

**VENTURA COUNTY
PUBLIC WORKS AGENCY ROADS & TRANSPORTATION (VCPWA-RT)**

ADOPT-A-ROAD PROGRAM

ADOPT-A-ROAD CONDITIONS

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SECTION 1 – PERMIT REQUIREMENTS

1. Safety Training. No person may enter the County right-of-way to perform work until after the Entity or Sponsor’s designated group leader has received a safety orientation from the Maintenance Division of the Ventura County Public Works Agency Roads & Transportation Department as described below. Any person who will enter the right-of-way is to have received the safety training from the group leader as described below in Section 3.
2. Nature and frequency of work. The Entity or Sponsor is to remove litter and other debris from the right-of-way. Work performed under the permit may occur as frequently as they choose but shall be performed at least once every 180 days.
3. Right-of-Way. The Entity or Sponsor may not perform landscaping, planting, pruning, painting, construction, demolition, or alteration of the right-of-way.
4. Minors. No minor under the age of 14 may perform work unless otherwise approved by the permit. Minors aged 14 to 17 may perform work under the permit with written parental consent and one adult supervisor present, for every five minors at the work site. Each adult supervisor shall be at least 21 years of age.
5. Beginning of work. Work under the permit may be performed only after a safety orientation has been completed and all workers have received safety training, as described below. Work is to begin within 90 days of the effective date of the permit start date, regardless of whether any recognition sign has been installed. The Sponsor may not suspend, or delay work due to the absence of or damage to any recognition sign.
6. Advance notice of work. No fewer than five days and no greater than 30 days before beginning any work, the Sponsor shall notify the Permits Engineer of the Permits Section of the Public Works Agency Roads & Transportation Department, using the notice form attached and incorporated here as Exhibit A, of the Entity or Sponsor’s plan to work. This notice shall also designate the group leader and alternate group leader. Notification is to be made via email to: pwa.transpermits@ventura.org.
7. After cleanup. No fewer than five days and no less than 30 days after the cleanup day, the Sponsor is to provide an after-work cleanup report to the Permits Engineer using the form in Exhibit B. Email the report to: pwa.transpermits@ventura.org.
8. Work days and hours. All work is to be performed during daylight hours. No work shall be performed during peak traffic hours listed on the permit. If weather or other adverse circumstance causes decreased visibility or a hazard to workers, work is to be stopped immediately. No work may be conducted on, or within the 24 hours preceding, the following holidays, regardless of whether the notice form identifies them as the dates of work. The holidays are: New Year’s Day,

