

Ordinance Number

1607

Date Adopted

11/10/1964

Subject

VENTURA COUNTY ORDINANCE REGARDING INSTALLATION CURBS,
GUTTERS, SIDEWALKS, PAVEOUTS, ETC.

Comments

ADD SEC 3103.5, 310 THROUGH 318 ARE ADDED TO THE UNIFORM BUILDING
CODE

ORDINANCE NO. 1607

AN ORDINANCE AMENDING THE VENTURA COUNTY ORDINANCE CODE TO REQUIRE INSTALLATION OF CURBS, GUTTERS, SIDEWALKS, PAVEOUTS, DRAINAGE FACILITIES, AND DEDICATION OF ROAD RIGHTS OF WAY.

The Board of Supervisors of the County of Ventura, State of California, does ordain as follows:

SECTION 1.

Section 3103.5 is hereby added to the Ventura County Ordinance Code to read as follows:

Section 310 through 318 are added to the Uniform Building Code to read as follows:

Section 310. Except as otherwise provided herein, every owner, lessee, or other person, constructing or substantially modifying, or causing to be constructed or substantially modified, any building, structure, or off-street parking facility in the unincorporated parts of the County of Ventura, in any area designated by resolution of the Board of Supervisors to be an urban area (as hereinafter defined), shall also provide for the construction of curbs, gutters, sidewalks, drainage facilities, and street paving. The aforementioned improvements shall be made, in accordance with County of Ventura standard specifications and design, for all public street frontage adjoining the property upon which the construction is to be done, unless curbs, gutters, sidewalks and paving constructed and located in accordance with County standards and design already exist.

Section 310.1. As concerns residential dwellings containing three or fewer units, the requirements of section 310 shall apply to new construction only, and shall not apply to modifications of any kind.

Section 310.2. For purposes of section 310 a modification shall be considered substantial where its total cost is in excess of \$3,000.00 as established by the valuation set by the building inspector for building permit fee purposes.

Section 311. For purposes of section 310 property shall be considered to be in an urban area where:

1. The property is within five miles of any incorporated city within the County of Ventura; or
2. A substantial number of parcels of improved real property within 3,000 feet of the property and abutting upon the same street already have curbs, sidewalks, or gutters. For purposes of this subsection 25% or more shall be considered a substantial number; or
3. Where it is reasonably contemplated that in the area of which the particular piece of property is a part, within five years from the date of application for the building permit it will become customary or necessary for public welfare and safety to have sidewalks, curbs, and gutters.

The Board of Supervisors may, from time to time, by resolution declare which areas of the county are "urban areas" within the foregoing standards. Sections 310 through 315, and sections 317 and 318 of this Code shall, 10 days thereafter, apply to such urban areas.

Section 312. Upon the written request of any person who must conform with the requirements of section 310, and within 90 days of such request, the director of public works shall establish a street line and grade for the public street frontage adjacent to the property upon which the construction is to take place.

Section 313. In lieu of construction of required curbs, gutters, sidewalks, paving, and drainage facilities, the owner, lessee, or other person, shall, if the director of public works finds that deferring such improvement is in the public interest, post with the County of Ventura a sufficient bond, or deposit cash or other security, which bond, cash, or security are approved as to amount and form by the director to guarantee installation of such improvements within such period as the director shall specify. If the amount required is less than \$500.00, a cash deposit will have to be made.

Section 314. Upon the application of any interested person, the director of public works may waive the construction of sidewalks, curbs, gutters, paving or drainage facilities, hereunder where the public health, safety, and welfare will not be adversely affected, taking into consideration the contour of the ground, the relation of the adjacent property to the street elevation, the use made of the property in the area, and convenience of the public.

Section 315. The county building official shall not conduct a final inspection of any building, structure or other facility and shall withhold approval of public utility connections thereto unless the curbs, gutters, sidewalks, paving, and drainage facilities, required by the foregoing sections have been completed, or when permitted, a bond, cash deposit, or deposit of securities to guarantee such construction have been posted with the county and approved by the director of public works, or unless such requirements have been waived in accordance with the appropriate foregoing provisions of this ordinance.

Section 316. Prior to the issuance of any building permit or other permit for the improvement or use of property adjoining a public street, where it is reasonably contemplated by the director of public works that the proposed improvement or use of the property will cause an increase in vehicular or pedestrian traffic so as to make necessary a widening of the existing county right of way for the protection of the public safety and welfare, there shall be dedicated to the County of Ventura that part of such property sufficient to bring such public street up to the width line established therefore. In the event that existing buildings or other structures are located within the right of way to be dedicated, the County of Ventura shall compensate the owner for the costs of removing and relocating the improvements or structures to the remaining property, or may permit such encroachment to remain. This section (section 316) shall not apply to property used or to be used for residential dwellings containing three or fewer units.

