

## **ORDINANCE NO.**

### **ORDINANCE AMENDING SECTION 15.20.030 OF THE MENDOCINO COUNTY CODE – PERMIT REQUIRED FOR CERTAIN CONSTRUCTION, ADDING INSURANCE REQUIREMENTS FOR ENCROACHMENT PERMITS AND CLARIFYING TYPES OF CONSTRUCTION REQUIRING A PERMIT (COUNTYWIDE)**

The Board of Supervisors of the County of Mendocino ordains as follows:

Mendocino County Code Section 15.20.030 is amended to read as follows:

#### **Sec. 15.20.030 - Permit Required for Certain Construction.**

- (A) No person shall construct new road or driveway approaches to any County highway, install any culvert or pipe within the right of way of any County highway, or perform any other work within the right of way of any County highway, without first securing a permit for that purpose, from the Road Department of the County of Mendocino. Where the construction of any road or driveway approach will obstruct the normal drainage of any County highway, culverts or drain pipes shall be installed under the approach.
- (B) The cost of the culvert or drain pipe and the installation thereof shall be borne by the person or persons making the application, but the installation will be done under the supervision of the Road Department.
- (C) The size and location of any culvert or drain pipe shall be determined by the County Road Department.
- (D) The penalties for violation of this Chapter are the same as provided in Chapter 6, Division 2 of the Streets and Highways Code.
- (E) Before granting a permit pursuant to the provisions of this Chapter, the County Road Department shall require each applicant to file with the department a certificate showing the maintenance of insurance, and naming the County as an additional insured, to cover the liability of the permittee for property damage and injuries to persons in connection with the work sought to be done under the permit. The liability limit of such insurance shall be in an amount no less than \$1,000,000, combined single limit, which limit may be increased for a permit in the discretion of the County Road Department, and upon final approval by the Chief Executive Officer or his or her designee, based on the costs and hazards involved in the work sought to be performed, and which may be decreased by the County Road Department, and upon final approval by the Chief Executive Officer or his or her designee, for a permit pursuant to County policies to be adopted by the Board of Supervisors.

PASSED AND ADOPTED by the Board of Supervisors of the County of Mendocino, State of California, on this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by the following roll call vote:

AYES:  
NOES:  
ABSENT:

WHEREUPON, the Chair declared the Ordinance passed and adopted and SO ORDERED.

ATTEST: CARMEL J. ANGELO  
Clerk of the Board

\_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
KATHARINE L. ELLIOTT,  
County Counsel

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JOHN MCCOWEN , Chair  
Mendocino County Board of Supervisors

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

BY: CARMEL J. ANGELO  
Clerk of the Board

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Deputy