

## **2020 ENCROACHMENT PERMIT STANDARD CONDITIONS**

By submitting a signed permit application, permittee accepts and agrees to comply with all terms and conditions, including those appearing on the permit application, these standard conditions, and all special conditions.

Permittee is responsible for compliance with all conditions of the permit, regardless of whether permittee employs contractors or others to perform the work.

Failure to comply with any condition of the permit, including work contrary to any condition of the permit, constitutes a misdemeanor violation of Ventura County Ordinance 4540 approved by the Board of Supervisors on March 19, 2019.

All construction must conform to the encroachment permit, these standard conditions, any special conditions, the Encroachment Ordinance (EO) 4540 (Ventura County Ordinance Code § 12000 et seq.) approved by the Board of Supervisors (BOS) on March 19, 2019 ([EO 4540](#)), the County Road Standards (CRS) approved by the BOS in 2017 ([CRS](#)), and most current version of the Standard Plans and Specifications for Public Works Construction (SPPWC) ([SPPWC](#)), the Standard Land Development Specifications ([SLDS](#)), the conditions and requirements of the Ventura Countywide Storm Water Quality Management Program (VCSWQMP) ([VCSWQMP](#)), National Pollutant Discharge Elimination System ([NPDES](#)) Permit CAS004002, as well as all State and Federal requirements of the Clean Water Act or as approved by the County. All of the above documents are incorporated herein by reference.

Permittee must confer with the County of Ventura Public Works Agency Transportation Department (PWATD) ([PWATD](#)) Inspector (Inspector) listed on the permit or his designee and obtain approval to start work no later than two (2) working days prior to the desired start date. In addition, permittee must call the Inspector before placing concrete. Failure to abide by permit conditions, required notifications, and inspections may result in one or more of the following: penalty fees; permit revocation; removal of the encroachment; reconstruction of the encroachment.

Permittee must provide hard-copy of permit to Inspector upon request, including any permit attachments, standard conditions, or special conditions.

Under Government Code sections 4216.2 and 4216.9, this permit is not valid for excavation work until permittee first obtains an Inquiry Identification (I.D.) Number from the Regional Notification Center. To obtain a pre-excavation I.D. number call Underground Service Alert of Southern California toll free at 811 or 800-422-4133 a minimum of two (2) working days and maximum of fourteen (14) days before you dig.

For more information regarding Dig Alert, go to <http://call811.com/>. For California, go to <http://call811.com/map-page/california>.

### **WORKING WITHOUT A PERMIT:**

Any person who performs work or conducts activities in the right-of-way of a county-maintained roadway that would require a permit is guilty of a misdemeanor and is liable to the County for all expenses and any damages caused by the work or activity. A permit may be issued on behalf of the person performing the work or conducting the activity. The permittee will be subject to all fees and costs required by the permit and the most current fees schedule ([Fees](#)). Any work without a permit is subject to double fees. For more information, see EO 4540 ([EO 4540](#)).

## **WORKING WITH AN EXPIRED PERMIT:**

Any valid permit that has expired with work not completed will be automatically extended ninety (90) days by the County's permitting software and charged a permit extension fee. If requested in writing prior to the permit expiration date, one extension of a reasonable duration will be granted at no charge. For the permit extension form, go to Apply for Permits ([Apply for Permits](#)).

## **TRAFFIC-CONTROL AND SAFETY DEVICES:**

Permittee must comply with the traffic-control and safety standards described in either the California Manual of Uniform Traffic Control Device (CAMUTCD) ([CAMUTCD](#)), the Work Area Traffic Control Handbook (WATCH) by Building News, Inc., which are incorporated here by reference, or must submit site-specific traffic-control plans for approval by the County. All safety devices must conform to the requirements of the sign manual issued by the California Department of Transportation and the California Vehicle Code (CVC) ([CVC](#)), as applicable. Emergency and local access must be maintained at all times in the work zone. Emergency personnel must be given access immediately to the work zone. Local residents must not wait more than five (5) minutes to access driveways in the work zone.