Section 317. Interested persons shall have the right to appeal to the Board of Appeals from determinations made by the direction of public works and the building inspector under sections 310 to 316. The Board of Appeals shall establish reasonable procedures for hearing such appeals.

Section 318. It is the intent of this ordinance not to conflict with or to have any effect whatsoever on street dedications and improvement obligations required of developers under the Subdivision Map Act and county ordinances enacted pursuant thereto or on matters processed by the Board of Zoning Adjustment.

SECTION 2.

If any section, subsection, sentence, clause, phrase, or other portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this ordinance. The Board

of Supervisors hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or any portion thereof irrespective of the fact that any one or more sections, subsections, clauses, phrases, or other portions, be declared invalid or unconstitutional.

PASSED, APPROVED AND ADOPTED this 10th day of November
1964.

EDWIN L. CARTY
Chairman
Board of Supervisors, County of Ventura,
State of California

ATTEST:

ROBERT L. HARR, County Clerk and
ex officio Clerk of the Board of
Supervisors, County of Ventura,
State of California

By **Joyce Ramalho**
Deputy Clerk

of Supervisors hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or any portion thereof irrespective of the fact that any one or more sections, subsections, clauses, phrases, or other portions, be declared invalid or unconstitutional.

**PASSED, APPROVED AND ADOPTED this 10th day of November,
1964.**

EDWIN L. CARTY

Chairman
Board of Supervisors, County of Ventura,
State of California

ATTEST:

**ROBERT L. HAMM, County Clerk and
ex officio Clerk of the Board of
Supervisors, County of Ventura,
State of California**

By Joyce Ramalho
Deputy Clerk

STATE OF CALIFORNIA)
County of Ventura) ss

I, ROBERT L. HAMM, County Clerk and the ex-officio Clerk of the Board of Supervisors of the County of Ventura, State of California, do hereby certify that the foregoing is a full, true and correct copy of Ordinance No. 1607, passed and adopted by said Board of Supervisors on the 10th day of November, 19 64, and that upon the passage of said ordinance the votes were as follows:

AYES: Supervisor Robinson, Montgomery, MacDonald, Ireland & Carty
NOES: None
ABSENT: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Board of Supervisors of the County of Ventura, State of California, this 12th day of November, 19 64.

ROBERT L. HAMM, County Clerk and
ex-officio Clerk of the Board of
Supervisors of the County of
Ventura, State of California

By Joyce Ramalho
Deputy

(SEAL)

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, NOVEMBER 10, 1964 AT 9:00 O'CLOCK A.M.

* * * * *

ORD. 1607 (20.)

ADOPTING ORDINANCE NO. 1607 RE INSTALLATION CURBS, GUTTERS
SIDEWALKS, PAVEOUTS, ETC.; DIRECTING PUBLICATION

An ordinance amending the Ventura County Ordinance Code to require installation of curbs, gutters, sidewalks, paveouts, drainage facilities, and dedication of road rights of way,

is read and presented to the Board at this time, and upon motion of Supervisor Robinson, seconded by Supervisor MacDonald, and duly carried, it is ordered that the same be passed and adopted as an ordinance of the County of Ventura, to be known as Ordinance No. 1607. Upon the roll being called, the members of the Board voted as follows:

Ayes: Supervisor Robinson, Montgomery, MacDonald, Ireland & Carty

Noes: None

Absent: None

All members of the Board present voting on the passage and adoption of said ordinance, it is hereby declared and ordered that said ordinance is hereby passed and adopted as an ordinance of the County of Ventura, to be known as Ordinance No. 1607.

It is further ordered that said ordinance shall take effect and be in force at the expiration of thirty (30) days from the date hereof and before the expiration of fifteen (15) days the same shall be published, with the names of the members of the Board of Supervisors voting for and against the same, at least once in the Santa Paula Chronicle, a newspaper of general circulation printed and published in the County of Ventura, State of California.

* * * * *

RECEIVED COPIES:

Dist. Atty. (w/6 cc of Ord)
Public Works (2)
Bldg. Insp.
Files (2)
Item 60
11-10-64

Affidavit of Publication

Ordinance No. 1607

In the Matter of

Re installation of curbs, gutters
sidewalks, paveouts, etc.

