



Public Inconvenience Fee

Effective February 4, 2011

Frequently Asked Questions:

Q: What is the “Public Inconvenience Fee” (PIF)?

The “Public Inconvenience Fee” is assessed for the extended temporary occupancy of public space, including sidewalks, alleys, or roadways in excess of the initial 30 calendar days of occupancy. This fee serves as an incentive to use public space more efficiently, enhance public mobility and return the use of the sidewalk, alley or roadway to the general public in a timely fashion.

Q: Will there be caps placed on the amount charged per 30 day increment for the Public Inconvenience Fee?

Yes, there are caps (maximum allowed fee) for each block of travel lane, sidewalk and alley occupancy. A table showing the Public Inconvenience Fees for the Central Business District, and other areas, may be found on page 3 of this FAQ.

Q: Will I need to pay this fee during all phases of my project?

No public inconvenience fee will be charged for the right-of-way restoration phase, provided that a new permit and traffic control plan, specifically designed and approved for this phase, is in place during the restoration.

Q: What if I am applying for an extension or renewal of my current temporary occupancy permit?

Unless your original temporary occupancy permit was pending prior to your project’s phase-in date, the public inconvenience fee will be charged on all renewals of your original permit. See page 4 of this FAQ for dates.

Q: What if my construction staging occupies all or part of a bike lane?

Bike lanes are travel lanes and they are subject to the PIF.

Q: Must I provide dimensions for all the public space occupied, if my Traffic Control Plan shows everything?

Yes - All areas of public space used for construction staging must be applied for and be listed in your permit details. Areas occupied, but not listed in your permit details will be considered unpermitted and subject to enforcement.

Q: What if I am only using a travel lane for intermittent non-rush hour construction material deliveries?

The public inconvenience fee will not be charged for intermittent non-rush hour use of a travel lane for the delivery of construction materials and should not be entered on the TOPS fee calculator when applying for your temporary occupancy permit. This activity must be shown on your approved traffic control plan, however, and all required traffic control devices must be in place during these activities.

Q: When will this fee be charged for the parking lane and how is the fee calculated?

The PIF is applied to the parking lane in cases where there is no metered parking. If the parking lane has metered parking, you only pay for the lost parking meter revenue and, if applicable, any fees for DDOT to remove the meters. If there is no metered parking, the public inconvenience fee will be equal to the District’s minimum meter fee – currently \$0.22 per linear foot per day.

Q: Will all the permitted areas of curb lane, travel lane, sidewalk and alley be listed directly on my permit?

No – This permit information is listed on the permit detail. The permit detail may be viewed by scanning the QR code in the upper right corner of your permit.

Q: What if I install an open or covered walkway to maintain pedestrian mobility?

If an open or covered pedestrian walkway is installed on the sidewalk or roadway per the DDOT “Pedestrian Safety and Work Zone Standards: Covered and Open Walkways,” a public mobility credit of 100% will be applied to all the public sidewalk served by the open or covered walkway.

Q: What if I will only be occupying the “park-like” public space between the sidewalk and building?

No public inconvenience fee will be charged for this portion of public space.

Q: How can I reduce my PIF charges if I am excavating multiple blocks for utility company work?

Remember that your temporary occupancy permit grants the right to occupy the public right-of-way at a particular time and place. It is separate from your excavation permit, which may be effective for a longer time.

Since occupancy permits deal with a particular time and place, this is where conflicts may arise between competing uses of the right-of-way.

To avoid conflicts, and minimize your PIF charges, please consider the following strategies:

1. Rather than apply for a temporary occupancy permit for the entire project area authorized on the utility company excavation permit, divide the project into multiple phases corresponding with your project plan. Begin a new phase, with a separate right-of-way occupancy permit, each time you occupy a new portion of the right-of-way.
2. Use block ranges or street addresses to denote geographic begin/end points for each phase of work. Apply for a NEW temporary occupancy permit which ONLY covers the amount of street right-of-way that will be excavated during that phase. The PIF will only be charged for the amount of street right-of-way occupied during each individual phase. No PIF will be charged for the first 30 days of each phase.
3. Final restoration need NOT be performed separately for each phase. When it is time for final restoration, apply for a single temporary occupancy permit for final restoration of the entire project; all phases. This type of work would typically require less than 30 days, in which case the PIF would not apply.

Q: How can I estimate the Public Inconvenience Fee (PIF) for my project?

A Public Inconvenience Fee Calculator, which is a downloadable Microsoft Excel file, may be found on the DDOT internet site under Public Space Management at:

<http://ddot.dc.gov/DC/DDOT/On+Your+Street/Public+Space+Management/Public+Space+Permit+Fee+Calculators>

Permits Exempt from Paying the Public Inconvenience Fee:

Temporary Occupancy Permits for Restoration Phase of Project – New permits with traffic control plans specifically designed and approved for the restoration phase of a project may qualify for a public inconvenience fee (PIF) waiver. For more information regarding the current practice for this waiver, please see information above about the PIF and phases of construction.