1. All sign sizes must comply with the CAMUTCD. Signs used during hours of darkness must be reflectorized. Permittee must provide and continually maintain construction area traffic-control signs, striping, properly equipped flagmen, and other traffic-control devices. All costs must be paid by the permittee
2. Failure to provide acceptable traffic control or to comply with any other condition of the permit will result in a job shutdown until released by the County. A second failure by the permittee to comply with any permit condition will result in a cancellation of the permit.
3. All required traffic-control devices must be in place and must be inspected by the Inspector before any work begins. Upon demand by County, permittee must terminate all work and remove all personnel, equipment, and materials from the County road right-of-way until required traffic-control devices are in place.
4. All stationary signs (permanent long-term signs that remain in place outside of normal working hours and when construction is not active) must be installed on four-inch by four-inch (4"x4") wood posts unless otherwise approved in writing by the County.
5. All non-stationary signs (temporary, short-term, in place for less than twenty-four (24) hours used for traffic control during active working hours, detours, etc. must be mounted on portable sign supports.
6. A permittee making any excavation or leaving any obstruction that could be a hazard to any user of the right-of-way must provide and maintain warning lights far enough away from the excavation or obstruction to give adequate warning to right-of-way users, and at not more than fifty-foot (50-foot) intervals, or as required by the CAMUTCD, whichever is less, along the excavation or obstruction, from one-half (½) hour before sunset of each day to one-half (½) hour after sunrise the next day, until the work is completed and the right-of-way made safe for use.
7. Traffic-control signs must be removed in the reverse order in which they were placed. Reverse order is the last sign encountered by the traveling public to the first sign encountered.
8. When single-lane reversible flagging is used, the work zone must be short enough to provide line-of-sight visibility between the flagging stations in both directions of travel. The work zone shall be of sufficient length to provide line-of-sight visibility to the preceding warning sign from any flagging station. Any intervening access within the construction zone must also be flagged. Radio communication must be provided for all flaggers at all times.

9. During work hours, permittee must properly place all excavated material and equipment and must provide and maintain such safety devices, including but not limited to lights, barricades, signs, and watchmen, as are necessary to protect the public.
10. No omission on the part of the County to specify in the permit which safety devices must be provided or which preventive actions must be taken by permittee will excuse permittee from complying with all laws, regulations, and ordinances relating to the protection of persons or property under the circumstances. If the County finds that suitable safeguards are not being provided, the inspector or the County may provide, maintain, and relocate such safety devices or take action as is deemed necessary, charging the permittee in accordance with the schedule of charges as adopted by the Board of Supervisors (BOS) ([BOS](#)).
11. If any conflicts should develop between manuals, plans, specifications, etc., regarding traffic control requirements, the greatest or highest or most stringent requirements apply. If conflicts still remain, the County will determine the requirements.
12. Any deviation from these conditions requires review and approval by the County.

**TRAFFIC CONTROL RESTRICTIONS:**

1. Work hours are limited from 7:00 a.m. to 5:00 p.m., or as modified on the permit, and as further restricted below. No work shall be performed at the work site between the hours of 5:00 p.m. and 7:00 a.m. the following day, except as provided here below.
2. No work shall work be performed on Saturdays, Sundays, or holidays as listed in the Ventura County Standard Specification (VCSS) Section 6-7.2.1 ([VCSS](#)) without prior approval from the Permits Section.
3. No road closures are allowed without prior written approval from the Road Commissioner. Two-way traffic must be maintained at all times.
  - a Detour plans for approved road closures must be approved by the County before implementation.
  - b Permittee must submit site-specific traffic control plans for review and approval at least two (2) weeks before the desired closure date.
  - c Following plan approval, at least forty-eight (48) hours, or two (2) working days, whichever is longer, advance notification is required to issue a Traffic Order.
  - d Road closures when approved must provide access to emergency vehicles and local residents at all times as stated in the Traffic Control and Safety Devices Section.
  - e Notification to the traveling public must be posted with advanced warning sign or changeable message sign (CMS) as specified in the conditions for the permit or as directed by the Permits Section prior to the road closure. Five (5) working days advanced notice with CMS will be required on the roadways listed in #5 or as required by the conditions for the permit or as required by the Permits Section.
4. No work may occur on any road within five-hundred (500) feet of any school during the times indicated below:
 

High Schools	7:00 a.m. – 9:00 a.m.	2:00 p.m. – 3:30 p.m.
Middle Schools	8:00 a.m. – 9:00 a.m.	2:00 p.m. – 3:30 p.m.
Elementary Schools	7:00 a.m. – 9:00 a.m.	2:00 p.m. – 3:30 p.m.

5. No work that interferes with traffic may occur between 7:00 a.m. – 9:00 a.m. and 4:00 p.m. – 6:00 p.m., or as modified here below, on the following roads:

- |                              |                         |  |
|------------------------------|-------------------------|--|
| • Central Avenue,            | • Lewis Road,           | • Telephone Road,                              |
| • Channel Islands Boulevard, | • Moorpark Road,        | • Tierra Rejada Road,                          |
| • Harbor Boulevard,          | • Pleasant Valley Road, | • Victoria Avenue,                             |
| • Hueneme Road,              | • Rice Avenue,          | • Wendy Drive,                                 |
| • Kanan Road,                | • Rose Avenue,          | • and any other road designated by the County. |
| • Las Posas Road,            | • Santa Clara Avenue,   |  |
|                              | • Santa Rosa Road,      |  |

### **BACKFILL, COMPACTION, AND CLEANUP:**

Upon completion of work in any excavation within the paved area of the right-of-way, the excavation must be backfilled and compacted in accordance with County Road Standards (CRS) Plate E-11 and E-12 ([CRS](#)), both as to material and method. Ninety percent (90%) compaction is required for excavation in the dirt shoulder area. Backfilling must commence within forty-eight (48) hours, or two (2) working days, whichever is less, after trenching work is completed unless otherwise approved by the County.

