

**PROCEDURES FOR FORMATION AND ACTIVATION
OF A PERMANENT ROAD DIVISION**

A Permanent Road Division (PRD) is a governmental entity that has the County Board of Supervisors as its governing body. It can be used to either construct private roads to County standards or for maintenance of existing private roads. Once formed, PRD roads are maintained by the PRD and do not become part of the County maintained mileage system.

Property owners who wish to improve or maintain their road may do so through the PRD process. This process is in two steps. The first step is to form the PRD and the second step is to activate it. Formation does just that, forms the PRD, while activation allows for the collection of parcel charges and the maintenance or improvement of the road(s). These two steps are accomplished through two separate petitions.

At this point it should be noted that the PRD cannot be activated unless all roads to be improved or maintained have previously been offered for dedication as a permanent public road easement. Those properties that don't have dedicated easements will need to provide them before the PRD can be activated and any construction or maintenance activities commence.

To initiate the process, property owners may form a PRD by petitioning the Board of Supervisors. The petition must contain the signatures of at least 60% of the landowners and more than 50% of the total assessed value lying within the division boundary. After a public hearing, the PRD may be formed by the Board of Supervisors.

A second petition is necessary for a division to be activated for construction and/or maintenance activities. These activities require the establishment of a funding source, which comes from the installation of an annual parcel charge levied on each parcel within the division. This parcel charge is hereafter collected with annual property taxes. To activate and place the parcel charge on the tax rolls, an activation petition must be submitted that contains the necessary signatures of the affected property owners, as discussed above. After receiving and verifying the petition, the item is scheduled for a public hearing before the Board of Supervisors. To comply with Proposition 218 requirements, prior to the scheduled public hearing, the Department of Public Works mails a Notice of Proposed Parcel Charge Assessment Protest Ballot to the property owner of each parcel within the proposed PRD boundary. This allows the owners to express either a protest against or support for the proposed parcel charge. If a majority of the ballots received are in

favor, the Board may impose the parcel charge following the public hearing. If a majority is not in favor, a majority protest is established and the Board cannot impose the parcel charge. A majority protest will prevent the PRD from moving forward.

For improvement projects, the County may advance funds from the Dust Mitigation Fund to pay for these projects. These funds can be repaid over a 20-year period and are used to pay for construction of a road or roads that meet County road standards. The project is designed and bid by the County and is constructed by a licensed contractor with the County inspecting the work. However, to be eligible existing roads must be unpaved and the PRD must be below 1,000 feet in elevation.

PROPOSED PRD FOR IMPROVEMENT OF A PRIVATE ROAD TO COUNTY STANDARDS USING AIR POLLUTION MITIGATION FUNDS

1. With a request and deposit of \$300.00, the Shasta County Department of Public Works will complete a preliminary road improvement cost report and right-of-way determination on the roads to be improved/maintained.
2. Upon completion of the report, the project proponents determine the boundary for the proposed PRD. For those property owners where dedicated easements have not previously been offered, a dedication for road purposes must be offered to the public before any improvements or maintenance can be completed. Public Works will complete the necessary documents and have them recorded with the County Recorder's Office.
3. Project proponents will then circulate a petition for formation based upon the proposed boundary. This will determine the level of support for the proposed PRD. At least 60% of the landowners and 50% of the total assessed value must have signed the petition before the Board of Supervisors can consider it.
4. Upon receiving the necessary signatures, the proponents submit the petition for formation and the proposed boundary along with an additional deposit of \$300.00. Public Works will then work with the project proponents to create a formula to spread costs of the project to benefited parcels. Costs may be divided equally to each parcel or divided based upon factors such as acreage, distance traveled on road(s), frontage, etc.

5. A petition for activation that contains the proposed annual parcel charge amount is circulated for signature. After the necessary signatures are obtained, the petition is submitted to the County with a deposit of \$100. Public Works will then prepare a report to the Board of Supervisors on the formation and activation of the PRD. The petitions will be submitted to the Board and a public hearing will be scheduled approximately 60 days following, but not less than 45 days after written notice is mailed in the form of a notice of proposed parcel charge assessment and protest ballot.
6. After the Board of Supervisors meeting, a notice of proposed parcel charge assessment and protest ballot will be sent to each property within the proposed boundary of the PRD. The ballot will indicate the proposed annual parcel charge for that parcel and the date and time of the scheduled public hearing. Ballots must be returned within the allotted time. Only those ballots returned in time will be counted. The Board of Supervisors will then hold a public hearing as noticed to consider the ballot results and take any public testimony on the formation and activation of the PRD. A majority of the ballots received must be in favor of the parcel charge for the Board to consider activation of the PRD. If a majority is in protest, the PRD will not be activated and there will be no parcel charge levied.
7. If approved, the annual parcel charge report is submitted to the County Auditor in mid-August to be included on the following year's annual property tax statement.

PROPOSED PRD FOR MAINTENANCE OF EXISTING PRIVATE ROADS

1. Follow the same procedures as above. However, the deposit of funds for the initial preliminary road improvement cost report, and \$300.00 fee, is not required.