

## **2022 ENCROACHMENT PERMIT STANDARD CONDITIONS**

**Submittal.** 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.

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

**Violation.** 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.

**Standards.** 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 ([CRS](#)), the most current version of the Standard Plans and Specifications for Public Works Construction (SPPWC) ([SPPWC](#)), the Standard Land Development Specifications ([SLDS](#)), and the Ventura Countywide Storm Water Quality Management Program (VCSWQMP) ([VCSWQMP](#)) as part of the National Pollutant Discharge Elimination System Permit CAS004002 ([Permit](#)) 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.

**Inspection.** Permittee must confer with Ventura County Public Works Agency Roads & Transportation (VCPWA-RT) ([VCPWA-RT](#)) Inspector (Inspector) listed on the permit or their 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.

**Permit.** Permittee must retain hard copy of permit at work location and submit to Inspector upon request, including any permit attachments, standard conditions, or special conditions.

**Dig-Alert.** 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 (also called Dig Alert Number) from the Regional Notification Center. To obtain a pre-excavation I.D. number, call Underground Service Alert (USA) 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 commencing excavation work. 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:**

**Violation.** 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. VCPWA-RT may issue any permit on behalf of the person performing the work or conducting the activity without pre-application and the Permittee will be subject to all fees and costs required by the permit and the most current fee schedule ([Fees](#)). Any work without a permit is subject to penalty fees. For more information, see EO 4540 ([EO 4540](#)).

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

Extensions. 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](#)). Email completed form to [pwa.transpermits@ventura.org](mailto:pwa.transpermits@ventura.org).

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

Standards. Permittee must comply with the traffic-control and safety standards described in either the California Manual of Uniform Traffic Control Device (CAMUTCD) ([CAMUTCD](#)) or 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 most current sign manual published by the California Department of Transportation and the applicable sections of the California Vehicle Code ([Vehicle Code](#)).

Emergency and local access. For any approved traffic control plan/system, whether a lane closure or soft road closure, emergency and local access shall be maintained in the work zone during the closure. Emergency personnel shall be given immediate access to the work zone. All permitted work shall cease to allow emergency access. Permittee's equipment and vehicles must be moved immediately to allow emergency access. Local residents must not wait more than five (5) minutes to access driveways in the work zone.

1. Signs. 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. Stop-Work. Failure to provide acceptable traffic control or to comply with any other condition of the permit will result in a job shutdown and stop-work order 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. Traffic Control. All required traffic-control devices must be in place and must be inspected by the Inspector before any work begins. If traffic control is deemed deficient by authorized County personnel, then Permittee must cease all work and remove all personnel, equipment, and materials from the County road right-of-way until the required traffic-control devices are in place.
4. Signs. All stationary signs must be installed on four-inch by four-inch (4"x4") wood posts unless otherwise approved in writing by the County. Stationary signs are defined as permanent long-term signs that remain in place outside of normal working hours and when construction is not active.
5. Signs. All non-stationary signs must be mounted on portable sign supports. Non-stationary signs are defined as temporary, short-term signs in place for less than twenty-four (24) hours and used for traffic control during active working hours, detours, etc.
6. Excavation and vertical obstruction. For any excavation or obstruction, the Permittee must provide adequate warning to the traveling public. All warning devices (reflectorized traffic control devices and/or lights) must be placed at 50-foot intervals or less as required by the CAMUTCD. Warning lights/systems must be placed the required distance before the excavation or obstruction and then along the excavation or obstruction. All warning devices must be in place no less than one-half (½) hour before sunset and or one-half (½) hour after sunrise and must remain until the

work is completed and the right-of-way is made safe for the traveling public. The traveling public includes any user of the right-of-way whether employing motorized or non-motorized forms of travel or any use that is allowed in the road right-of-way.

7. Removal. 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. Lane closures. 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. Cross streets entering/within the construction zone must also be flagged. Radio communication must be provided for all flaggers at all times.
9. Excavation or spoils. During work hours, Permittee must not place excavated material and equipment in traversed right-of-way or right-of-way not properly marked with safety devices. Permittee must provide and maintain sufficient safety devices, including, but not limited to, lights, barricades, signs, and watchmen, as necessary to protect the traveling public.
10. Responsibility. Permittee shall comply with all laws, regulations, and ordinances relating to the protection of persons or property. No omission on the part of the County to specify in the permit documents which safety devices must be installed or which preventive actions must be taken will release the Permittee from complying with local, state, or federal regulations. Upon discovery of non-existent, insufficient, or unsuitable safeguards for the traveling public, authorized County personnel may furnish, install, maintain, and relocate safety devices or take actions deemed necessary to protect the traveling public, and charge the Permittee in accordance with local, state, and federal regulations and the most current fee schedule adopted by the Board of Supervisors (BOS) ([BOS](#)).
11. Conflicting standards. For contradictory or conflicting traffic control requirements/systems between any manual, plan, specification, or other permit document, the most stringent (greatest or highest) requirement will apply. The County will determine the requirements when additional conflicts remain.
12. Deviations. Any deviation from these conditions requires review and approval by the County.