1. Backfill between bedding and subgrade must be trench backfill slurry Class 60-E-0.7 (100-E-100, one-sack slurry) unless otherwise approved by the County. Two-sack slurry or sleeving may be required for shallow depths. Refer to CRS Plate E-11 and E-12.
2. The minimum cover over any pipe or conduit installed under any right-of-way must comply with CRS Plate E-11. Lesser cover in parkway or sidewalk areas must be reviewed and approved by the County.
3. Permittee must not leave any open excavation within the County of Ventura road right-of-way outside of normal working hours. At the end of each workday, all excavations within roads, parkways, medians, shoulders, etc., must be covered with non-skid traffic-rated steel plates or backfilled to a smooth, level grade, free of humps or depressions, satisfactory for public use and acceptable to the County.
4. Non-skid-surface traffic-rated steel plates, when used to cover an excavation, must be welded together and securely pinned in place with cold patch around edges. Recessed non-skid traffic-rated steel plates are required on roads where the speed limit is equal to or greater than 30 MPH, or as required by the Inspector. Plates may not remain in place more than seven (7) calendar days in one location. Use Steel Plate Ahead W8-24 warning signs on Type-II barricades in both directions ([Signs](#)). Exceptions to the conditions in this paragraph require written approval from the County.
5. Permittee may not excavate within five hundred (500) feet in any direction of a traffic signal until the permittee has contacted the County for marking of inductive vehicle loop detectors and marking has been completed. The permittee remains liable for replacement of any damaged detectors, regardless of any markings or notifications given or received.
6. Unless permanent paving is placed immediately, permittee must place and continually maintain temporary paving, bituminous resurfacing two-inch (2") thick, wherever excavation is made through pavement, sidewalk, or driveways. Permittee must consistently maintain all temporary trenches.
7. Trench backfill material, compaction, and resurfacing must conform to CRS Plate E-11. The permittee, as directed by the County, must provide compaction testing and a written compaction report by a registered civil engineer when required by the County.

8. Upon completion of any excavation work, the permittee must remove all obstructions, materials, and debris from the right-of-way and must perform any other work necessary to clean the right-of-way to a safe and usable condition, as directed by the County.
9. At the end of each workday, permittee must remove all materials, equipment, etc., from the right-of-way, unless otherwise approved by the County. All equipment and materials permitted to remain within the right-of-way must be stored a minimum of ten (10) feet from the edge of pavement and marked with barricades equipped with flashing warning lights if left overnight. Any deviation must be approved by the County.
10. No driver or operator of any diesel-fueled commercial motor vehicle with gross weight greater than 10,000 pounds, or of any mobile off-road diesel-fueled equipment, may allow the vehicle to remain at idle, pursuant to Title 13, California Code of Regulations. Any fuel spill or hazardous waste spill must be removed immediately and the roadway must be restored to its original condition no less than seven (7) working days after the spill or as required by the Inspector.
11. Permittee must shore all excavations deeper than five (5) feet per Cal OSHA Standards ([Cal OSHA](#)). When shoring is required, a copy of the shoring plan must be submitted for review to the Inspector at least forty-eight (48) hours or two (2) working days, whichever is longer, before the excavation begins.

#### **RESTORATION OF ROAD RIGHT-OF-WAY:**

Upon completion of the encroachment work authorized by a permit, the permittee must restore the right-of-way to a condition equivalent to the right-of-way condition immediately before the encroachment work was commenced, unless otherwise authorized or required in writing. The right-of-way includes all bridges and other structures within the right-of-way when encroachment work commenced.

In the event that the permittee fails to act promptly to restore the right-of-way as required, or should the nature of any damage to the right-of-way require restoration before the permittee can be notified or can respond to the notification, the County may, at its option, make the necessary restoration at permittee's expense. Should this occur, the permittee must reimburse the County for all costs incurred in accordance with the Encroachment Ordinance 4540 ([EO 4540](#)).

