



# ENCROACHMENT PERMIT

County of Butte Department of Public Works

7 County Center Drive Oroville, CA 95965  
 Phone: (530) 538-7681 Fax: (530) 645-1822

**All information except signature must be typed or legibly printed**

Permit #:

**NOTIFY COUNTY 24 HOURS BEFORE WORK IS TO BE STARTED**

<b>PROPERTY OWNER</b>	Assessor's Parcel Number (Required):	Property Owner's Name:
	Phone:	Property Address:
	Mailing Address (If Different):	

<b>WORK PERFORMED BY</b>	Work will be performed by: <input type="checkbox"/> Contractor <input type="checkbox"/> Property Owner	Contractor's Name:
	Phone:	Address:
	Fax:	
	Contractor's License Number:	Certificate of Insurance currently on file with Department? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Applicant is: <input type="checkbox"/> Property Owner <input type="checkbox"/> Property Owner's Agent <input type="checkbox"/> Contractor <input type="checkbox"/> Other: _____	
	I / WE, the undersigned, hereby apply to the County of Butte for an encroachment permit to do the following work under or over the County roads and highways, all in accordance with County ordinances and general laws.	
Signature:		Date Signed:

<b>LOCATION</b>	Road affected:
	Time and Duration of Encroachment: <input type="checkbox"/> Permanent Encroachment <input type="checkbox"/> Temporary: From _____ To _____
	Type of Encroachment: <input type="checkbox"/> Driveway <input type="checkbox"/> Roadway <input type="checkbox"/> Culvert <input type="checkbox"/> Fence <input type="checkbox"/> Pipe/Pipeline <input type="checkbox"/> Sign/Billboard <input type="checkbox"/> Other _____
	Site Plans Attached: <input type="checkbox"/> Yes <input type="checkbox"/> No

<b>PERMIT CONDITIONS</b>  (To be filled in by County)	<b>PERMIT IS:</b> <input type="checkbox"/> GRANTED <input type="checkbox"/> DENIED				
	<b>Conditions:</b> In compliance with the above request, and subject to all terms, conditions (including those on page 2 of this permit form) and special conditions written below, permission is hereby granted.				
	1. <input type="checkbox"/> Underground Service Alert (U.S.A.) must be notified two working days prior to any excavation. 800-227-2600				
	2. <input type="checkbox"/> All work shall conform to accompanying: <input type="checkbox"/> Detail <input type="checkbox"/> Plans <input type="checkbox"/> Special Conditions				
	3. <input type="checkbox"/> Other Conditions:				
	Date Issued:		Expiration Date:		Surety:
	Date Paid:	Amount Paid:	Paid By:	Check No:	Receipt No.:
<b>Dennis Schmidt, Director of Public Works</b>			By:		

<b>For County Use Only</b>	Road District:	Inspected By:	Inspection Results: <input type="checkbox"/> Completed - OK <input type="checkbox"/> Completed - Not OK <input type="checkbox"/> Additional Comments Attached
	Comments:		

Note: If permits are faxed to any number besides (530) 645-1822, they can be delayed up to one week.