- President's Day, Easter, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving and the day after Thanksgiving, or Christmas Day.
9. Conflicting encroachments. The Sponsor may not perform work at the site of ongoing or prior authorized work within the right-of-way.
 10. Permit at work site. The Sponsor shall keep a complete copy of the Permit and any plan or work schedule at the work site and show them upon request to any County representative or law enforcement officer. No work may be performed without these materials being present at the work site.
 11. Parking at work site. No vehicle may be parked or stopped in the right-of-way in a manner that interferes with the free flow of traffic or bicyclists or pedestrians. Vehicles used to transport workers to and from the work site may be parked in the right-of-way, provided each vehicle is located completely off the pavement and at least ten feet from any traffic lane.
 12. Work procedures. All work shall proceed in the direction facing traffic and workers shall face traffic whenever possible. The Sponsor is to post a safety lookout whenever workers are unable to watch oncoming traffic. No work may be performed on a median strip, or on or within ten feet of any traffic lane. Workers may not work on unstable or slippery ground, on steep slopes, on bridges, or inside culverts.
 13. Traffic control. No form of traffic control may be used, including, but not limited to, signs, cones, vehicles, or closures of lanes or shoulders.
 14. Safety equipment. All workers are to wear hard hats, safety vests, gloves, and protective eyewear while on the County's right-of-way unless stated otherwise on the permit. The County may provide these items. The Road Maintenance Adopt-A-Road Contact is listed in Section 6. All workers are to wear long pants and shoes or boots with ankle support. Any item furnished by County are to be returned upon termination of this Permit.
 15. Litter and debris removal. The Sponsor are to use only litter bags provided by the County. Filled bags are to be securely tied and placed at least ten feet from the edge of the nearest traffic lane and off the paved shoulder. Bags may not be placed where they obstruct drainage or where they cannot be easily or safely seen or retrieved by County personnel. Whenever possible, bags be stacked together and placed at least 100 feet from any structure. The Sponsor are to leave all filled bags at the work site, to enable verification of work frequency and quantification of the value of the work performed under the permit.
 16. Storage. Except for filled litter bags, the Sponsor may not store any equipment or materials in the right-of-way.
 17. Permits from other agencies. The Sponsor are to obtain and maintain all permits necessary and required by law from the appropriate agencies. This constitutes the required encroachment permit under Ventura County Ordinance Code section 12100 et seq.
 18. No excavation or digging. The Sponsor may not perform any excavation or digging while performing work under the permit.
 19. Archeological and historical resources. The Sponsor are to immediately stop all work and notify the Engineer if Sponsor finds any archeological or historical resources in the vicinity of the work site.
 20. Insurance Requirements. Certificates of insurance and endorsements with the County of Ventura as a certificate holder. The permittee shall maintain in full force and effect throughout the term of the permit, an adequate insurance policy or policies, including motor vehicle insurance, which fully protects the County from claims and suits for personal injury, death, and property damage. The Sponsor shall retain an insurance and amount as determined by County Risk Management. The insurance shall afford coverage for the permittee and in the amount or amounts as determined by County Risk Management. Risk Management will approve a

Volunteer Waiver (Exhibit C) in lieu of the low-risk minimum amount of insurance of \$500,000.

SECTION 2 - ROAD SPONSORSHIP SIGNS

At the Sponsor's election, the County may manufacture, install, and maintain two road sponsorship recognition signs along the roadway for which the permit is issued, one facing each direction, to identify the Sponsor's name as the sponsor, in recognition of the Sponsor's contribution. Sponsorship signs will be of the County's design and will display "Sponsor's Name" in black, block letters on a white background. As an alternative, the Sponsor may furnish a customized identifying logo for placement on the signs, at their own expense. County retains sole and final authority for approval of the artwork's wording, size, color, type style, placement, and future modifications. The County and the Sponsor will agree that the sponsorship signs are government speech by the County; that the sponsorship signs are neither a public forum, a limited public forum, nor a non-public forum; and that neither the sponsorship of road nor the sponsorship signs are intended to provide a forum for advertisement, solicitation, or public discourse.

SECTION 3 - SAFETY PROCEDURES

As part of the safety procedures the Sponsor are to comply with the following requirements:

1. Group leaders. Before beginning any work, the Sponsor shall designate to the Permit Engineer, using the form in Exhibit A, a group leader and an alternate group leader.
2. Safety orientation. Both the group leader and alternate group leader shall have attended a safety orientation given by the Road Maintenance Adopt-a-Road Maintenance Manager.
3. Safety equipment. During the safety orientation, the County will issue litter bags. The County may issue safety equipment. Additional equipment and litter bags may be obtained as needed from the Road Maintenance Adopt-a-Road Maintenance Manager.
4. Safety training. Before the beginning work, the group leader or alternate group leader are to provide safety training for all workers. This training shall include an explanation of this Permit, and all workers are encouraged to view a safety video that will be provided by the County.
5. Safety reviews. The group leader or alternate group leader are to conduct a brief safety review each time the group goes out to work. This review is to be conducted away from the work site, and the permit conditions for "Safety Requirements for Participants" and "Bag It, Move It, or Leave It?" are encouraged to be reviewed. The group leader or alternate group leader is to ensure each worker is equipped with safety gear and all minors supervised as required. The group leader or alternate group leader shall be present at the work site throughout the duration of the work.
6. Report injuries, accidents, and incidents. The Sponsor are to report to the Permit Engineer using the form in Exhibit B no later than the business day following the event, all of the following: An injury to any person resulting in that person seeking medical treatment; vehicular damage resulting in an insurance claim, police report, or both; and any incident for which a law enforcement agency was contacted.
7. Contacts. Report changes in contact information or leadership to the Permit Engineer using the form in Exhibit A. New group leaders appointed during the term of Permit are to attend a safety orientation given by the Road Maintenance Adopt-a-Road Maintenance Manager.

