



Town of FOUNTAIN HILLS  
Phone (480) 816-5100

Permit No. E \_\_\_\_\_

### ENCROACHMENT PERMIT

**Application Date:** \_\_\_\_\_

**Expiration Date:** \_\_\_\_\_  
Not to exceed six months from application date

Applicant \_\_\_\_\_  
Address \_\_\_\_\_  
City, State, Zip \_\_\_\_\_  
Contractor \_\_\_\_\_  
Address \_\_\_\_\_  
City, State, Zip \_\_\_\_\_

Contact \_\_\_\_\_  
24-Hour Phone \_\_\_\_\_  
Bond/Security \_\_\_\_\_  
Deposit \_\_\_\_\_  
Contractor \_\_\_\_\_  
License# \_\_\_\_\_

Town Bus. Lic # \_\_\_\_\_ State Tax # \_\_\_\_\_ Insurance Expiration Date \_\_\_\_\_

Project/Location/Parcel \_\_\_\_\_  
Scope of Work and Schedule \_\_\_\_\_  
 Trench  Pit  Each  Other

**\*Any item left in the right-of-way overnight must have lighted barricades placed around it.**

**PERMIT IS BEING REQUESTED FOR:**

- Roadways
- Drainage
- Utilities
- Landscape
- Driveway
- Other \_\_\_\_\_

**FEES:**

Base Fee 70.00

Trench (Linear Feet) \_\_\_\_\_

Pit (Square Feet) \_\_\_\_\_

In Lieu Payments \_\_\_\_\_

Other Fees \_\_\_\_\_

**Total Fees** \_\_\_\_\_

INSPECTOR **Allen Bryan 602-721-4761**

**ADDITIONAL TOWN REQUIREMENTS**

THE APPLICANT SHALL NOTIFY THE TOWN ENGINEERING DEPARTMENT (INSPECTION LINE – 480-816-5198) NOT LESS THAN 24 HOURS PRIOR TO STARTING WORK UNDER THIS PERMIT. The Town Engineer shall also be notified 24 hours prior to any backfill being placed. Failure to provide said notification will subject the work to re-excavation, removal or replacement as may be required for Town inspection, at the applicant’s expense. The applicant shall take full responsibility for all work done under this permit and shall complete the work in a workmanlike manner, including cleanup, restoration of right-of-way and repair of damaged property. Notify Town of Fountain Hills inspector not less than 24 hours in advance when the project is ready for punch list. Failure to get a final inspection and acceptance of work will extend the warranty period indefinitely.

**THIS PERMIT IS SUBJECT TO THE TERMS AND CONDITIONS ON THE FOLLOWING PAGE.**

**\*\*Failure to obtain an inspection before completion may result in additional fees and/or penalties\*\***

MUNIS App#	Amount Paid:
Date Paid:	Method of Payment:
Paid By:	Check No.

Official Use Only:

**APPLICATION SUBMITTAL REQUIREMENTS**

1. All applications shall submit:

- A completed and signed permit form
- One set of construction plans

Additionally, all applicants except public utilities shall have a Town of Fountain Hills Business (privilege) License and a State Contractors License.

2. When road or lane closures are required during the work, one set of Traffic Control Plans shall be submitted to [epermits@fh.az.gov](mailto:epermits@fh.az.gov) (including a name and phone number for 24-hour contact person), 72 hours prior to planned start of work. No street or alley closures shall occur without written approval of the Traffic Control Plans.
3. The applicant shall provide information for the contractor or subcontractor that will be performing the work, including address, office phone, 24-hour phone, contact, contractor license number, Town business license number, state tax number and insurance certificates/endorsements for each.

**TERMS AND CONDITIONS OF PERMIT**

FOR AND IN CONSIDERATION of the granting of this permit for the purpose set forth herein, the applicant hereby agrees, covenants and binds itself, its successors and assigns, to all responsibilities and liabilities of all applicable Town, State and Federal regulations and to all requirements and conditions set forth in this permit.

