



**COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY
DEPARTMENT OF PUBLIC WORKS
950 MAIDU AVENUE, NEVADA CITY, CA 95959
(530) 265-1411 FAX (530) 265-9849 www.nevadacountyca.gov**

Encroachment Permit Application Guidelines

An Encroachment Permit is required any time work is performed in the County of Nevada right of way (ROW) that can obstruct the free use of the County roadway by the public. This includes any excavation or other construction activity within the County roadway, the placement of any structure or object in, under, or over any portion of the County roadway or any activity which may cause water to back onto any portion of the County roadway or which may obstruct maintenance of or travel on the County roadway including any shoulders, drainage ditches and/or facilities, and any turnouts.

All work must comply with Title 16 Roads, Streets, Vehicles, and Traffic, Chapter 5 Regulating Roadway Encroachments, of the Nevada County Code of Ordinances, and must conform to State and County Standard Plans and Specifications.

There are two types of Encroachment Permits: Standard and Annual. Guidelines for each are provided below.

Standard Encroachment Permit – Construction, Event, Utility and Film

Most Encroachment Permits will fall under this category, e.g. driveways, signs, events, and filming. County code requires that an encroachment permit must be obtained when work is performed in the right of way. Applicant will be required to provide the following:

- Completed encroachment application
- Required standard fee per the latest adopted feeschedule
- Site plan
- Certificate of Insurance naming the County of Nevada as additional insured
- Temporary traffic control plan signed by a traffic engineer

Each type of encroachment permit has specific requirements. All applications, fees, and more specific application requirements can be found at: [Encroachment Permit | Nevada County, CA](#).

Incomplete application packages will not be accepted. Standard encroachment permits are valid up to the date of completion listed on the encroachment permit but no longer than 2 years.

Temporary Traffic Control Requirements: A County-approved traffic control plan must always be onsite for inspection. All signs and cones used for temporary traffic control must meet the latest California Manual of Uniform Traffic Control Device standards, be orange and in good condition. A cone shall be placed on the travel lane side of any sign stand. A minimum of 2 orange flags shall be placed at the top of sign during daylight hours, and flashing beacons shall be placed at the top of signs and flaggers shall be properly illuminated during nighttime hours in conformance with State and County Standard Specifications.

Road Closures: Road closures are only allowed with the pre-approval from the Nevada County Public Works Road Commissioner. In addition to the encroachment permit application, the applicant shall submit a site-specific traffic control plan detailing the road closure location and available alternate route(s). Once the application and road closure request are approved, CMS boards/signage shall be placed at either side of the road closure location for public notice a minimum of 7-days in advance of the scheduled work start date.

Annual Encroachment Permit – Utility Companies Only

The County of Nevada issues annual encroachment permits (blanket permits) to utility companies that perform ongoing, routine maintenance in County of Nevada right of way. Permittees are required to submit the following for an annual permit:

- Completed encroachment permit application
- Required annual fee per the latest adopted fee schedule
- Certificate of Insurance naming the County of Nevada as additional insured

Annual encroachment permits are valid for 12 months and sub-permits are required. Sub-permits are issued with the submittal of a standard encroachment permit application for work conducted under the annual permit.

Annual encroachment permit holders are subject to the same temporary traffic control and road closure requirements as standard encroachment permit holders. Traffic control types and typical applications for annual encroachment permit holders are described below:

