



**DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT**
MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

Public Works Building
Second & L St., Eureka
Fax 445-7409

Clark Complex
Harris & H St., Eureka
Fax 445-7388

On-line
Web: humboldt.gov.org

Administration	445-7491	Natural Resources	445-7741
Business	445-7652	Natural Resource Planning	267-9542
Engineering	445-7377	Parks	445-7651
Facility Management	445-7621	Roads	445-7421

Land Use 445-7205

**APPLICATION FOR INSTALLING GATE(S)
ACROSS A COUNTY MAINTAINED ROAD**

Gates across County maintained roads are not permitted unless authorized under Streets and Highways Code Sections 966 and 1486 and installed under an Encroachment Permit per County Code Section 411-11(b). The Department of Public Works (Department) only supports requests for gates across County maintained roads when all of the following conditions exist:

1. The road is a dead-end road.
2. All owners of any property(ies) that takes access from the proposed gated portion of the road have signed a petition in favor of the gate.
3. Adequate justification has been provided as to why gate(s) must be installed and that cattle guard(s) would not be adequate.
4. Adequate justification has been provided as to why the County should not vacate the road beyond the first gate.
5. Adequate justification has been provided as to why the County should not terminate maintenance of the County road beyond the first gate.

Permission to install the gate(s) is discretionary and the Board of Supervisors may or may not approve the gate(s). In addition, if the gate(s) are approved by the Board of Supervisors, prior to installing the gate(s), the applicant must apply for and receive an Encroachment Permit for installing and maintaining the gate(s) and appurtenant signage. The Encroachment Permit will require that the applicant (and/or applicant's successor):

1. Install and keep the gate(s) in proper working order to the satisfaction of the Department. See Gate Standard Plan Detail for particulars.
2. Be responsible for installing and maintaining signage on the gate(s) pursuant to County standard plans. The signs shall be maintained to the satisfaction of the Department.
3. Be responsible for maintaining insurance, in perpetuity, for an amount (subject to change over time) that is specified by the County Risk Manager. Agree to name the County as additionally insured on the policy. Agree that upon issuance or renewal of an insurance policy that a copy of the policy shall be mailed to the Department. Agree that the policy will identify the Encroachment Permit number on it.
4. Remove the gate(s) should the Applicant fail to comply with the terms listed above and/or the terms in the Encroachment Permit.
5. Agrees that the encroachment permit is revocable at the discretion of the Road Commissioner and that the gate(s) must be removed upon revocation of the permit.

Check One:

- A Petition signed by all property owners who use the portion of the road that is proposed to be gated is attached.
- The County road only serves the properties owned by the Applicant.

Applicant hereby requests that ____ gate(s) be installed on _____ road. Applicant acknowledges and agrees to the above requirements.

Applicant's Signature

Date

Applicant's Name (printed)

Applicant's Telephone Number

Applicant's Mailing Address



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**JUSTIFICATION IN SUPPORT OF GATE(S)
ACROSS A COUNTY MAINTAINED ROAD**

County road name: _____

Number of gates to be installed: _____

1. Justification as to why gate(s) must be installed and why cattle guard(s) would not be adequate. Explain what unusual circumstances exist that requires the public to be inconvenienced by opening and closing gates when travelling on the road. (Attach additional sheets if necessary.)

2. Justification as to why the County should not vacate the road beyond the first gate. Explain what circumstances exist that necessitate that the road not be vacated. A vacation terminates the public's right to use the road. (Attach additional sheets if necessary.)

3. Justification as to why the County should not terminate maintenance of the County road beyond the first gate. Explain what circumstances exist that necessitate that County road maintenance should not be terminated. Termination of maintenance allows the public to continue to use the right of way, but the road would no longer be maintained by the County. (Attach additional sheets if necessary.)

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Instructions:

Submit the following documents to:

Encroachment Permit Office
Land Use Division
Department of Public Works
3015 H Street, Room 124
Eureka CA 95501

1. A completed *Application for Installing Gate(s) across a County Maintained Road* form.
2. A completed *Justification in Support of Gate(s) across a County Maintained Road* form.
3. A completed *Encroachment Permit* application, including fee. Note that the fee is non-refundable if the Board of Supervisors does not approve the gate(s).
4. A petition in favor of the gate, signed by all owners of any property(ies) that takes access from the proposed gated portion of the road sign a petition in favor of the gate.
5. A map showing the locations of the proposed gate(s). An aerial image from google maps with the gate locations shown is best.

References:*County Code Section 411-11(b)*

An application for a [encroachment] permit or special permit required by this chapter shall be made in writing to the Director of Public Works on a form provided by the department. Such application shall be accompanied by plans sufficient to show the scope of the proposed encroachment and the filing fee in an amount prescribed by resolution of the Board of Supervisors. Such plans may be waived in writing by the Director whenever he determines that the nature and scope of the proposed encroachment does not require plans. (Ord. 1279, § 1, 10/10/78; Ord. 1609 § 4, 8/9/83)

Streets and Highways Code Section 1486

Gates shall not be allowed on any county highway except gates allowed by the Board of Supervisors in accordance with the provisions of Section 966. If the expense of the erection and maintenance of such allowed gates is not paid as required by Section 966, such gates shall be removed as an obstruction.

Any person who leaves any such gate open, or who willfully and unnecessarily rides over ground adjoining the highway on which the gate is erected, shall be liable to the injured party for treble damages.

Streets and Highways Code Section 966

(a) The Board of Supervisors may provide for the erection and maintenance of gates on the county highways to avoid the necessity of building highway fences. The Board may prescribe rules and regulations for closing such gates, and penalties for violating such rules and regulations.

(b) The person, for whose immediate benefit the gates are erected or maintained, shall in all cases bear the expense of such erection and maintenance.

// END //



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**PETITION TO THE BOARD OF SUPERVISORS
FOR INSTALLING GATES ACROSS A COUNTY ROAD**

We, the undersigned property owners, hereby petition the Board of Supervisors to approve the installation of the gate(s) across the road identified below and as shown on the attached map. We understand, acknowledge, and agree that we will be responsible for opening and closing the gate(s) as instructed on each gate.

County road name: _____

Number of gates to be installed: _____

	Name Printed and Signature	Property Address	Assessor Parcel Number
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			

Attach additional sheets if needed.