#### **TRAFFIC CONTROL RESTRICTIONS:**

1. Work hours. Working 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. Working days. Working days are limited to Monday through Friday, except when a holiday occurs on the weekday. No work may be performed on Saturdays, Sundays, or holidays as listed in the most current version of the Ventura County Standard Specification (VCSS) Section 6-7.2.1 ([VCSS](#)) or the most current and applicable Service Employees International Union (SEIU) Memorandum of Agreement (MOA) Section 1302 ([MOA](#)) without prior approval from the Permits Section.
3. Lane closures. Pre-notification and pre-planning is required. Restrictions stated herein may apply to lane closures. Night-work may be recommended or required for lane closures on some county-maintained arterials and thoroughfares. Wait times for vehicular traffic waiting to proceed through work zone must be minimized. Traffic must not wait longer than three (3) minutes or as specified on the permit and/or approved traffic control plan. Flaggers required at beginning and end of work zone and any cross street entering/within work zone.

4. Road closures. Road closures are NOT allowed without adequate pre-notification and pre-planning. All road closures require prior written approval from the Road Commissioner.
  - a. Submittal. Traffic control plans, including detour plans, must be submitted more than three (3) weeks prior to the desired road closure date. Traffic control plans must be reviewed and approved no less than two (2) weeks ahead of the desired road closure date. Changes to road closure dates and times are discouraged.
  - b. Detours. Detours must be reviewed and approved prior to any approved road closure date.
  - c. Advanced notification. Once the traffic control plan/system is approved, advanced notification to the traveling public will be required. Advanced notification may include one or both of the following: (1) stationary advanced warning sign (AWS) with time and date of road closure; (2) changeable message sign (CMS) with time and date of road closure and message regarding traffic delay or using alternative routes. AWS and/or CMS must be installed on any roadway designed on the approved traffic control plan or as stated in the permit conditions or as modified in Condition #5 here below. AWS and/or CMS must be installed five (5) days prior to the road closure date or as specified on the traffic control plan or conditions of approval. Additional AWS and/or CMS may be requested at any time up to the road closure date.
  - d. Traffic Order. Two (2) working days or forty-eight (48) hours, whichever is longer, prior to the road closure date, VCPWA-RT prepares a Traffic Order (TO) for the final approval from the Road Commissioner. Road closures are not officially approved until the Road Commissioner signs the TO. TO is disseminated to the public via County media, emergency personnel (police and fire), and any other interested parties.
  - e. Emergency and local access. Emergency and local access shall be maintained at all times. All road closure approvals are “soft” road closures.
  - f. Traffic Monitors. During road closure event/time, Permittee must provide monitors at either end of work zone. Traffic monitors must redirect traffic to detour. Local traffic must wait no longer than five (5) minutes to access driveways or private roads in road closure notification zone or as stated in permit conditions and/or traffic control plan.
5. Schools. Working hours are limited near schools. 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.

Exceptions may be granted upon consent of the school principal and Permits Section.
6. Peak-hour restrictions. Work hours are limited on some county-maintained arterials and thoroughfares. Peak-hour restrictions are generally for high-speed and high-volume roadways. Roads not listed below will be listed in the permit-specific conditions of approval. 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:

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| <ul style="list-style-type: none"> <li>• Central Avenue,</li> <li>• Channel Islands Boulevard,</li> <li>• Harbor Boulevard,</li> <li>• Hueneme Road,</li> <li>• Kanan Road,</li> <li>• Las Posas Road,</li> </ul> | <ul style="list-style-type: none"> <li>• Lewis Road,</li> <li>• Moorpark Road,</li> <li>• Pleasant Valley Road,</li> <li>• Rice Avenue,</li> <li>• Rose Avenue,</li> <li>• Santa Clara Avenue,</li> <li>• Santa Rosa Road,</li> </ul> | <ul style="list-style-type: none"> <li>• Telephone Road,</li> <li>• Tierra Rejada Road,</li> <li>• Victoria Avenue,</li> <li>• Wendy Drive,</li> <li>• and any other road designated by the County.</li> </ul> |
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## **BACKFILL, COMPACTION, AND CLEANUP:**

Open excavations. All open excavations must be properly filled immediately. Upon completion of the work, the excavation must be backfilled and compacted in accordance with County Road Standards (CRS) Plate E-11 and E-12 ([CRS](#)). CRS E-11 and E-12 specify the County standard for the materials and methods. Ninety percent (90%) compaction is required for excavations in the dirt shoulder areas. Backfilling must commence within forty-eight (48) hours, or two (2) working days, whichever is less, after the excavation or trenching work is completed, except when longer durations are approved by the County.

1. Backfill slurry. 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. Depth. Below-grade utilities must be installed/constructed at the minimum depth. The minimum cover over any pipe or conduit installed under any right-of-way must comply with CRS Plate E-11. Lesser cover in parkways or sidewalk areas must be reviewed and approved by the County.
3. Traffic-rated steel plans and non-working hours. Open excavations shall be covered or filled during non-working hours. Permittee shall not leave any open excavation within the County of Ventura road right-of-way, whether paved or unpaved, 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.

