

Application for Encroachment Permit

This is an Application only. No work is to be started until a Permit is issued.

Date: _____, 20____

TO: Siskiyou County Department of Public Works
1312 Fairlane Road / PO Box 1127
Yreka, CA 96097
530-842-8250 Email: encroachment@co.siskiyou.ca.us



To Whom It May Concern:

The undersigned hereby applies for permission to excavate, construct and/or otherwise encroach on County right-of-way by performing work of the following type:

Applicant is to describe fully what it being proposed:

Work will be performed on/from: _____ to: _____
Date Date

The work site must be marked with conspicuous stakes and flags readily visible from the County Road. Mark stakes should identify owner or applicant. (If the site cannot be identified the permit will not be issued.)

The work is located on County Road: _____ Road #: _____
Road and Address

Mile Post _____ Approximately _____ Feet/ Miles North/ South/ East/ West
of the intersection of County or Public Roadway _____
Name or Number

Assessor's Number: _____ Township: _____ Range: _____ Section: _____

Detailed plans should be submitted if available and shall be submitted if requested by the Public Works Director or his representative.

This permit is issued in accordance with Section 1460 of the Streets and Highways code and no warranty is made or implied with regard to the ownership of the underlying fee title to the real property involved. Permittee is advised to determine ownership of the real property involved and obtain written permission from the owner to enter onto the occupy said property.

Please Note:

The signature of the applicant of this application will serve to indicate and acknowledge that the applicant has read and does understand the Provisions set forth therein, including the General provisions on page 3. Upon affixing said signature, applicant agrees to conform and comply with these provisions and requirements.

Contractor:

Contractor's Name: _____

Signature: _____

License Number: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____

Contractor Email Address: _____

Owner:

Company Name: _____

Applicant's Name: _____

Applicant's Signature: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____

Applicant's Email Address: _____

General Provisions

1. **Definition:** This permit is issued in accordance with Chapter 5.5, Articles 1 and 2 of the California Streets and Highways Code. The term encroachment is defined in Chapter 6, Subsection 1480 (b) of the referenced code.
2. **Acceptance of Provisions:** It is understood and agreed by the Permittee that performing any work under this permit shall constitute acceptance of these provisions.
3. **Prior Right:** It is understood and agreed that the County has prior right to the use all of its right of way.
4. **Notice Prior To Starting Work:** Prior to starting work requiring an inspector, or whenever stated on the face of this permit, the permittee shall notify the Director of Public Works or other designated employee of the Road Department at least three (3) days prior to start of work.
5. **Permission from Property Owners:** Whenever necessary to secure permission from abutting property owners, such authority must be secured by Permittee prior to starting work.
6. **Keep Permit at the Work:** This permit shall be kept at the site of the work.
7. **Protection of the Traffic:** The Permittee shall provide a traffic control plan, if requested. All traffic control shall be performed in accordance to the California Manual on Uniform Traffic Control Devices (CAMUTCD).
8. **Minimum Interference with Traffic:** All work shall be planned and carried out so that there will be minimum inconvenience to the travelling public.
9. **Clean Right of Way:** The Permittee shall keep the highway in as neat and clean a condition as possible.
10. **Storage of Material:** Material shall not be stored within eight (8) feet of the traveled way.
11. **Standards of Construction:** All work shall conform to recognized standards of construction.
12. **Borrow and Waste:** Any borrow or waste material contemplated shall be shown on an approved Excavation Plan.
13. **Supervision:** All the work shall be performed under competent supervision, and to the satisfaction of the Director of Public Works. Permittee must provide notice and obtain County approval of any assignments to perform work under this permit.
14. **Future moving of Installation:** It is understood by the Permittee that whenever construction, reconstruction, or maintenance work on the County Road conflicts with the improvements installed under an Encroachment Permit, the Permittee of said permit will immediately remove or relocate said improvements at their sole expense.
15. **Liability for Damages:** The Permittee is responsible for all liability for personal injury or property damage which may arise out work herein permitted, or which may arise out of failure on the Permittees part to perform under this permit in respect to maintenance. In the event any claim or such liability is made against the County of Siskiyou, or any department, officer, or employee thereof. Permittee shall defend, indemnify and hold them and each of them harmless from such claim. Further, Permittee shall obtain a similar provision in its contract

with any contractor to perform the work here in permitted, which identification and hold harmless shall include not only the Permittee but also the County of Siskiyou, any department, officer or employee thereof.

16. **Repairs:** The Permittee will pay the entire expense of replacing the highway in as good condition as before. If repairs are not made to the satisfaction of the Director of Public Works or not performed in a timely manner, the Director of Public Works may elect to perform the repairs and back-charge the Permittee the full cost of labor, equipment, and materials to complete the repairs.
17. **Care of Drainage:** If the work contemplated shall interfere with the established drainage, ample provisions shall be made by the Permittee to provide for it as may be directed by the Director of Public Works.
18. **Maintenance:** The Permittee agrees to maintain this encroachment, to inspect for any damage to the highway resulting from this encroachment, and immediately make the necessary repairs
19. **Roadway Encroachments:** Service and other small diameter pipes shall be bored and jacked or otherwise forced under pavement without damaging it. All planned services shall be installed at time of construction. Open trenching is not allowed on paved County Roads except in special cases approved by the Director of Public Works. Service pipes will not be permitted inside drainage structures. Linear trenching within the travelled way will not be approved unless valid reasons are presented clearly showing no other alternatives exist. Any electrical power facilities installed within the County right of way must be by a Public Utility. Micro Trenching is allowed but must be capable of maintaining a minimum depth of three (3) feet as required in Section 20. Trenching and boring performed within the County right of way must be installed a minimum three (3) feet below any drainage conduits encountered. All drainage conduits within the work area must be located prior to start of work.
20. **Depth of Pipes:** There shall be a minimum of 36 inches of cover over all pipes or conduits installed in the County right of way.
21. **Backfilling:** Backfill material placed within eight (8) feet of the edge of pavement shall be Class 2 Aggregate Base. All excavations shall be backfilled and mechanically compacted to ninety-five percent (95%) Relative Compaction in accordance with AASHTO Test Method T-99. Testing shall be performed by a certified soils laboratory. Results shall be provided to the County within forty-eight (48) hours after testing. Only rubber-tired/ (track) equipment is allowed on surfaced County Roads. Open excavations are not allowed outside of working hours.
22. **Restoration:** All pavement, curb, gutter, sidewalk, borrow, ditches, pipes, headwalls, road signs, trees, shrubbery, and/or other road facilities shall be restored to at least as good or better condition as before construction.
23. **Responsibilities:** The County will not be responsible for damage to any installation within the County right of way resulting from the County's normal maintenance operations.
24. **Penalties:**
 - (A) Any person responsible for creating an encroachment without an Encroachment Permit is guilty of a misdemeanor and is liable to the County for all expenses and damages

caused thereby. (Chapter 5.5, Article 2, Subsection 1460, California Streets and Highways Code)

- (B)** Encroachments as defined in Chapter 5.5, Article 1, Subsection 1480.5 that are not removed within (10) days of constructive notice may result in a forfeiture of three hundred-fifty dollars (\$350.00) per day for each day the Encroachment is not removed. (Subsections 1481, 1382, 1483)

General Provisions Updated November 2023