- **Shoulder Closure** - Where vehicle/equipment is parked further than 2' from fog line or edge of County roadway with no fog line and traffic control devices are not required per the CA MUTCD/Caltrans Standard Plan, a sub-permit and notice to the County of Nevada will not be required if the permittee has an approved Annual Encroachment Permit on file with the County of Nevada. For instances that require traffic control devices to be placed in the County ROW, a sub-permit will be required.
- **Lane Closure** – Where vehicles/equipment are parked or work is required within 2' of the fog line or edge of County roadway with no fog line or in a travel lane, a lane closure shall comply with the latest corresponding CA MUTCD/Caltrans Standard Plan. Depending on the type of work, see chart below, a sub-permit application will be required. 48-hours advanced notice of the lane closure must be provided to the County of Nevada at (530) 265-1411.
- **Road Closure / Detour** – Road closures are only allowed with the pre-approval from the Nevada County Public Works Road Commissioner. In addition to the encroachment permit application, the applicant shall submit a site-specific traffic control plan detailing the road closure location and available alternate route(s). Once the application and road closure request is approved, CMS boards/signage shall be placed at either side of the road closure location for public notice a minimum of 7-days in advance of the scheduled work start date.

48-hour advance notification is required for all non-emergency work involving a lane or road closure and/or detour. Applicants are encouraged to obtain pre-approval from Nevada County Public Works of advance notification procedures.

Notification of all emergency work is required by calling the County of Nevada at (530) 265-1411. If after business hours, leave a message with date, time, name, contact phone number, location and approximate duration of encroachment. Whenever any emergency work is performed within the County roadway that requires a sub-permit, the person(s), firm, entity or contractor responsible for such work shall apply for a sub-permit on the next County business day.

The following chart identifies examples of typical work types and when advance notification and sub-permits are required:

Work Type	Options	Traffic Control Type				No notice required (No sub-permit req'd)	Sub-permit needed w/ separate application
		None	Shoulder Closure	Lane Closure	Road Closure/ Detour *		
Aerial facility repairs	1	X				X	
	2		X	X	X		X
Aerial patrols / inspections	1	X				X	
Emergency Work (sub-permit required within one business day)	1	X				X	
	2		X	X	X		X
Excavation in public road right of way	1		X	X	X		X
Ground patrols/inspections	1	X				X	
	2		X	X	X		X
Ground equipment/pole maintenance	1	X				X	
	2		X	X	X		X
Ground equipment/pole replacements	1	X				X	
	2		X	X	X		X
New construction - gas, electric, water, sewer, phone, telecommunication, etc.	1	X				X	
	2		X	X	X		X
Underground pipeline Maintenance/Repair - gas, water, sewer	1	X				X	
	2		X	X	X		X
Valve, box, junction raising/adjustments - gas, water, sewer, phone, telecommunication, etc.	1	X				X	
	2		X	X	X		X
Vegetation Management	1	X				X	
	2		X	X	X		X

* Road closures are only allowed with pre-approval from the Nevada County Public Works Road Commissioner. In addition to the encroachment permit application, the applicant shall submit a site-specific traffic control plan detailing the road closure location, available alternate route(s), and signage locations. Once the application and road closure request are approved, CMS boards/signage shall be placed at either side of the road closure location for public notice a minimum of 7-days in advance of the scheduled work start date.

Definitions

Encroachment: Any tower, pole, pole line, pipe, pipeline, driveway, private road, fence, sign, building, or tree within the County roadway, or any activity that can obstruct the free use of the County roadway by the public. The term shall also include any excavation or other construction activity within the County roadway or the placement of any structure or object in, under or over any portion of the County roadway, or any activity which may cause water to back onto any portion of the County roadway, or which may obstruct maintenance of or travel on the County roadway.

County Roadway: The term “County roadway” includes all or any part of the entire width or right-of-way of a County-owned, controlled and/or maintained highway, street, road or alley and the space over it and the ground under it, including, but not limited to, bridges, culverts, curbs, drains, and all works incidental to such construction, improvement, and maintenance, whether or not such entire area is actually used for vehicular, bicycle, or pedestrian purposes. The term “County roadway” shall also include all Permanent Road Division (“PRD”) and County Service Area (“CSA”) roads which are owned and/or maintained by the PRD or CSA. If right-of-way is by prescription, a roadway encompasses that area which has historically been used for the public travel including any shoulders, drainage ditches and/or facilities and any turnouts.