1. All work must conform to MAG Specifications and Details, as revised by the Town of Fountain Hills.
2. Traffic control for any work performed within the public right-of-way shall conform to the Manual of Uniform Traffic Control Devices. Maintenance of traffic control shall be the responsibility of the applicant. Should any deficient barricading or signing occur, and the Town has to correct traffic control, the applicant will be assessed a fee per the Town fee schedule.
3. The applicant must maintain (i) General liability and commercial automobile insurance in minimum amounts of \$500,000 each, with endorsements naming the Town of Fountain Hills as an additional insured, and (ii) Statutory Workman’s Compensation Insurance. The applicant shall be responsible for all liability imposed by law for personal injury or property damage arising out of or related to work performed under this permit or arising out of the applicant’s failure to perform its work under this permit. If any claim for such liability is made against the Town of Fountain Hills, its officers or employees, applicant shall defend, indemnify and hold them harmless for, from, and against such claim, including claims alleging the negligence of the Town, its officers and employees.
4. All work shall be the sole expense of the applicant and shall be done in such a manner as to minimize inconvenience and hazards to vehicular or pedestrian traffic.
5. The proposed work shall be located and constructed to the satisfaction of the Town Engineer or duly authorized representative.
6. The applicant shall conform to all provisions of the Arizona Blue Stake Law, and shall call 1-800-STAKE-IT a minimum of 48 hours prior to any work involving excavation.
7. If any of the right-of-way occupied and used by applicant is deemed by the Town Superintendent of Streets to be needed or required for Town use, this permit may be revoked by the Town and all rights hereunder will be immediately terminated and upon notice from the Town. Upon receipt of a termination notice, the applicant shall immediately (i) remove all property placed in the right-of-way by or on behalf of the applicant, and (ii) restore the right-of-way to its prior condition, as determined by the Town.
8. Excavated or stored material shall not be placed or stored on pavement, sidewalk, or traveled roadway surface unless specifically stated and approved in this permit.
9. Excavation within the roadway, and within three feet from pavement edges, shall be recompacted to a minimum of 95% relative density (ASTM D-698) within two feet of the bottom of the pavement section and 90% below two feet. All excavation will require the applicant to pay for and furnish the Town with compaction tests. The minimum amount of tests required will be: (i) one for every two feet of fill for lateral cuts, and (ii) one every 500 feet for every two feet of fill for longitudinal cuts. The minimum amount of test required three feet beyond the pavement edge will be one every 500 feet. Compaction test results shall be submitted prior to placing finish asphalt or finalizing work under the permit. Non-shrink backfill may be placed in lieu of the above compaction requirements. Asphalt or aggregate base course thickness shall meet existing thickness, minimum 2” AC on 6” ABC. A temporary patch of cold mix will be allowed.
10. The applicant is responsible for submittal and payment related to any testing requirements.
11. In addition to the specific conditions of permit set forth herein, the applicant shall be subject to and abide by all applicable provisions of Section 16 of the Fountain Hills Town Code dealing with encroachment.
12. **Notify Town of Fountain Hills Street Department 48 hours in advance for removal, replacement or new installation of signs.**
13. Lack of diligence in performing or protection of the work zone may result in cancellation of the permit, an administrative fee, and cost of restoration by the Town, and/or a penalty under the Town Code (Section 16-1-12).
14. Except as set forth in this paragraph 14, the rights and obligations under this permit will expire on the date set forth on the first page hereof, but not later than 180 days from the application date. If the proposed work is not complete and inspection has not been performed, applicant must reapply for a new permit. If approved by the Town Engineer as part of the plans submitted above, the non-exclusive license to maintain infrastructure improvements in the Town’s rights-of-way may continue beyond the term of this permit; provided, however, that such continued occupancy (i) shall not create any property rights to the applicant and (ii) may cause the applicant to later be required to move or remove its improvements, at its sole expense, upon reasonable notice from the Town. Please initial that you have read and agree to the terms and conditions above.



Initial

**AGREED TO AND ACCEPTED:**

**SIGNATURE OF APPLICANT**

**TITLE**

Upon signature of the applicant acknowledging (i) all of the requirements set forth above and (ii) authority to sign on behalf of the applicant, a PERMIT AND NON-EXCLUSIVE LICENSE is hereby granted to the applicant to enter upon and use the portion of the Town’s right-of-way as shown on the plans submitted as set forth above.