SECTION 4 - COST OF WORK.

The Sponsor is to bear all costs incurred for work under the Permit. The Sponsor is to jointly and severally waive all claims for indemnification or contribution from the County.

SECTION 5 - COUNTY INDEMNIFICATION

Neither the County nor any of its officers or employees will be liable in any manner for injury to or death of any person, or for property damage, from any cause. The Sponsor, jointly and severally, will be responsible for, and will hold harmless, indemnify, and defend County against all claims for property damage or injury to or death of any person, arising out of work or other activity under the permit, arising out of any Sponsor's failure to perform its obligations under the permit, or resulting from any other cause during the progress of work or other activity under the permit.

The Sponsor's duty to hold harmless, indemnify, and defend includes the duties to defend described in Civil Code section 2778. The Sponsor jointly and severally waive all rights to any type of express or implied indemnity against the County and its officers, employees, and contractors. The Sponsor are to, jointly and severally, hold harmless and indemnify County and its officers, employees, and contractors as described above, regardless of the existence or degree of fault or negligence, whether active or passive, primary or secondary, on the part of County; County's officers, employees, or contractors; the Sponsor; or persons employed by or acting on behalf of the Sponsor.

The Sponsor is to obtain hold harmless waivers from all participants using the form in Exhibit C.

SECTION 6 – ADOPT-A-ROAD RESOURCES

Links

Adopt-a-Road Program Guidelines:

<https://www.vcpwpublicworks.org/rt/ordinancespoliciesguidelines/>

Adopt-a-Road Program Municode VCCO Section 12219:

https://library.municode.com/ca/ventura_county/codes/code_of_ordinances?nodeId=DIV12HIEN_CH2GEPR_12219ADROPE

Adopt-a-Road Program Application Section 12401 and Insurance Section 12401(c)(5):

https://library.municode.com/ca/ventura_county/codes/code_of_ordinances?nodeId=DIV12HIEN_CH4APRE_12401PEAP

Apply for Permit: <https://www.vcpwpublicworks.org/applyforpermits/> (see bottom of webpage)

Contact VCPWA-RT:

Permits Section: pwa.transpermits@ventura.org or (805) 654-2055 (Technicians).

Road Maintenance Section: (805) 672-2131 (Adopt-a-Road Contact).

County-Maintained Roads: See Maps.

Incidents: Use Exhibit B to report injuries, accidents, and incidents.

Insurance: \$500,000 minimum liability insurance required by Risk Management.

Amount: Amount may be waived for Adopt-a-Road Program.

Requirements: https://s29422.pcdn.co/wp-content/uploads/2019/04/EP_FilmPermitInsuranceRequirements.pdf

Waiver: See Exhibit C for Volunteer Release & Waiver of Liability.

Maps:

VCPWA-RT County-View: <https://maps.ventura.org/PWA-Transportation/>

Google Maps: <https://www.google.com/maps/>

Bing Maps: <https://www.bing.com/maps/>

Safety Materials:

Note: Safety materials to be provided to all participants.