Form: 200506EP

## GENERAL CONDITIONS

1. It is understood and agreed that the County has prior right to the use of its rights of way. It is further understood and agreed by the Permittee that the doing of any work under this permit shall constitute an acceptance of all the provisions contained herein and failure on the Permittee's part to comply with any provision will be cause for revocation of this permit. Except as otherwise provided for public agencies and franchise holders, this permit is revocable at any time. This permit is to be on the job site at all times while the work is being done. (County Code Chapter 10-75, Article VI, 10-75 to 10-99)
2. All work shall be done subject to the supervision of and to the satisfaction of the Public Works Department of the County of Butte. The Permittee shall, at all times, during the progress of the work, keep the County Highway in as neat and clean a condition as is possible and upon completion of the work granted herein. Best Management Practices (BMP's) shall conform to Caltrans Construction Site BMP Manual May 2017 for sediment and erosion control. BMP's will be used and maintained during and after construction to prevent any sediment or other construction related pollutants from leaving the job site and entering the county right-of-way or a drainage structure. For more information on BMP's go to <http://www.lpams.dot.ca.gov/hq/construc/stormwater/manuals.htm>. All costs incurred by Butte County Public Works from the encroachment permit holder's failure to keep the roadway or drainage structures clean during and after construction activities will be billed to and become the responsibility of the property owner. A building permit will not be finalized until all conditions are met to the satisfaction of the Butte County Public Works Department.
3. The Permittee agrees by the acceptance of this permit to properly maintain any encroachment placed by the Permittee on any part of the County Highway and to immediately repair any damage to any portion of the highway, which occurs as a result of the encroachment, until such time as the Permittee may be relieved of the responsibility of such encroachment by the County Department of Public Works. It is further agreed by the Permittee that whenever construction, reconstruction, or maintenance work upon the highway may require the installation provided herein shall, upon request of the County Department of Public Works, be immediately moved by and at the sole expense of the Permittee.
4. Section 8771 of the Business and Professions Code (Land Surveyor's Act) mandates that survey monuments at risk of being disturbed or destroyed by permitting construction or maintenance activities shall be located and referenced prior to construction by or under the direction of a Licensed Land Surveyor or Registered Civil Engineer to practice land surveying in the State of California. If any monument is disturbed or destroyed by the construction, it must be reset by or under the direction of the above-mentioned professional surveyor or engineer. A corner record or record of survey must be filed with the County Surveyor in compliance with the Land Surveyor's Act and Business and Professions Code Section 8771.
5. No material used for fill or backfill in the construction of the encroachment shall be borrowed or taken from within the County right-of-way.
6. At least one lane of any public road, under the jurisdiction of the Board of Supervisors of Butte County, and other public roads junctioning or intersecting therewith, shall be kept open for travel by the general public at all times. No public road under the jurisdiction of the Board shall be closed to travel by the general public without special permission, in writing, from the Board of Supervisors.
7. 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 the 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 any claim of such liability is made against the County of Butte or any department, official, or employee thereof, the Permittee shall defend, indemnify, and hold them and each of them harmless for such claim.
8. All excavations shall be backfilled and compacted immediately after work therein has been completed. Trenches shall not be left open farther than three hundred feet (300') in advance of pipe laying operations or two hundred feet (200') to the rear thereof, unless otherwise permitted by the County Engineer. Unless otherwise permitted under the Special Conditions, backfill shall be placed and mechanically compacted in such a manner that the relative compaction throughout the entire fill within the County road right-of-way shall conform to the percentage of compaction as stated below. Permittee shall notify County Public Works Inspector twenty four hours (24) before backfilling and/or paving.
  - a. The relative compaction from the bottom of excavation to a plane five feet (5') below finish surface grades shall be no less than ninety percent (90%) as determined by Test Method No. Calif. 216-C of the Materials and Research Department, State of California, Transportation Department, Division of Highways, or other approved test method.
  - b. The relative compaction from a plane five feet (5') below the finish surface grade to said finish surface grade shall be no less than ninety-five percent (95%) as determined by the above testing method. Permittee shall bear all costs and responsibility for compaction tests. Material for use as trench backfill in any existing or proposed roadway section shall be sand, shall be placed in eight inch (8") lifts, and be compacted to a relative compaction of not less than ninety-five percent (95%).
  - c. Any pavement cutting shall be scored, or saw cut before trenching.
  - d. Minimum depth of cover over all underground facilities shall be thirty inches (30"), except drainage culverts.
  - e. All installations, parallel with roadway, shall be placed as close to the right-of-way line as possible. No portion of the backfill(s) shall be compacted by ponding or jetting.
  - f. All pavements, curbs, gutters, sidewalks, borrow ditches, pipes, headwalls, road signs, trees, shrubbery, and/or other permanent road facilities impaired by or as a result of construction operations at the construction site(s), or at other ground(s) occupied by materials and/or equipment, shall be restored immediately upon backfilling or the excavation to the original grades and cross sections, and to a condition as good as, or better than, existed prior to the construction.
  - g. All surfacing materials of roadways and driveway approaches cut or damaged by or as a result of construction operations, shall be replaced within ONE WEEK (7 Days) following the backfilling of excavation, weather permitting, with compacted layers of surfacing materials at least as thick as the existing, and not less than two inches (2") of asphalt concrete over eight inches (8") of aggregate base, according to current California State Specifications.
9. Whenever necessary to secure permission from abutting property owners, such authority must be secured by the Permittee prior to starting work.
10. The future safety and convenience of the traveling public shall be given every consideration in the location and type of construction. Permittee shall cause to be placed, erected, and maintained all warning signals, lights, barricades, signs, and other devices or measures essential to safeguard travel by the general public over and at the site of work authorized herein.
11. If the construction work covered by this permit is to be done by a private contractor hired by the applicant, applicant shall notify contractor as to the special conditions and requirements contained herein.

# ENCROACHMENT PERMIT APPLICATION CRITERIA

- 1: There is a **5 day minimum** processing time on all applications.
- 2: All applications must be filled out completely and signed by property owner/ and/or licensed contractor.
- 3: “Location of work to be done” includes address of property and / or assessors parcel number and a description of the location (i.e.: distance from the nearest crossroad or other well-defined landmark).
- 4: Along with the application, a plot map showing the site location of the driveway approach must be submitted.
- 5: Applicant must place a flag or similar item at the location to help the inspector locate the site in the field for a pre-inspection.
- 6: If items #2 – 5 are not completed at the time of the pre-inspection, this application will be delayed or returned for additional information.
- 7: All applicants must have certificate of general liability insurance on file with public works with at least \$ 1,000,000.00 general liability coverage with Butte County Public Works listed as additional insured and Butte County listed as a certificate holder.
- 8: All work pertaining to the encroachment permit must be finalized or bonded for completion before home occupancy. Permittee has up to one year to complete permit requirements.
- 9: Current permit fee is \$307.00 for encroachment permits.
- 10. If you were required to obtain an encroachment permit prior to issuance of a building permit, then all construction outlined on the encroachment permit must be completed and Public Works final approval must be obtained prior to the Building Division being able to final your building permit. Contact the Public Works Department, 7 County Center Drive, Oroville, CA 95965, telephone 530-538-7681, Fax 530-645-1822, email [PWPermits@buttecounty.net](mailto:PWPermits@buttecounty.net), if you have any questions.**