(Uniform Bldg. Code Addition)

Ventura County Board of Supervisors

STATE OF CALIFORNIA,
COUNTY OF VENTURA,
CITY OF SANTA PAULA

ss.
Nov. 20, 1964

The undersigned being first duly sworn deposes and says I am over the age of 18 years and not interested in the above entitled matter; that I am now and at all times embraced in the publication herein mentioned, was the legal clerk of the Santa Paula Chronicle, a newspaper of general circulation, printed and published daily at Santa Paula, County of Ventura, State of California; that Ordinance No. 1607

of which the annexed is a true printed copy, was published in the above named newspaper on the following dates, to wit:

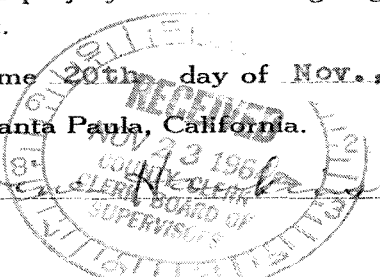
November 20, 1964.

that said newspaper was duly and regularly ascertained and established a newspaper of general circulation by decree entered in Superior Court of Ventura County, State of California, on November 19, 1951, under the provisions of Chapter 1, Division 7, Title 1 of the government code of the State of California. I certify under penalty of perjury that the foregoing is true and correct.

Executed by me 20th day of Nov.,

1964 at Santa Paula, California.

Katherine



AN ORDINANCE NO. 1607 AMENDING THE VENTURA COUNTY ORDINANCE CODE TO REQUIRE INSTALLATION OF CURBS, GUTTERS, SIDEWALKS, PAVEOUTS, DRAINAGE FACILITIES, AND DEDICATION OF ROAD RIGHTS OF WAY.

The Board of Supervisors of the County of Ventura, State of California, does ordain as follows:

SECTION 1. Section 311.25 is hereby added to the Ventura County Ordinance Code to read as follows:

Section 310 through 312 are added to the Uniform Building Code to read as follows:

Section 310. Except as otherwise provided herein, every owner, lessee, or other person constructing or substantially modifying or substantially reconstructed or substantially modified any building, structure, or other street parking facility in the unincorporated parts of the County of Ventura, as defined by resolution of the Board of Supervisors to be an urban area (as hereinafter defined), shall also provide for the construction of curbs, gutters, sidewalks, drainage facilities, and steel paving. The above mentioned improvements shall be made in accordance with County Ordinance No. 1607, as amended, and in addition, for all public street frontage adjoining the property upon which the construction is to be done, curbs, gutters, sidewalks, and paving shall be constructed and located in accordance with County standards and details already in effect.

Section 311. As persons residing in a dwelling containing three or fewer units, the requirements of section 310 shall apply to new construction only, and shall not apply to modifications of any kind.

Section 312. For purposes of section 310 a modification shall be considered substantial where the total cost in excess of \$3,000.00 as established by the valuation set by the building inspector for building permit fee purposes.

Section 313. For purposes of section 310 property shall be considered to be in an urban area where:

1. The property is within five miles of any incorporated city within the County of Ventura;
2. A substantial number of parcels of improved real property within 2,000 feet of the property and abutting upon the same street, have curbs, gutters, sidewalks, curbs, gutters. For purposes of this subsection 25% or more shall be considered a substantial number;
3. Where it is reasonably contemplated that in the area of which the particular piece of property is a part, within two years from the date of adoption of the ordinance, it will become customary or necessary to provide sidewalks, curbs, and gutters.

The Board of Supervisors may from time to time, by resolution, declare which areas of the county are "urban areas" within the foregoing standards. Sections 310 through 315, and sections 317 and 318 of this Code shall, 10 days thereafter, apply to such urban areas.

Section 312. Upon the written request of any person who is in compliance with the requirements of Section 310, and within 90 days of such request, the director of public works shall establish a schedule of work for the public street frontage adjacent to the property upon which the construction is to take place.

Section 313. In the event of construction of required curbs, gutters, sidewalks, curbs, and drainage facilities, the owner, lessee, or other person shall, at the direction of public works, provide for such improvements in the public interest pool with the County of Ventura a sufficient bond, or deposit cash or other security, which bond, cash, or security are approved as in amount and form by the director to guarantee installation of such improvements within such period as the director shall specify. If the amount required is less than \$20,000 a cash deposit will have to be made.

Section 314. Upon the application of any interested person, the director of public works may waive the construction of sidewalks, curbs, gutters, curbs, gutters, sidewalks, drainage facilities where the public health, safety and welfare will not be adversely affected, taking into consideration the location of the property to be improved, the use made of the property in the area, and convenience of the public.