1. Bag It, Move It, or Leave It (Caltrans):

<https://dot.ca.gov/-/media/dot-media/programs/maintenance/documents/adopt-a-highway/bag-it-a11y.pdf>

2. Safety Requirements for Participants (Caltrans):

<https://dot.ca.gov/-/media/dot-media/programs/maintenance/documents/adopt-a-highway/crew-plans-a11y.pdf>

3. Safety Equipment and Materials, Trash/Litter Bags, and Signs: Contact VCPWA-RT Road Maintenance.

Safety Videos:

Note: Safety videos by others. Some requirements in video may differ with VCPWA-RT Permit. Permittees are to refer to permit conditions of approval.

1. Caltrans: Search YouTube for Caltrans Adopt A Highway Safety Video: https://www.youtube.com/watch?v=l3MmhZ_frM0&feature=youtu.be
2. Snohomish Co, WA: <https://www.snohomishcountywa.gov/664/Adopt-A-Road#video>

Signs: Contact VCPWA-RT Road Maintenance.

Start of Work: Use Exhibit A to report work or cleanup date and time

Weather: <https://weather.com/>
<https://www.accuweather.com/>

Websites:

VCPWA-RT:

<https://www.vcpwpublicworks.org/rt/>

Permits Section:

<https://www.vcpwpublicworks.org/rt/encroachment/>

Maintenance Section:

https://www.vcpwpublicworks.org/rt/tsd_om/

**VENTURA COUNTY
PUBLIC WORKS AGENCY ROADS & TRANSPORTATION (VCPWA-RT)
ADOPT-A-ROAD PROGRAM**

VOLUNTEER RELEASE & WAIVER OF LIABILITY

Please read carefully! This is a legal document that affects your legal rights.

I want to participate in volunteer activities for the Ventura County Public Works Agency Roads and Transportation Department, henceforth referred to as County. As a County volunteer, I freely, voluntarily, and without duress execute this Release and Waiver under the following terms:

1. Assumption of Risk. I understand that my work for the County may include activities that are hazardous and/or physically strenuous and that I may be exposed to personal injury or damage to my property as a result of my activities, the activities of other persons, or the conditions under which my services are performed while participating in County volunteer activities. Though the County will provide me with support, supervision, training, and supplies to accomplish assigned tasks, I agree to assume the entire risk of injury, property damage or harm arising from my work as a volunteer regardless of such support, supervision, training and supplies provided by the County.

I also agree with the following:

- I will follow all instructions provided by the County, its employees, or volunteer coordinators.
- I will only use equipment that I know how to operate and use safely.
- I will not undertake any activity for which I do not feel sufficiently prepared or able and until I have received instructions.
- I will take all reasonable precautions to avoid injury to myself and to others and damage to property.

2. Waiver and Release. I hereby release and forever waive any causes of action of any type against the County of Ventura, its officers, directors, employees, and other County volunteers including all liability for my injury, illness, death, or property damages arising from my participation in this volunteer activity, on behalf of myself, my heirs, and my assigns.

3. Indemnity Clause. I do hereby agree to indemnify, protect, defend and hold harmless the County, its officers, directors, agents, employees and each of them (indemnities) from and against any and all claims, demands, causes of action, damages, cost, expenses, actual attorneys' fees, judgments, losses and liabilities of every kind and nature whatsoever (Claims) arising out of my work as a volunteer. I understand that this release discharges the above entities from any liability that may result from my work whether caused by the negligence of the County or its employees to the extent allowed by law, but not arising from the sole negligence of the County of Ventura and/or its employees.

4. Medical Treatment. I release and discharge the County from any claim that arises or may arise due to any first aid, medical treatment, or service rendered to me.

5. Insurance. The County does not have responsibility for providing any health, medical or disability insurance coverage for me. IT IS MY RESPONSIBILITY AS A VOLUNTEER TO ENSURE I HAVE MEDICAL/HEALTH INSURANCE.

- I understand that if I drive my personal vehicle for County business while volunteering, I must have a valid driver's license and proof of auto insurance.

6. Photographic Release. I grant to the County the right to use photographic images and video or audio recordings of me that are made by the County or others during my volunteer work for the County.