Non-skid-surface traffic-rated steel plates must be welded together and securely pinned in place with cold patch around edges. Steel plates must be recessed in the pavement on high-speed roads, any road with a speed limit equal to or greater than 30 MPH, or as modified by authorized County personnel. Steel plates may not remain in place more than seven (7) calendar days at any one location. Advanced warning signs are required for steel plates in the roadway. Use Steel Plate Ahead W8-24 warning signs on Type-II barricades in both directions ([Signs](#)). Exceptions require written approval from the County.

4. Traffic signals and loop detectors. Permittee must contact the Inspector prior to excavating within five hundred (500) feet of any traffic signal or daily vehicle counter. Loop detectors must be marked by the County prior to any excavation in the vicinity of the traffic signal or counter. Regardless of marking or notification, whether such marking occurred or not, Permittee remains liable for the replacement of any damaged loop detectors. Permittee must replace damaged loop detectors to the satisfaction of the County or joint-owner of the signal.
5. Temporary paving. 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.
6. Compaction testing. Trench backfill material, compaction, and resurfacing must conform to CRS Plate E-11. Trench backfill slurry is required in backfill zone. Deviations from trench backfill slurry require pre-approval. Submit request in writing for review and approval. For approved deviations, Permittee must submit Quality Control Plan for review and approval as required by CRS E-11. Permittee must provide compaction testing and written compaction report by a registered civil or geotechnical engineer.

7. Cleanup. Upon completion of any excavation work, Permittee must remove all obstructions, materials, and debris from the right-of-way. Permittee must clean the right-of-way to a safe and usable condition. Additional work will be required for unsatisfactory cleanup.
8. Vacating right-of-way. No materials or equipment or appurtenances may be stored in the road right-of-way during night-time or non-working hours. Permittee must remove all items from the right-of-way. Exceptions must be reviewed and approved by the County prior to the work-day. When approved, stored items must be placed no less than ten (10) feet from the edge of pavement. When right-of-way is available beyond ten (10) feet, place items further from edge of pavement. Any stored items must be marked with barricades equipped with flashing warning lights. Deviations must be reviewed and approved by the County.
9. Diesel-powered vehicles or equipment. Pursuant to Title 13 California Code of Regulations ([Code](#)), no driver or operator of any (1) diesel-fueled commercial motor vehicle with gross weight greater than 10,000 pounds or (2) of any mobile off-road diesel-fueled equipment may allow the vehicle to remain at idle. Any fuel spill or hazardous waste spill must be removed immediately. After the spill-event, 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.
10. Shoring. Permittee must shore all excavations deeper than five (5) feet or as required by the California Division of Occupational Safety and Health ([Cal OSHA](#)). When shoring will be required, submit a copy of the shoring plan to the Inspector at least forty-eight (48) hours or two (2) working days, whichever is longer, before the excavation activity begins.

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

Restoration. 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.

Failure. 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. Maintenance. Permittee must continually maintain the permitted work, trenches, backfill, paving, and all other road facilities affected by this permit.
2. Physical road features. Permittee must repair or replace all road striping, road symbols, raised pavement markers, object markers, signs, drainage systems, other physical attributes, or 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. Where the stop bar is damaged or removed, Permittee must replace the stop bar by the end of the same workday. Repairs and replacements must be equal to or better than the original improvements and must match them in finish and dimensions.
3. Pavement restoration. 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 or as

required by the County. The base material must be replaced to the same thickness as that of the surrounding base course.

4. Moratorium roads (overlays). 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. Moratorium roads (rehabilitation). All roadways rehabilitated within the previous two (2) years of the permitted excavation are subject to special repair procedures, as determined at the time of permit issuance and specified in the Special Conditions. Mainline replacements with extensive potholing may be required to seal coat the entire roadway or half the roadway.
6. Road shoulders. 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. Other encroachments. The Permittee must investigate and be aware of all existing facilities below-grade or above-grade 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. Permittee must identify owner of facility and submit owner consent in writing of facility to be relocated prior to permit issuance. After permit issuance, when relocation is necessary, work may be stopped until consent is obtained.

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:**

Advanced notification. 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. Permittee shall not disturb or destroy survey monuments, lot corners, or benchmarks without the consent of the County Surveyor. County Surveyor can be reached at 805-654-2068 ([County Surveyor](#)).

Adjustments. 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):**

As-Builts. 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 electronically. Abandonments in-place are not permitted, except as approved by the County. For more information, see EO 4540 ([EO 4540](#)).

1. Records. 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 or Underground Service Alerts.
2. Responsibility. 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. Deviations. Any deviation from the above conditions requires prior written approval by the County

#### **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 Surveyor: <https://www.vcpublishworks.org/es/countysurveyor/>

County-View Mapping: <https://www.ventura.org/transportationgis/>

CRS: See Guidelines or SPPWC.

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

Dig-Alert: See USA.

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/rt/ordinancespoliciesguidelines/>.

Municode: See EO 4540.

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

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

SLDS: See SPPWC.

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

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

VCPWA-RT: <https://www.vcpublishworks.org/rt/>

VCSS: See SPPWC.

VCSW Programs: <https://www.vcstormwater.org/>

VCSWQP: <https://www.vcstormwater.org/>

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