

PRIVATE USE OF PUBLIC RIGHT OF WAY – THE R-PERMIT

9. PRIVATE USE OF PUBLIC RIGHT-OF-WAY (The R-Permit)

9.1 Revocable Permit Description and Purpose

A street is defined as any public thoroughfare or way, including the sidewalk, parkway, and any other public property bordering upon a public way. A street serves several purposes or uses. Primarily, it serves as a passageway for vehicles and pedestrians. The borders of streets, although in some instances not used as passageways, are still used by the public for setback purposes, and therefore should be maintained clear of obstructions where feasible.

The purpose of the Revocable Permit (R-Permit) is to grant conditional encroachment of the public right-of-way by private parties not authorized to occupy the right-of-way. The R-Permit review process ensures that encroachments are checked for compliance with the City's specifications for design, use, material, and inspection.

The R-Permit is also a mechanism to utilize in special circumstances where placement of private structures out of a right-of-way would create a hardship due to topography or other restraints. Generally, private structures should not be permitted in the public right-of-way.

The most significant factor in considering whether the City approves a request for an encroachment of any type is the status of the encroachments of other properties in the neighborhood. If there are no other similar encroachments and the proposed encroachment is significant, it may be advisable to seek neighborhood opinion by way of a questionnaire.

City's Authority for R-Permits

The Los Angeles Municipal Code (LAMC), Section [62.118.2](#) provides for the issuance of an R-Permit. "Where the Board of Public Works finds that a building, structure, or improvement maintained or proposed to be constructed within the public street will not interfere with the maintenance or use of the street..."

In certain situations, the Board of Public Works has delegated the authority to a single Commissioner or District Engineers to approve and issue R- Permits.

How long does it take to get an R-Permit ?

It takes 2-8 weeks to process an R-Permit, depending on type of request and how quickly the Applicant can fulfill the conditions of approval.

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How long is an R-Permit valid?

R-Permits are valid indefinitely, unless explicitly stated otherwise on the permit. The R-Permit remains valid as long as all conditions of approval are complied with, including maintenance.

When does an R-Permit expire?

R-Permits do not expire as long as the terms and conditions are met.

How does the City determine if an Applicant is diligently fulfilling R-Permit conditions of approval?

The Permittee is normally given 180 days to fulfill R-Permit conditions, once they are established. Extensions are granted when requested and warranted. Normally, one, 180-day extension is granted by the District Engineer. If the conditions of approval are not fulfilled within this timeframe, the Applicant must reapply.