Section 315. The County Board of Public Works shall conduct a final inspection of any building, structure or other facility and shall withhold approval of public utility connections thereon unless the curbs, gutters, sidewalks, curbs, and drainage facilities, as required by the foregoing sections, have been completed or when permitted a bond, cash deposit, or deposit of securities to guarantee such construction have been posted with the county and approved by the director of public works or unless such requirements have been waived in accordance with the appropriate foregoing provisions of this ordinance.

Section 316. Prior to the issuance of any building permit or other permit for the improvement of any site or property, a reasonably contemplated by the director of public works, the proposed improvement or use of the property or site shall be such as to make necessary a widening of the existing county right-of-way for the protection of the public safety and health, there shall be dedicated to the County of Ventura that part of such property as may be necessary to widen such street up to the right-of-way established therefor. In the event that existing buildings or other structures are located within the right-of-way to be dedicated, the County of Ventura shall compensate the owner for the costs of removing and relocating the improvements or structures to the remaining property, or may purchase such improvements to remain on the property used or to be used for residential dwellings containing three or fewer units.

Section 317. Interested persons shall have the right to appeal to the Board of Appeals from determinations made by the director of public works and the building inspector under sections 310 to 316. The Board of Appeals shall establish reasonable procedures for hearing such appeals.

Section 318. It is the intent of this ordinance not to conflict with or to have any effect whatsoever on street dedications and improvement obligations required of developers under the Subdivision Map Act and other ordinances enacted pursuant thereto or on matters processed by the Board of Zoning Adjustment.

SECTION 2. Section 317, subsection, sentence, clause, phrase, or other portion of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or other portion thereof, irrespective of the fact that one or more sections, subsections, clauses, phrases, or other portions be declared invalid or unconstitutional.

PASSED, APPROVED AND ADOPTED
this 10th day of November, 1964.
EDWIN L. CARTY, Chairman
Board of Supervisors, County of Ventura, State of California.

ATTEST:
ROBERT L. HAMM, County Clerk and ex-officio Clerk of the Board of Supervisors, County of Ventura, State of California.
By JOYCE RAMALHO, Deputy Clerk.

COUNTY OF CALIFORNIA
County of Ventura
I, ROBERT L. HAMM, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Ventura, State of California, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 1607, passed and adopted by said Board of Supervisors on the 10th day of November, 1964, and in accordance with the passage of said ordinance the same were as follows:
AYES, Supervisors Robinson, Montano, MacDonald, Ireland & Darr
NAYS, None
ADJOURNED.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Board of Supervisors of the County of Ventura, State of California, this 20th day of November, 1964.
ROBERT L. HAMM, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Ventura, State of California.
By JOYCE RAMALHO, Deputy.

APPROVED
DEC 8 1964
Board of Supervisors

SEAL
Published in the Santa Paula Daily Chronicle Nov. 20, 1964.

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RESOLUTION NO. 5861

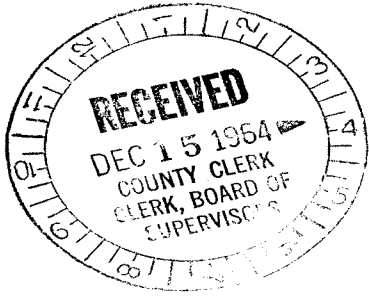
A RESOLUTION OF THE CITY OF SAN BUENAVENTURA ACKNOWLEDGING RECEIPT OF VENTURA COUNTY ORDINANCE NO. 1607 WITH REGARD TO CURBS, GUTTERS SIDEWALKS, ETC. AND DIRECTING THE CITY ENGINEER TO FURNISH THE COUNTY DEPARTMENT OF PUBLIC WORKS WITH ALL INFORMATION NECESSARY TO IMPLEMENT THE COUNTY POLICY AS STATED IN ORDINANCE NO. 1607

BE IT RESOLVED by the Council of the City of San Buenaventura as follows:

SECTION 1: The Council has received Ventura County Ordinance No. 1607 stating the County policy with regard to improvements in the streets and dedication of right of way in order to protect future city development. The Council concurs in said policy and hereby instructs the City Engineer to furnish the information needed by the County Department of Public Works in order to implement the policy stated in said ordinance.

Passed and adopted this 23rd day of November, 1964.