1. Permittee must continually maintain the permitted work, trenches, backfill, paving, and all other road facilities affected by this permit.
2. Permittee must repair or replace all road striping, road symbols, raised pavement markers, object markers, signs, drainage systems, other physical attributes and other markings in the right-of-way, that are damaged, removed, or obliterated as a result of the permittee's work. Permittee must use thermoplastic paint for restriping, unless otherwise approved. At locations where striping for the stop bar is damaged or removed, permittee must replace the stop bar by the end of the same day. Repairs and replacements must be equal to or better than the original improvements and must match them in finish and dimensions.
3. Where any pavement has been removed, the permittee must replace the pavement to a thickness one (1) inch greater than that of the surrounding pavement or surface and in no event to a thickness less than three (3) inches or greater than eight (8) inches. The base material must be replaced to the same thickness as that of the surrounding base course.
4. All roadways overlaid within the previous five (5) years of the permitted excavation are subject to special repair procedures, including but not limited to, complete overlay of the lane(s) in which

the excavation is made, as specified in the special conditions and CRS E-11 and E-12 ([CRS](#)). For paving history, go to County View Mapping ([County-View](#)).

5. All roadways rehabilitated within the previous two (2) years of the permittee excavation are subject to special repair procedures, as determined at the time of permit issuance and specified in the Special Conditions.
6. Shoulders must be restored and treated with like materials. Repairs made in the right-of-way must not interfere with the existing drainage or flow line in the area.
7. The permittee must investigate and be aware of all existing facilities lawfully within the right-of-way that are within the limits of the project. The permittee must not interfere with, alter, remove, or encroach upon any existing public or private facility without the consent of its owner. If it becomes necessary to relocate an existing facility, this must be done at the permittee's expense to the satisfaction of the facility's owner.
8. The permittee must support and protect all wires, cables, pipes, conduits, poles, and other apparatus, both aerial and underground, by a method satisfactory to the owner. The owner has the right to support or protect any of its facilities at the sole expense of the permittee. In case any of said wires, cables, pipes, conduits, poles, or apparatus should be damaged (and for this purpose, pipe conduit or other encasements are considered part of a structure), they must be repaired at the permittee's expense.

#### **SURVEY MONUMENTS:**

The permittee must notify the Inspector at least fourteen (14) days before starting work, to allow for the preservation of any survey monuments of record, or bench marks that might be disturbed or destroyed during construction. The Permittee shall not disturb or destroy survey monuments, lot corners, or bench marks without the consent of the County Surveyor. County Surveyor can be reached at 805-654-2068.

When a change is made in the finished elevation of the pavement of any roadway in which a Ventura County Standard Survey Monument well is located, the permittee must adjust the monument well cover to the new grade per CRS Plate E-4 ([CRS](#)), within seven (7) days of finished paving unless otherwise specified. The permittee must bear the expense of survey monument preservation as well as the adjustment of monument well covers to new grade.

#### **RECORD OF INSTALLATION (AS-BUILT PLANS):**

Permittee must submit as-built plans to the Permits Section. Within sixty (60) days after the complete installation, a corrected set of maps or atlas sheets drawn to a scale showing the complete installation of the utility must be submitted. Abandonments in-place are not permitted. For more information, see EO 4540 ([EO 4540](#)).

1. Furnishing the record drawing will not relieve the permittee of the obligation to maintain permanent location records and accurately locate the subsurface encroachment to facilitate County work or Board-Governed District work.
2. The permittee is liable for all costs incurred by the County as a result of inaccurate location data provided by the permittee, and indemnify and hold the County harmless regarding any liability arising from the installation of the facility within the County right-of-way.
3. Any deviation from the above conditions requires prior written approval by the County Transportation Department.

**LINKS:**

Applications: <https://www.vcpublishworks.org/applyforpermits/>

BOS: <https://www.ventura.org/board-of-supervisors/agendas-documents-and-broadcasts/>

Cal OSHA: <https://www.dir.ca.gov/dosh/>

CAMUTCD: <http://www.dot.ca.gov/trafficops/camutcd/camutcd2014rev4.html>

County-View Mapping: <http://gis.ventura.org/PWA-Transportation/>

CRS: See Guidelines or SPPWC.

CVC: <http://leginfo.legislature.ca.gov/faces/codes.xhtml>

EO 4540: [https://library.municode.com/ca/ventura\\_county/codes/code\\_of\\_ordinances?nodeId=DIV12HIEN](https://library.municode.com/ca/ventura_county/codes/code_of_ordinances?nodeId=DIV12HIEN)

Extensions: See Applications.

Fees: See Applications.

Guidelines: <https://www.vcpublishworks.org/tsd/ordinancespoliciesguidelines/>.

NPDES: <http://www.vcstormwater.org/documents/reference/ventcopermit.pdf>

PWATD: <https://www.vcpublishworks.org/tsd/>

Signs: <https://dot.ca.gov/programs/traffic-operations/sign-charts>

SLDS: See SPPWC.

SPPWC: <https://www.vcpublishworks.org/esd/standardsandmanuals/>

USA: <http://call811.com/map-page/california>

VCSS: See SPPWC.

VCSWQP: <http://www.vcstormwater.org/index.php/programs/about-vcsqmp>