

COUNTY OF COLUSA  
DEPARTMENT OF PUBLIC WORKS

"ENCROACHMENT PERMIT POLICY"

Terms and Conditions For Encroachment Permits Upon the Public Road  
Right-of-Ways.

Effective July 1, 1984, the Colusa County Department of Public Works will implement a schedual of fees for non-exempt encroachment permits. This is in conformance with Division 2, Chapter 5.5 of the Streets and Highways Code and Resolution No. 84-31 adopted by the Board of Supervisors of the County of Colusa which states:

"The fee for encroachment permits shall be 3% of the value of the work as determined by the Department of Public Works."

The Department of Public Works requires an encroachment permit for all geophysical exploration within the County road right-of-way in accordance with the conditions set forth under the Geophysical Exploration Policy dated 8-26-82, approved by the Colusa County Board of Supervisors 8-31-82.

1. General Conditions:

- (a) The Department of Public Works will require an encroachment permit for all work performed within the County road right-of-way in accordance with general conditions set forth under this policy, or as stated upon the permit.
- (b) The Department reserves the right to limit or disallow operations at any time if they feel such operations are detrimental as to Public Safety as for traffic, roadways, or adjacent lands.

2. Standards and Specifications:

- (a) All work performed within the County right-of-way shall be in accordance with the current State Standard Specifications and the Colusa County Standards, or conditions which the Director of Public Works may deem necessary for the proper construction and maintenance of encroachments.
- (b) The Director of Public Works may require maps, sketches, diagrams or other exhibits sufficient to clearly describe the proposed encroachment and its relation to existing facilities and property lines.
- (c) The encroachment work must proceed expeditiously in accordance with the time limits set forth in the permit and upon completion all debris, earth material and construction materials must be entirely removed and the right-of-way left in a satisfactory condition as before the work started.
- (d) The Director of Public Works may prohibit the excavation of streets where the surface is in good condition and may allow or require pipes to be bored or jacked underneath paved surface.

- (e) Placement or construction of any underground facilities whether temporary or permanent must have a minimum depth of 36" below the surface of which is determined and established by the Director of Public Works.
- (f) No metal track or wheels will be allowed on any paved or oiled road surface.
- (g) Any excavation of oiled or paved surfaces must be cut or jackhammered to obtain neat, straight lines.
- (h) The cost of installing curb and gutter and sidewalk shall be borne entirely by the property owner. The County will, however, provide staking and inspection services which costs are provided for in the three percent (3%) fee.
- (i) The property owner will be responsible for the paving of the street between the completed curb and gutter and the existing paving in the street, if it exists.
- (j) The property owner will be responsible for any relocations of utilities as may be required or occasioned by the new construction.
- (k) A Performance Bond will be required in the amount of 100% of the total estimated cost for the installation of curb and gutter and sidewalk.
- (l) Permittee shall give County at least two (2) working days notice of any operations to be performed on the road right-of-way. No operations will be permitted on weekends or holidays unless specifically authorized by the Director of Public Works.
- (m) The permittee shall be in compliance with the approved permit application with the permit provisions and conditions set forth thereon.

### 3. Public Safety:

- (a) All traffic control devices shall conform to the current standards of the "Manual on Uniform Traffic Control Devices for Streets and Highways".
- (b) The permittee shall provide, erect and maintain at permittee's expense, all safety devices as required for the proposed encroachment and assume full responsibility and liability for safety of workers and the travelling public.
- (c) The permittee must perform his work in a manner which will least disturb the normal flow of vehicular and pedestrian traffic and will provide for normal traffic flows unless otherwise approved by the Director of Public Works.
- (d) Road closures will not be allowed unless approval is granted by the Colusa County Board of Supervisors and the Director of Public Works. Before any approval of any road closure the permittee must notify all affected agencies including the Colusa County Sheriff, California Highway Patrol, Local Fire Department, Local Unified Schools, Colusa County Ambulance Service and the Local Post Office.

4. Security for Fees and Performance:

- (a) The Director of Public Works may require the applicant to place on deposit with the County a Performance Bond in the amount of 100 percent of the total estimated cost of the work performed.
- (b) The Director of Public Works may require that any portion of the work performed by the permittee not completed in a satisfactory manner as to the required specifications or as he may otherwise deem necessary, be completed by County Forces using County equipment and materials. In such case the actual costs including a 25 percent overhead and a 5 percent administration cost may be charged to the applicant or permittee.

5. Liability:

- (a) The permittee by the acceptance of this permit, shall assume full responsibility for all liability for personal injury or damage to property which may arise out of work herein permitted or which may arise out of the failure on the part of the permittee to do the work provided for under this permit. In the event of any claim of such liability made against the County of Colusa, or any department, official, or employee thereof, the permittee shall defend, indemnify and hold them and each of them harmless of such claim.