TOWN OF DEWEY-HUMBOLDT

Right-of-Way Access Permit Application Packet

CHECKLIST, PERMIT, AND FREQUENTLY ASKED QUESTIONS

May 2010

Town of Dewey-Humboldt

Right-of-Way Access Permit Application Packet

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TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
PHONE 928-632-7362·FAX 928-632-7365

Right-of-Way Access Permit Checklist

The purpose of this permit checklist is to provide an applicant with concise directions for obtaining an access permit. The Town is authorized to require this permit per Town Code § 92.15. More specifically, this permit is to accommodate points of access onto Town Rights-of-Way while providing for the public health, safety and general welfare, and protecting the natural environment. The intent is to provide for public safety, improve traffic flow on streets and roads, and assure that such access points are constructed safely. This is accomplished by implementing sound engineering principles, to limit the potential for hazardous scenarios.

All Right-of-Way Access Permit Applications must contain the following:

- ☐ Access Permit Application completed and signed
- ☐ Access Permit Fee per fee schedule
- ☐ Site Map - The site map shall show all major features affecting the access point. See the Frequently Asked Questions (FAQ) section for site map requirements. A sample site plan is attached.

Upon submission of all applicable details the Public Works Department will analyze the access point. The Public Works Department will be looking for acceptable sight distances, drainage considerations, or any factor that may impact the public safety, health, and general welfare.

Permit #: _____

TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
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PHONE 928-632-7362·FAX 928-632-7365

Right-of-Way Access Permit

APPLICATION FOR PERMIT TO USE DEWEY-HUMBOLDT ROADS FOR INGRESS/EGRESS

◊	Activity	Fee	Penalty	◊	Activity	Fee	Penalty
◊	Driveway Access	$265	$530	◊	Complex Access	T&M	-
◊	Roadway Access	$265	$530	◊	Special Events	$164	$328

Penalties are assessed for work done without first obtaining permit

The undersigned herewith applies for a permit to enter upon and use a portion of Dewey-Humboldt right-of-way for the purpose of ingress and egress to and from public roads to and from private property.

Address:_____
Assessors Parcel Number:_____

Access request description (please attach site plan showing location of access point):
_____
_____
_____
_____

Applicant's Name (Print): _____
Address: _____
City: _____State: _____
Zip: _____
Applicant's Phone #: _____Fax #: _____
Mobile #: _____Email: _____

*Contractor (Print):*_____
*Address:*_____
*City:*_____ *State:*_____
*Zip:*_____
*ROC#:*_____
Contractor's Phone #: _____ *Fax #:* _____
Mobile #: _____ *Email:* _____

This application has been duly signed this _____day of _____20____.
Applicant's Job #: _____Related Permit #: _____
Applicant's Signature: _____
Signature indicates acceptance of permit conditions/specifications and requirement maps

The Access Owner will be the Permittee. By signing this application, the Access Owner/Permitee and the Applicant hereby acknowledges that the information given and statements made in this application are true and correct to the best of his/her knowledge. The Access Owner agrees as the Permittee to accept the following General Obligations and Responsibilities as described on page 6 and 7 of the application. By accepting an approved access permit, the Permittee agrees to the requirements described in the permit, to be responsible for all permit requirements, and to comply with the Town's requirements as set out in the permit.

This permit is approved with the following requirements:

EFFECTIVE DATE: _____

BY:_____ ISSUE DATE OF PERMIT: _____

CULVERT REQUIRED ◊YES ◊NO CULVERT SIZE REQUIRED: _____

PERMIT FEE: _____CHECK#:_____RECEIPT#: _____

PAID DATE: _____

MANDATORY 24 HOURS NOTICE: (928)632-7362 ; FAX: (928)632-7365
***** ALL IMPROVEMENTS DISTURBED IN THE TOWN RIGHT-OF-WAY SHALL BE RESTORED TO A CONDITION EQUAL TO OR BETTER THAN THE PREVIOUS CONDITION***