Streets and Alleys where the Public Inconvenience Fee May Be Waived:

Section 225.9 of Title 24 DCMR provides the Mayor with the discretion to waive the public inconvenience fee if the extended temporary occupancy of certain local streets or alleys will not cause any inconvenience to the public. For example, the occupancy cannot prohibit vehicle or pedestrian access to private property. In most cases these will be limited to unimproved streets or alleys that are commonly referred to as paper streets or paper alleys. Section 225.9 lists other special circumstances when the fee may be waived, but these circumstances are typically only applicable to very large commercial or residential developments.

Table of Fees & Credits:

Public Inconvenience Fee for Temporary Occupancy of the Sidewalk, Alley or Roadway in Excess of the One-time 30 Calendar Day Grace Period per Permit:

| (1) Within the Central Business District, as defined in 18 DCMR § 9901: | |
|--|--|
| | Fee/Sq-Ft/Day |
| Parking Lane (where no parking meters exist) | *Minimum meter fee per parking space measuring 22 feet long. Approximately equal to \$ 0.22 per linear foot per day |
| 1st Travel Lane (to include lanes dedicated for use by bicycles)(\$2,250 maximum fee per block per 30 days) | \$ 0.040 |
| 2nd Travel Lane and Each Add'l (\$2,250 maximum fee for each lane per block per 30 days) | \$ 0.060 |
| Alley (\$2,250 maximum fee per block per 30 days) | \$ 0.020 |
| Sidewalk (\$3,000 maximum fee per block per 30 days) | \$ 0.030 |
| Pedestrian Walkway Credit (for 100% of sidewalk area where the pedestrian pathway is maintained per DDOT Pedestrian Safety and Work Zone Standards: Covered and Open Walkway) | -\$ 0.030 |
| (2) Outside the Central Business District, as defined in 18 DCMR § 9901: | |
| | Fee/Sq-Ft/Day |
| Parking Lane (where no parking meters exist) | *Minimum meter fee per parking space measuring 22 feet long. Approximately equal to \$ 0.22 per linear foot per day. |
| 1st Travel Lane (to include lanes dedicated for use by bicycles)(\$2,250 maximum fee per block per 30 days) | \$ 0.030 |
| 2nd Travel Lane and Each Add'l (\$2,250 maximum fee for each lane per block per 30 days) | \$ 0.045 |
| Alley (\$2,250 maximum fee per block per 30 days) | \$ 0.015 |
| Sidewalk (\$3,000 maximum fee per block per 30 days) | \$ 0.020 |
| Pedestrian Walkway Credit (for 100% of sidewalk area where the pedestrian pathway is maintained per DDOT Pedestrian Safety and Work Zone Standards: Covered and Open Walkway) | -\$ 0.020 |
| *Based on the current minimum parking meter fee of \$0.75 per hour for the minimum time period per day of 6.5 hours. This inconvenience fee will be charged 7 days a week at the rate of \$0.22 per linear foot of parking lane per day. | |

Phase-in Schedule for the Public Inconvenience Fee Implementation:

This one-time phase-in of the Public Inconvenience Fee for New Permit Applications submitted on or following the implementation date of February 4, 2011, is as follows:

- A. For construction staging or excavation on public space associated with construction activities on private property, the public inconvenience fee shall be phased in by project size and scope as follows:
 - 1. February 4, 2011 for properties where construction is limited to façade repair/replacement, building additions or interior renovation.
 - 2. February 4, 2011 for projects that will cause 80% or more of the street right-of-way width to be closed.
 - 3. February 4, 2011 for projects having 100 linear feet of street right-of-way frontage or less.
 - 4. October 1, 2011 for projects having 101 to 300 linear feet of street right-of-way frontage and work is new building construction or building reconstruction.
 - 5. April 1, 2012 for projects having 301 to 700 linear feet of street right-of-way frontage and work is new building construction or building reconstruction.
 - 6. October 1, 2012 for projects having 701 or more linear feet of street right-of-way frontage and work is new building construction or building reconstruction.
- B. For construction staging or excavation on public space performed by a utility company or other party with infrastructure within the street right-of-way, the public inconvenience fee shall be phased in as follows:
 - 1. February 4, 2011 for utility work for service projects done for private parties in connection with construction or other improvements on private property.
 - 2. October 1, 2012 for utility work that is a done as a capital improvement project to upgrade or install new utility main lines.

Street Right-of-way Frontage Definition:

The section of the public space abutting the affected private property as measured along the abutting private property line.