(S) SCOTT RUCKMAN
City Clerk



CF #112 - 5861

*Filed on
Info # 3
12-22-64*

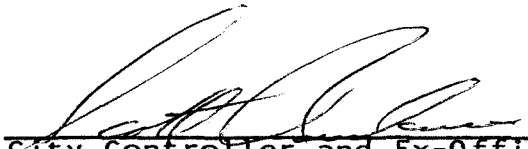
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STATE OF CALIFORNIA)
COUNTY OF VENTURA) SS
CITY OF SAN BUENAVENTURA)

I, SCOTT RUCKMAN, City Controller and Ex-Officio City Clerk of the City of San Buenaventura, do hereby certify that the above and foregoing Resolution was duly passed and adopted by the City Council of said City at a regular meeting thereof, held on the 23rd day of November, 1964, by the following vote, to wit:

- AYES: Councilmen Gressett, Lindsay, Bailey, Drapeau, Carroll, Farrar and Petit.
- NOES: Councilmen None.
- ABSENT: Councilmen None.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 24th day of November, 1964.



City Controller and Ex-Officio
City Clerk of the City of San
Buenaventura, California

1 RESOLUTION NO. 5861

2 A RESOLUTION OF THE CITY OF SAN BUENAVENTURA
3 ACKNOWLEDGING RECEIPT OF VENTURA COUNTY ORDI-
4 NANCE NO. 1607 WITH REGARD TO CURBS, GUTTERS
5 SIDEWALKS, ETC. AND DIRECTING THE CITY ENGINEER
6 TO FURNISH THE COUNTY DEPARTMENT OF PUBLIC WORKS
7 WITH ALL INFORMATION NECESSARY TO IMPLEMENT THE
8 COUNTY POLICY AS STATED IN ORDINANCE NO. 1607

9 BE IT RESOLVED by the Council of the City of San
10 Buenaventura as follows:

11 SECTION 1: The Council has received Ventura County
12 Ordinance No. 1607 stating the County policy with regard to
13 improvements in the streets and dedication of right of way in
14 order to protect future city development. The Council concurs
15 in said policy and hereby instructs the City Engineer to furnish
16 the information needed by the County Department of Public Works
17 in order to implement the policy stated in said ordinance.

18 Passed and adopted this 23rd day of November, 1964.

19 (S) SCOTT RUCKMAN
20 City Clerk

1 STATE OF CALIFORNIA)
2 COUNTY OF VENTURA) SS
3 CITY OF SAN BUENAVENTURA)


4 I, SCOTT RUCKMAN, City Controller and Ex-Officio City
5 Clerk of the City of San Buenaventura, do hereby certify that
6 the above and foregoing Resolution was duly passed and adopted
7 by the City Council of said City at a regular meeting thereof,
8 held on the 23rd day of November, 1964, by the following vote,
9 to wit:

10 AYES: Councilmen Gressett, Lindsay, Bailey,
11 Drapeau, Carroll, Farrar and Petit.

12 NOES: Councilmen None.

13 ABSENT: Councilmen None.

14 IN WITNESS WHEREOF, I have hereunto set my hand and
15 affixed the official seal of said City this 24th day of November,
16 1964.

17 
18 City Controller and Ex-Officio
19 City Clerk of the City of San
20 Buenaventura, California

November 12, 1964

IDENTICAL LETTER SENT TO ALL EIGHT CITIES (City Councils)
OF VENTURA COUNTY

**SUBJECT: ORDINANCE NO. 1607, CONCERNING CURBS, GUTTERS,
SIDEWALKS, PAVEOUTS, DRAINAGE FACILITIES, AND
DEDICATION OF ROAD RIGHTS OF WAY**

Gentlemen:

The Board of Supervisors adopted the attached ordinance at its meeting on November 10, 1964. A summary of the provisions of the ordinance is also attached. It is applicable in the unincorporated areas of the County.

The intent of this ordinance is to protect future city rights of way and require construction by abutting property owners to standards specified by the particular city. The enforcement of the ordinance will be done by the County; however the County must rely on the cities to provide the necessary plans, specifications, line and grade, and road standards for the construction to be required by the County.

We therefore request that your City Engineer provide the Department of Public Works of the County with the necessary plans and specifications in order to enable the Board to establish "urban areas" as set forth in Section 311 of the ordinance.

The action of the Board in adopting this ordinance was to protect the cities and insure orderly growth as areas are annexed. We solicit your full cooperation. We will do our utmost in carrying out the intent of the Board as provided in the ordinance.

Very truly yours,

A. P. Stokes
Assistant Director

APS:np
Attachment: (2)

cc: Clerk, Board of Supervisor ✓

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O

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