



PLACER COUNTY DEPARTMENT OF PUBLIC WORKS

Ken Grehm, Director
Rick Dondro, Assistant Director
Peter R. Kraatz, Deputy Director

Permanent Road Division (PRD)

What is a Permanent Road Division, or PRD?

A PRD is a geographic area formed pursuant to California Streets and Highways Code, Section 1160, et.seq. to provide road improvements and/or road maintenance. If you live on a road not currently maintained by the County, a petition can be submitted to form a permanent road division to provide the extended service of road improvement and/or maintenance. If formation of a PRD is supported by a 2/3 majority of the benefiting property owners, and if adequate public easements are provided over the roadway, the County Board of Supervisors may create a PRD to fund the desired improvements and/or maintenance. (Note: the Placer County Board of Supervisors has traditionally desired a demonstration of support greater than the legally required 2/3 majority). Funding for desired services comes in the form of a "special tax", requiring a 2/3-majority approval of registered voters within the PRD boundary. The special tax is levied annually, and is included on your property tax bill. The special tax funds collected belong exclusively to the PRD, to be used only for the purposes authorized, and are maintained in a special account administered by the County Public Works Department.

What services can be provided through a PRD?

The level of service provided through a PRD is usually as agreed by a designated committee of the affected property owners, with input from the County Public Works Department to insure that minimum safety and liability requirements are met. Upgrades to the roadway, as well as ongoing maintenance, are eligible for funding through a PRD. It is often necessary to incur additional up-front costs to improve the condition of the roadway to some minimum, maintainable, standard. In subsequent years, maintenance only costs would be lower. Road improvement or maintenance work is performed by County forces or by contractors under contract to the County, based upon funds available and an agreed schedule. However, it should be noted that the County will only be responsible for the activities and improvements defined by the PRD agreement, other maintenance and improvement responsibilities remain the obligation of the benefiting property owners.

What are the advantages, and disadvantages, of forming a PRD?

One advantage is that your road would receive regular, scheduled, maintenance performed under County administration. Another is that every benefiting owner in the PRD must pay his or her share of the improvement or maintenance cost. A third advantage is that a special tax is assessed annually with the property tax bills, spreading the costs over time and avoiding collection problems between neighbors.

The single disadvantage is an increase in cost. A portion of the special tax is used to cover County administrative and insurance costs. Another added cost is incurred because the County must pay "prevailing wage" (union scale) rates for the work performed. These higher wage rates are not usually paid by contractors working for private individuals, but are required for government work. These higher costs may be offset, to some extent, by the County's ability to coordinate this work with other roadway maintenance, thus realizing reduced materials costs based on volume purchase.

Continues on next page

What restrictions are there on controlling access or use of a PRD road?

Public easements must be created over the road within the PRD, thus establishing it as a public road subject to requirements of the California Vehicle Code. Gates or any other barriers cannot restrict access. Signage is limited to guide/directional signs, no regulatory signage, i.e., speed limit signs, are permitted. No speed bumps, dips, or undulations that may cause discomfort or harm to those in a vehicle are permitted. All roadwork performed must be performed by licensed, bonded, contractors who comply with “prevailing wage” requirements, and contract work must comply with requirements of Public Contract laws.

What does it cost, and how long does it take to set up a PRD?

Placer County does not currently charge a fee to set up a PRD, though the Board of Supervisors may establish a fee in the future. There will be other costs associated with PRD formation that must be covered by the proponents. These costs include preparation of a legal boundary description, an “Engineer’s Report” which will contain land valuation information, cost estimates for the desired work, a per-parcel assessment, schedules, and other legally required information. The PRD proponents are responsible for procuring and for paying the cost of services needed to develop any documentation required by the County; these costs may vary substantially based on the size and complexity of the proposed PRD.

Once a properly completed petition and boundary description are received from the PRD proponents, the process of reviewing documents, presenting information to the County Board of Supervisors for action, evaluating ballot results, and setting up tax assessments can generally be accomplished in a 6-12 month time frame. Actual maintenance schedules are dependant on tax billing cycles and availability of funds in the PRD account.

