
**NEVADA COUNTY
SHERIFF'S OFFICE**



DIVISION DIRECTIVE

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Effective Date 08/01/93

SUBJECT ABANDONED EXCAVATIONS

POLICY The Nevada County Sheriff's Office is committed to protecting citizens from the hazards of an abandoned excavation and holding property owners responsible for properly marking and covering said abandoned excavations.

PURPOSE The purpose of this policy is to provide guidelines to deputies when they encounter abandoned excavations.

CODE REFERENCE Health and Safety Code § 115700

CASE LAW

DEFINITIONS

PROCEDURE

- A. Health and Safety Code § 115700 requires every person owning land or in possession thereof under lease or contract of sale who knowingly permits the existence on the premises of any abandoned mining shaft, pit, well, septic tank, cesspool, or other abandoned excavation dangerous to persons legally on the premises, or to minors under the age of 12 years, who fails to cover, fill, or fence that dangerous abandoned excavation and keep it so protected, is guilty of a misdemeanor.
- B. When a deputy encounters an abandoned excavation (mine, mine shaft, abandoned well, et cetera) and the excavation is uncovered, the following procedure will be followed:
 - 1. Determine the address or parcel number where the abandoned excavation is located. Determine the name and address of the property owner. This can be done by contacting neighbors and/or checking Assessor's records.
 - 2. Have a case number assigned and complete a report of the incident.
- C. Forward a copy of the report to the Nevada County Code Enforcement advising of the situation and requesting immediate action.