

**ORDINANCE NO. 524
(AS AMENDED THROUGH 524.1)
AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO.
524 REGULATING OVERSIZE AND OVERWEIGHT
VEHICLES AND LOADS**

The Board of Supervisors of the County of Riverside, State of California, do ordain as follows:

ARTICLE I. PERMIT REQUIRED

Section 1. Every person or entity, (hereafter called "person" or "permittee"), except as otherwise provided in this ordinance, is required to obtain a permit from the Road Commissioner, before he moves or causes to be moved any load along or across any county road. "Load" means any object or thing, including a vehicle or combination of vehicles which, when traveling along or across any county road, is required to have a special permit pursuant to the Vehicle Code, and includes, but is not limited to, any over-size or over-weight vehicle, house, vessel, machine, equipment, transformer, tree, boat, airplane, and mobile home.

It is not intended that the Road Commissioner issue a permit to move any load when the weight and/or size of the load plus the weight and/or size of the vehicle or other equipment exceeds limitations of the Vehicle Code, except where it is impractical to change the physical characteristics of the load. The Road Commissioner may issue a permit to move such load, where he has determined that it is not in conflict with the public interest to do so.

The fact that an over-size vehicle is duly registered does not imply that a permit must be issued, or exempt such load from the necessity of securing a permit to operate on any county road. The permits must be secured and in possession of the operator before the vehicle may be legally operated.

Section 2. A person shall not obstruct the Road Commissioner in making any inspection to determine compliance with the conditions of the permit.

Section 3. Whenever this ordinance requires a permittee to perform any work, take any action, or be liable for any fees, or costs, such requirement applies to any person who commences any work or movement for which a permit is required whether such person obtains a permit or not.

Section 4. The permittee shall make the permit available for inspection by the Road Commissioner or by any peace officer or other public officer or employee having responsibility for safety or maintenance of the county road. Each permit for moving must be in or attached to the vehicle or combination of vehicles to which it refers. In cases where a building or structure is moved in more than one section at the same time, on each section on which the original permit is not attached there shall be affixed a true copy of the original permit.

Section 5. The Road Commissioner for cause may cancel a permit unless the

permitted activity is commenced within the time specified and is diligently prosecuted to completion.

Section 6. The permittee shall investigate and be aware of all existing facilities lawfully within the county roads which are within the limits of his activity. The permittee shall not interfere with any such existing public or private facility without the consent of its owner. If it becomes necessary to relocate an existing facility, this shall be arranged for by the permittee, to be done by its owner or to the satisfaction of its owner. The cost of moving publicly and privately owned facilities shall be borne by the permittee.

Section 7. Every permittee shall obey and comply with every order, decision, direction or rule of the Road Commissioner in the matters specified in the permit, or other matter relating to the permitted use of a county road, and shall do everything necessary to secure compliance therewith by officers, agents, and employees of the permittee.

ARTICLE II. REGULATION

Section 8. The Road Commissioner shall cause to be prepared regulations for use in compliance with this ordinance. Said regulations shall make such requirements as are necessary to protect the public and cause the public the least possible inconvenience; provide for appropriate methods of protecting surface, sub-surface, and over-head utilities within a county road or adjacent thereto; provide for protection of the finish surface, base and sub-base of the county roads; provide for the protection of private and public property adjacent to county roads; provide for any necessary temporary relocation of any utilities or other property within a county road; provide for repair, at the expense of the permittee, of any improvement which is damaged by reason of an act of permittee, whether or not such an act is in accordance with his permit; provide a method of designating which county roads are to be used, and at what time, for the movement of particular loads; and provide for the collection of permit fees and for the collection and disbursement of any deposit which may be required.

The Road Commissioner shall have in his office, copies of said regulations and this ordinance for inspection by the public, and for distribution to the public, which may be sold at cost.

Section 9. Application for a permit shall be made in writing to the Road Commissioner, on the forms provided or approved by him.

Section 10. On each application the applicant or his agent shall sign a statement that the applicant agrees to preserve and save harmless the County of Riverside, its officers, and employees, from any liability or responsibility for any accident, loss or damage to persons or property happening or occurring as the proximate result of his activities pursuant to the permit applied for, including wrongful or accidental death.

Section 11. The permittee shall protect all street improvements, and other facilities within the county road by methods satisfactory to their owners. An owner has the right to support or protect any of its facilities at the sole expense of the permittee. In case any road or other facility is damaged, it may be repaired by the owner at the expense of the permittee, or, if authorized by the owner, may be repaired by the permittee, under the supervision of the owner at the permittee's expense.

Section 12. Each permit shall specify the duration of the permit. The Road Commissioner may extend the time, in which event the permit shall be so endorsed.