7. Duration of Release. My agreement to the terms in this Release & Waiver applies as long as I volunteer for the County.

8. Other. I agree that this Release and Waiver is intended to be as broad and inclusive as permitted by the laws of California and that this Release and Waiver is governed by and will be interpreted according to the laws of California. I understand that should any part of this Release and Waiver be ruled invalid by a court, the other parts will remain valid and continue to be in effect.

I certify that I am at least eighteen (18) years of age or have had this document signed by my parent or guardian.

| | | | |
|--------------------|---|-------------------|-----------|
| PRINT Adult's Name | If consenting a minor, print name(s) on lines provided. | | |
| Street Address | | | |
| City, State, Zip | Telephone | Email Address | |
| Signature | Date | Emergency Contact | Telephone |

Please scan and email all the completed forms with Exhibit B to pwa.transpermits@ventura.org. **EXHIBIT C**



County of Ventura
ENCROACHMENT PERMIT APPLICATION
 PUBLIC WORKS AGENCY TRANSPORTATION DEPARTMENT
 800 South Victoria Avenue, Ventura, CA 93009
 (805) 654-2055 / Fax.(805) 654-5169
 email: pwa.transpermits@ventura.org / <http://www.pwa.ventura.org>

**Adopt-a-Road
 Application**
 Fill in areas in bounded
 in red.

An incomplete application will not be processed. If fields are not applicable, please insert N/A.

"The undersigned hereby applies for permission to encroach on the following described County Right of Way or other property"

LOCATION OF WORK:

Street No: _____ Street Name: _____ City: _____ Zip code: _____
 Road Limits from Road Inventory: _____ Click link for [Road Inventory List](#)
 Nearest Cross Street: _____ Distance from nearest Cross Street (FT): _____

DESCRIPTION OF WORK:

Excavation Length: _____ Excavation Width: _____ Excavation Depth: _____ Excavation Surface: _____
 Number of Driveways : _____ Width of Driveway/sidewalk : _____ Length of Sidewalk: _____
 Start Date: _____ Estimated Completion Date: _____

APPLICANT INFORMATION:

Permittee: _____ Phone: _____ Email: _____
 Address Street No: _____ Street Name: _____ City: _____ Zip code: _____
 Primary Contact: _____ Phone: _____ Email: _____

Contractor: _____ Phone: _____ Email: _____
 Address Street No: _____ Street Name: _____ City: _____ Zip code: _____
 Field Contact Person: _____ Phone: _____

ATTACHMENTS INCLUDED:

Plans Traffic Control Plan Insurance Certificate Estimated Construction Cost (\$): _____ Other: _____

Working in the road right of way without an approved permit is a misdemeanor and may be subject to double fees and other penalties.

ACKNOWLEDGEMENT

I understand that any permit that may be granted as a result of this request may be revoked by County at any time. In consideration for issuance of this permit, I agree, and by use hereof, my agents, employees, contractors and invitees agree to be bound by all of the provisions of California Vehicle Code Sections 35780, 35782, Division 12 of the Ventura County Ordinance Code, the Standard Conditions included with this permit and any special conditions hereupon, or attached hereto.

I agree to hold the County, its officials, officers, employees and agents harmless from any claims, defense and legal costs, judgments for damages, or other relief against the County as a result of acts, or omissions, by me or my representatives, in the performance of any activities permitted hereunder, whether the condition giving rise to the claim or judgment was created in whole, or in part, by me or my representatives.

I understand that a violation of the conditions would constitute a violation of the encroachment ordinance which is a misdemeanor per section 12301 and is guilty of separate offenses for every day and part thereof which such violation remains. I agree to comply with all conditions of approval for the permit. I further agree to continually maintain all encroachments authorized by this permit in a condition acceptable to the County.

By: _____ Date: _____
 SIGNATURE OF PERMITTEE
 Name: _____ Title: _____
 PRINT NAME