

SUMMARY OF VENTURA COUNTY ORDINANCE REGARDING ENCROACHMENTS ON COUNTY HIGHWAYS

The following is a summary of a proposed ordinance to be considered by the Ventura County Board of Supervisors on March 12, 2019, at 10:30 a.m., or as soon as practical thereafter, in the Board Hearing Room in the Hall of Administration, Ventura County Government Center, 800 S. Victoria Avenue, Ventura, California. Copies of the full text of the proposed ordinance are on file with the Clerk of the Board of Supervisors.

Section I of the ordinance repeals Division 12 of the Ventura County Ordinance Code, known as the Encroachment Ordinance, governing encroachments in the County's rights-of-way, in its entirety.

Section II of the ordinance adds a new Division 12 to the Ventura County Ordinance Code, also to be known as the Encroachment Ordinance, with the following substantive changes from the prior version of Division 12:

The ordinance reorganizes Division 12 into 10 Chapters.

Chapter 1 consolidates definitions from other Chapters into a single section, adds new definitions, and changes some definitions.

Chapter 2 adds new exemptions from the permit requirements, declares the ordinance to operate in addition to other applicable authorities, authorizes the Road Commissioner to take actions regarding work performed without a permit, adds new requirements for filming permits, authorizes new "adopt-a-road" permits for voluntary clean-up of County highways, adds a new section regarding special-event permits, and adds a new section governing construction of speed humps and speed cushions.

Chapter 3 adds new standards and modifies existing standards for encroachment work.

Chapter 4 adds new requirements for permit applications.

Chapter 5 adds new requirements for administrative permits, authorizes permits for long-term or permanent encroachments, imposes new required findings for approval of a permit, adds deadlines for permit approval, and adds new grounds for revocation of permits.

Chapter 6 adds new fees and deposit requirements and authorizes new fee exemptions, including for long-term and permanent encroachments.

Chapter 7 alters the description of property owners obligated to maintain sidewalks and removes the obligation to maintain curbs and gutters.

Chapter 8 clarifies requirements for issuance of wireless telecommunications facility permits and applies an existing requirement for

a radiofrequency and electromagnetic radiation report to additional circumstances.

Chapter 9 adds an accident-reporting requirement for transportation permits.

Chapter 10 adds requirements to appeal permit decisions; clarifies what constitutes a violation of the Division; and expands existing authority for revocation, modification, and suspension of wireless telecommunications facility permits to permits of all types.

Section III of the ordinance declares that the ordinance will take effect 30 days after passage and requires publication of a summary of the ordinance in the Ventura County Star within 15 days after passage of the ordinance.

Summary prepared by: Thomas W. Temple, Assistant County Counsel