What is the process for creating a PRD?

The process for establishing a PRD is prescribed by State Law. Generally, it involves preparation of a formal boundary map and petition, preparation of an “Engineer’s Report”, successful conclusion of a voting process, County Board of Supervisors’ approval, and establishment of a special tax assessment. Before considering this option, we recommend consultation with the County Department of Public Works (phone 530-889-7500). A more detailed description of the procedural requirements can be found on the Public Works Department’s sheet entitled “Instructions for Formation of a Permanent Road Division (PRD) for Road Maintenance”.

Can a PRD be expanded or dissolved?

The law does allow for modifications and dissolutions of PRDs. Depending on the specifics of the situation, the process will vary. For more information, contact the County Department of Public Works.

Instructions for Formation of a Permanent Road Division (PRD) for Road Maintenance

(Ref: California Streets and Highways Code, Sec. 1160 et seq)

Step 1:

Contact the County Department of Public Works (DPW) at (530) 889-7500 for a consultation appointment. Staff can review with you available maintenance options, offer guidance, and provide instructions and forms for the selected course of action.

Step 2:

Work with the benefiting property owners to determine the level of support to create a PRD. If there is adequate interest, establish an Advisory Committee (committee), usually 3 to 5 individuals representing different parcels, and appoint one person to act as a liaison to the County. This committee will be responsible for preparation of a preliminary boundary map and for preparation and circulation of the petition requesting County formation of the PRD. The road(s) to be improved or maintained under the PRD will have to be public (situated in public easements); if currently private, this is the time to prepare "offers of dedication" to the County for easements of not less than 40 feet in width. All of the owners over whose land the road passes must agree and provide the required public easements. County staff at the consultation will provide instructions, easement forms, a sample petition and boundary map to assist these efforts.

Step 3:

The committee or their consultant(s) will prepare a draft petition and a preliminary boundary map, a summary of assessed land/improvements valuation, and an "Engineer's Report" describing proposed improvements, schedules and estimated costs. The assessed valuation information must be prepared by an adult who is not a signatory to the petition, owns no taxable property within the PRD boundary, and who must complete an affidavit stating that the information provided is complete and correct, based upon the County's last equalized assessment roll. The "Engineer's Report" must be prepared by a California Registered Civil Engineer. Upon completion of these preliminary documents, submit them to the DPW staff for review and approval before finalizing.

Step 4:

After the petition and related documents have been approved by DPW, the committee will circulate the petition for signatures of benefiting property owners. If obtained signatures represent the majority of the landowners, or owners of more than 50 percent of the assessed valuation of land within the proposed PRD, the petition may be submitted to the DPW for a recommendation to the County Board of Supervisors.

Step 5:

Once the completed petition and all required public easements have been received by the DPW, staff will prepare a recommendation in support of PRD formation to the Board of Supervisors, and the matter will be placed on the first available agenda for consideration. If the Board of Supervisors decides that the PRD should be formed, as presented, it will act to approve the district and order an election process to determine whether a "special tax" to perform the desired services will be levied.

Step 6:

When so directed by Board of Supervisors' action, County staff will prepare election ballots, and mail them to affected owners within the PRD boundary. The returned ballot results will be tabulated and a public hearing scheduled before the Board of Supervisors to consider those results. If at least 2/3 of

PRD Description
(Continued)

the landowners in the PRD have voted in favor of the special tax assessment, the Board of Supervisors may approve it. (Note: the Placer County Board of Supervisors has traditionally desired a demonstration of support greater than the legally required 2/3 majority). The special tax assessments are included on property tax bills, so if approved by the Board of Supervisors before July 1, the charge will appear on the following November 1 tax bill. Approved maintenance work by the County will begin when sufficient funds are collected, and as defined by the PRD schedules. The affected property owners, to allow work to commence before funds are collected through annual tax assessments, may donate initial funding for improvements or maintenance to the PRD fund.

Step 7:

Each year, generally occurring in June, the Board of Supervisors will conduct a public hearing to consider and confirm the proposed assessments on all parcels, as required by the State Government Code and County Code.