Section 13. Repetitive use permits; renewable periodically may be issued to cover more than a single move. The Road Commissioner may revoke such permit if the permittee fails to comply with any of the provisions of this ordinance. The issuance of a repetitive use permit does not relieve the permittee from making such reports of activity under the repetitive use permit as may be required by the Road Commissioner and for paying for inspection, repairs and other costs incurred by the Road Commissioner due to the permittee's activity.

Section 14. Permits issued under the authority of this ordinance are non-transferable.

ARTICLE III. FEES AND COSTS

Section 15. The Board of Supervisors shall from time to time by resolution establish fees for the issuance of permits and the minimum amounts of insurance or bonds to be required by the Road Commissioner in conjunction with the issuance of permits.

Section 16. Except as otherwise provided, the permittee shall pay for all the County's costs relating to a permit, including but not restricted to the following:

- a. The permit issuance fee.
- b. Engineering, inspection, transportation and tests.
- c. Repairing or restoring the county roads and altering, removal, replacement and repair of all appurtenant facilities, including utilities to the same or equal condition as they were before damage as a result of the permittee's activities.
- d. Furnishing and/or maintaining any lights, barricades or warning devices.
- e. Alteration, removal, replacement, and/or repair to traffic signals and devices, the removal of temporary and/or permanent traffic stripes and any other expense for traffic control.
- f. Removing or remedying any hazardous condition and tree trimming.

Section 17. Issuance fees and charges collected under the provisions of this

ordinance shall be deposited in the respective funds from which corresponding disbursements were made.

Section 18. The following shall be exempt from paying the permit issuance fee: The United States, this State, any County, any City, any school district, and other district organized under State Law.

Section 19. Whenever any costs are to be charged to a permittee and no other method for the calculation of such costs is specified, such costs are the actual costs including applicable indirect cost in accordance with current practice for charging for work performed for the public.

Section 20. The Road Commissioner may issue a permit without any inspection fee or deposit for work which will be inspected by a qualified government agency which will furnish evidence that the work will be inspected and will comply with standards required by the county. If an applicant receives such a permit and the government agency fails to make the inspection or fails to file evidence as required, the Road Commissioner may inspect the work and the permittee shall pay the actual cost of such inspection any remedial work.

ARTICLE IV. DEPOSITS AND OTHER SECURITIES

Section 21. Every applicant for a permit, other than the organizations listed in Section 18 above, shall be required to provide a cash deposit or other adequate security as determined by the Road Commissioner, to guarantee payment of fees, costs and charges due or which may become due under this ordinance whenever, in the opinion of the Road Commissioner, the County will insure costs in conjunction with a particular permit not reasonably covered by the permit fee, or if the permittee does not fulfill all of the permit requirements, or where the nature of the particular application is such that it can reasonably be anticipated that the County will suffer costs in conjunction with the move. Agencies exempt from such a deposit are not relieved of payment of all costs incurred by County by reason of a move.

Section 22. A cash deposit may be in the form of a special deposit for each permit or in the form of a general cash deposit to be maintained as security for all the permits issued to an applicant.

Section 23. In lieu of a general cash deposit the Road Commissioner may accept from an applicant other types of security such as a surety bond and other approved security.

Section 24. The Road Commissioner shall bill the permittee or deduct from the deposit made or maintained by the permittee for all fees and costs chargeable under this ordinance. The remainder of any deposit shall be refunded. A permit issuance fee may be refunded when a permit has been issued as a result of error not made by the permittee

ARTICLE V. PENALTY

Section 25. Every person who operates a vehicle, moves a load, or performs work regulated hereunder, without first obtaining a permit from the Road Commissioner, or, having a permit, fails to comply with this ordinance and applicable rules and

regulations, is guilty of an infraction or misdemeanor as hereinafter specified. Such person shall be deemed guilty of a separate offense for each and every day or portion

thereof during which any violation of any of the provisions of this ordinance is committed, continued, or permitted.

Any person so convicted shall be: (1) guilty of an infraction offense and punished by a fine not exceeding one hundred dollars (\$100.00) for a first violation; (2) guilty of an infraction offense and punished by a fine not exceeding two hundred dollars (\$200.00) for a second violation. The third and any additional violations shall constitute a misdemeanor offense and shall be punishable by a fine not exceeding one thousand dollars (\$1,000.00) or six (6) months in jail, or both. Notwithstanding the above, a first offense may be charged and prosecuted as a misdemeanor. Payment of any penalty herein shall not relieve a person from the responsibility for correcting the violation.

Adopted: 524 05/25/1970 (Eff: 06/24/1970)

Amended: 524.1 Item 3.6c of 04/25/1989 (Eff: 04/25/1989)