of Denver as an additional insured.

21 (i) The licensee shall also remove and replace any and all  
22 street paving, sidewalks and curb and gutter, both inside the area of  
23 encroachment and in the areas of the street adjoining thereto, that become  
24 broken, damaged or unsightly during the course of construction without  
25 cost to the City.

1           In the future the licensee shall also remove, replace or  
2 repair any street paving, sidewalks and curb and gutter that become broken  
3 or damaged when in the opinion of the City Engineer the damage has been  
4 caused by the construction within the area of encroachment.

5           The work required to effect the said repairs shall be  
6 accomplished without cost to the City and under the supervision of the  
7 City Engineer.

8           (j) The City and County of Denver reserves the right to make  
9 an inspection of the said encroachment and facilities contained within the  
10 confines of the encroachment for which an annual fee of \$50.00 shall be  
11 assessed.

12           (k) The right to revoke this license or permit is expressly  
13 reserved to the City and County of Denver.

14           (l) The licensee shall fully comply with the provisions of  
15 Article IV (Prohibition of Discrimination in Employment, Housing and  
16 Commercial Space, Public Accommodations, Educational Institutions and  
17 Health and Welfare Services) of Chapter 28 (Human Rights) of the Revised  
18 Municipal Code of the City and County of Denver. The failure or refusal  
19 to comply with any provisions of this Article in said Chapter shall be a  
20 proper basis for revocation of this revocable permit or license.

21           **Section 3.**       That the revocable permit or license hereby granted  
22 shall be revocable at any time that the Council of the City and County of  
23 Denver shall determine that the public convenience and necessity or the  
24 public health, safety or general welfare require such revocation, and the  
25 right to revoke the same is hereby expressly reserved to the City and

1 County of Denver; provided however, at a reasonable time prior to Council  
2 action upon such revocation or proposed revocation, opportunity shall be  
3 afforded to licensee or permittee, its successors and assigns, to be  
4 present at a hearing to be conducted by the Council upon such matters and  
5 thereat to present its views and opinions thereof and to present for  
6 consideration action or actions alternative to the revocation of such  
7 license or permit.

8 **Section 4.** That this license or permit shall be of no force or  
9 effect until the following things have been done and performed:

10 (a) The licensee or permittee shall have filed with the Manager  
11 of Public Works a written acceptance of the terms and conditions of this  
12 ordinance together with a fee for filing with the Clerk and Recorder in  
13 and for the City and County of Denver; said acceptance shall be in  
14 substantially the following form:

15 Date: \_\_\_\_\_

16 We, the undersigned do hereby accept all of the terms  
17 and conditions recited in Ordinance No. \_\_\_\_\_, Series  
18 of 19\_\_\_\_.

19 Signed by: \_\_\_\_\_  
20 (Permittee or Licensee)

21 By: \_\_\_\_\_  
22 (Name of Officer)

23 (b) The licensee or permittee shall have filed with the Manager  
24 of Public Works all insurance policies and certificates herein recited;  
25 and

26 (c) The Manager of Public Works shall have certified in writing

1 that the foregoing requirements have been performed.

2 PASSED BY THE COUNCIL November 27 1995

3 Deborah L. Ortega - PRESIDENT

4 APPROVED: Walter E. W. W. - MAYOR December 1, 1995

5 ATTEST: Ebea Weelquist - CLERK AND RECORDER,  
6 EX-OFFICIO CLERK OF THE  
7 CITY AND COUNTY OF DENVER

8 PUBLISHED IN THE DAILY JOURNAL Nov. 24, 1995 Dec. 1, 1995

9 PREPARED BY: ROBERT M. KELLY, ASSISTANT CITY ATTORNEY 11/14/95

10 REVIEWED BY: Robert M. Kelly - CITY ATTORNEY 11/16 1995

11 SPONSORED BY COUNCIL MEMBER(S) \_\_\_\_\_





Email Confirming Demolition of Private Sewer Line:

**From:** Dan Le (imail2) <[Dan.Le@imail2.org](mailto:Dan.Le@imail2.org)>

**Sent:** Wednesday, August 7, 2024 7:28 PM

**To:** DOTI Engineering Regulatory <[DOTI.ER@denvergov.org](mailto:DOTI.ER@denvergov.org)>

**Subject:** [EXTERNAL] RE: Questions for the Revocation of 1995-ENCROACHMENT-0011901 - Ordinance #19950980

**This Message Is From an External Sender**

Report Suspicious

This message came from outside your organization.

Hi Emily,

I finally was able to get the answer from facility director. The line was capped and abandoned in place on our property.

Thanks,

---

**Dan M. Le**

Project Manager, Design & Construction

Intermountain Health, Peaks Region

500 Eldorado Blvd., Suite 4200, Broomfield, CO 80021

C: 303.946.5795



