

**AN ORDINANCE TO ADD SECTION  
71.120 TO THE SAN DIEGO COUNTY  
CODE OF REGULATORY ORDINANCES  
(TITLE 7 DIVISION 1)**

**AN ORDINANCE TO ADD SECTION 71.120 TO THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES (TITLE 7 DIVISION 1) REGARDING SUBCONTRACTING FOR ENCROACHMENTS**

The Board of Supervisors of the County of San Diego ordains as follows:

**Section 1. Purpose.** Public rights-of-way within the County maintained system of roads are regularly accessed by utilities, property developers and others to place works of improvement. While project owners and prime contractors are required to obtain permits for this work, the labor on the project is frequently performed by unidentified subcontractors. Requiring the subcontractors to be identified, the scope of work they will perform explained, and the subcontractor's compliance with applicable laws, permitting standards and disadvantaged business status detailed, will help ensure that quality work is performed within County maintained right-of-way in an equitable manner.

**Section 2.** Section 71.120 is hereby added to the San Diego County Code of Regulatory Ordinances to read in its entirety as follows:

**Sec 71.120. SUBCONTRACTOR DISCLOSURE**

No work by a subcontractor to place, construct or install an Encroachment within a County Highway for energy, sewer or water transportation projects subject to State prevailing wages, or for any other projects regardless of the applicability of State prevailing wages with the exception of projects for residential driveways and retaining walls shall be commenced until after the following information about the subcontractor is provided to the Director:

- a. Subcontractor name, address, specialty, license number, and workers compensation policy
- b. Detailed scope of work to be performed by the subcontractor
- c. Start and end dates of subcontractor work
- d. Description of any workplace safety or wage violation investigations conducted by the United States Department of Labor, Occupational Safety and Health Administration (OSHA), the State of California, Division of Labor Standards Enforcement (DLSE), or other State or federal government agency, of the subcontractor, the result of the investigation, and whether the violations have been resolved to the satisfaction of the government agency
- e. Disadvantaged Business Enterprise (DBE) status of the subcontractor
- f. Any specialty licenses, certificates, certifications or trainings required for the subcontractor perform any permitted work

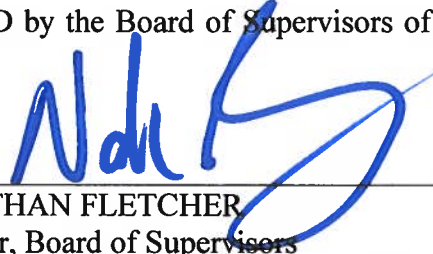
**Section 3. Effective Date.** This ordinance shall take effect and be in force thirty days after its passage, and before the expiration of fifteen days after its passage, a summary hereof shall be published once with the names of the members of this Board voting for and against it in a newspaper of general circulation published in the County of San Diego.

Ordinance No. 10794 (N.S.)  
Meeting Date: 05/11/2022 (02)

APPROVED AS TO FORM AND LEGALITY  
COUNTY COUNSEL

By: Thomas L. Bosworth  
Senior Deputy County Counsel

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 11<sup>th</sup> day of May 2022.



NATHAN FLETCHER  
Chair, Board of Supervisors  
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Vargas, Anderson, Lawson-Remer, Fletcher  
NOES: Desmond

ATTEST my hand and the seal of the Board of Supervisors this 11<sup>th</sup> day of May 2022.

ANDREW POTTER  
Clerk of the Board of Supervisors

By   
Teresa Zurita, Deputy



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