

additional traffic signal bond in the amount of \$8,000 per leg of the intersection impacted by the project. Caution should be taken to avoid damaging the detector loops, conduit and conductors.

The permittee is responsible for all of the costs incurred by the County in relation to the encroachment permit. The permittee will be billed for all costs exceeding the initial review and inspection deposit. Cash bonds will not be refunded until all costs relating to the encroachment permit have been reimbursed by the permittee. Bonds are generally refunded approximately 90 days after the date the inspector signs off the final inspection on the encroachment permit.

Plans submitted for large encroachment permits should include:

- (1) A project description
- (2) A site plan to locate the project
- (3) The plans should be drawn to scale with the scale and North arrow indicated
- (4) Define all abbreviations/acronyms used
- (5) Right of way lines
- (6) Street address and/or assessors parcel number for the affected property frontage
- (7) For projects affecting more than one property frontage include the property lines and property owners
- (8) The plans should show the edge of pavement or face of curb
- (9) All the streets labeled with their names
- (10) Existing facilities within the road right of way
- (11) Location of proposed facilities within the right of way relative to

- the edge of pavement or face of curb
- (12) Description and dimensions of facilities to be installed
- (13) Typical cross-sections and trench details
- (14) Traffic control plan (if necessary)
- (15) Construction schedule
- (16) Engineer's stamp and signature



## **ENCROACHMENT PERMITS**

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APPLICATION AND PERMIT CENTER  
30 Muir Road Martinez, CA 94553-4601  
(925) 674-7200  
Fax (925) 674-7238

Public Works Representative:  
(925) 674-7744  
Fax (925) 674-7271

Hours: 7:30 – 5:00 M-Th  
7:30 – 4:00 Friday

## ENCROACHMENT PERMITS

The process outlined in this brochure applies to work performed in the County maintained road rights-of-way within the unincorporated areas of Contra Costa.

### 1002-2.002 Definitions

**“Right-of-way”** means all land or interest therein which by deed, conveyance, agreement, easement, dedication, usage, or process of law is reserved for or dedicated to the use of the general public for road or highway purposes.

**“Encroach”** includes going on, over, or under, or using any right-of-way so as to prevent, obstruct, or interfere with the normal use of that way, including the performance of any of the following acts:

- (A) Excavating or disturbing the right-of-way;
- (B) Erecting or maintaining any post, sign, pole, fence, on, over, or under the right-of-way;
- (C) Planting any tree, shrub, grass, or other growing thing within the right-of-way;
- (D) Placing or leaving on the right-of-way any rubbish, brush, earth, or any material;
- (E) Constructing, placing, or maintaining on, over, under, or within the right-of-way any pathway, sidewalk, driveway, or other surfacing, any culvert or other surface drainage or subsurface drainage facility; or any pipe, conduit, or cable;
- (F) Traveling on the right-of-way by any vehicle or combination of vehicles or object of dimension, weight, or other

characteristic prohibited by law without a permit;

- (G) Lighting or building a fire within the right-of-way;
- (H) Constructing, placing, planting, or maintaining any structure, embankment, excavation, tree, or other object adjacent to the right-of-way which causes or will cause an encroachment.

**1002-2.008 Act requiring permit.** No person, firm, corporation, or association, without first obtaining a written permit, shall:

- (1) Encroach or make any encroachment within, on, over, or under the limits of any right-of-way;
- (2) Make any alteration within, on, over, or under right-of-way;
- (3) Construct, put on, maintain, or leave on a right-of-way any obstruction or impediment;
- (4) Cut, or trim trees or set a fire on a right-of-way;
- (5) Place on, over or under a right-of-way any pipeline, conduit, or other fixture;
- (6) Move over the surface of any right-of-way or over any bridge, viaduct, or other structure maintained by this county any vehicle or combination of vehicles or other object of dimension or weight prohibited by law or having other characteristics capable of damaging the right-of-way;
- (7) Place any structure, wall, culvert, or similar encroachment, or make any excavation or embankment so as to endanger the normal usage of the right-of-way.

## APPLYING FOR PERMIT

To apply for a small encroachment permit not requiring plan review such as for driveways and small sidewalk repairs the applicant shall complete the encroachment permit form and pay the \$135 permit and inspection fee. Small excavations in the street (under 50-feet in length) will require a \$500 cash bond in addition to the permit fee. Small encroachment permits are generally issued over the counter or within 3 business days when the application is mailed in.

Large encroachment permits for street excavations require three sets of signed and stamped engineered plans, a reasonable engineer’s estimate for the cost to restore the County right-of-way to its original pre-construction condition, and a construction schedule for the project. The applicant must complete the encroachment permit form and pay the review and inspection deposit (\$1,300 minimum). The permittee will be billed time and materials for the County’s review and inspection costs associated with the permit, one hour minimum each for review and inspection. A cash bond will be required. The amount will be determined during review of the plans. Typical bond amounts range from \$1,000 to \$10,000 depending on the scope of work. The permittee may also be required to submit a Faithful Performance Bond in an amount equal to one-hundred percent of the reasonable engineer’s estimate for work within the County’s right-of-way. The applicant should allow 3-5 weeks for review and permit processing.

Encroachment permits for excavating in or near a signalized intersection will require an