PERMITTEE SHALL NOTIFY THE ONE-CALL NOTIFICATION CENTER 48 HOURS PRIOR TO DIGGING AT: 1-800-STAKE-IT

GENERAL OBLIGATIONS AND RESPONSIBLITIES

THE PERMITTEE AND/OR APPLICANT AGREES TO THE FOLLOWING:

1. Assume all legal liability and financial responsibility for the access point for the duration of the access, including indemnify, defend, and hold the Town of Dewey-Humboldt and any of its agents, directors, officers, employees harmless from and against any and all claims, actions, losses, liabilities, costs, damages, or expenses, including court costs, reasonable attorney's fees, and costs of claim processing and investigation, arising out of bodily injury or death of any person, or tangible or intangible property damage, caused, or alleged to be caused, in whole or in part, by the negligent or willful acts, or omissions of the Permittee, any of its directors, officers, agents, employees, or volunteers, or its contractor or subcontractors. This indemnity includes any claim or amount arising out of or recovered under the Workers' Compensation Law or arising out of the contractor's failure to conform to any federal, state or local law, statute, ordinance, rule, regulation or court decree. The Permittee is not responsible for claims arising solely from the Town's negligent or willful acts or omissions. The Permittee and/or contractors and subcontracts may be required to procure insurance with specified limits naming the Town of Dewey-Humboldt as additional insureds.
2. Comply with Environmental Laws.
    a. Environmental Laws refers collectively to any and all federal, state, or local statute, law, ordinance, code, rule, regulation, permit, order, or decree regulating, relating to, or imposing liability or standards of conduct on a person discharging, releasing or threatening to discharge or release or causing the discharge or release of any hazardous or solid waste or any hazardous substance, pollutant, contaminant, water, wastewater or storm water, and specifically includes, but is not limited to: The Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act; the Comprehensive Environmental Response, Compensation and Liability Act, as amended; the Toxic Substances Control Act; the Clean Water Act (CWA); the Clean Air Act; the Occupational Safety and Health Act; the Arizona Water Quality Act Revolving Fund Act, the Arizona Hazardous Waste Management Act, any applicable National Pollutant Discharge Elimination System (NPDES) or Arizona Pollution Discharge Elimination System (AZPDES) permit, any applicable CWA Section 404 permit, or any local pretreatment or environmental nuisance ordinance.
    b. The Permittee specifically agrees that in the course of performing any activity for which this Permit is necessary:
        i. To comply with any and all Environmental Laws;
        ii. To ensure that no activity under this Permit shall cause the Town to be in violation of any Environmental Laws;
        iii. That if the Permittee fails or refuses to comply with any Environmental Laws, or causes the Town to be in violation of any Environmental Laws, the Town may at its sole and unreviewable discretion, (1) revoke this Permit; (2) require the Permittee to undertake corrective or remedial

action to address any release or threatened release or discharge of the hazardous substance, pollutant or contaminant, water, wastewater or storm water; and (3) expressly consents to entry of injunctive relief to enforce any listed remedies.

iv. To indemnify the Town for any losses, damages, expenses, penalties, liabilities or claims of any nature whatsoever suffered by or asserted against the Town as a direct or indirect result of the disposal, escape, seepage, leakage, spillage, discharge, emission, or release of any hazardous waste, solid waste, hazardous substance, pollutant or contaminant, water, wastewater or storm water and losses, damages, expenses, penalties, liabilities and claims asserted or arising under the Environmental Laws, or for the Town's costs in undertaking corrective action pursuant to an order of or settlement with a duly authorized regulatory agency or injured third party or for any penalties associated with Permittee's activities;

3. Be responsible for any repair or maintenance work to the access point for the duration of the access;
4. Comply with the Manual on Uniform Traffic Control Device traffic control standards;
5. Obtain written approval from the abutting property owner if the access encroaches on abutting property owned by someone other than the permittee.
6. Upon notice from the Town, repair any aspect or condition of the access that causes danger or hazard to the traveling public;
7. Remove the access point at the permittee's expense and restore the right-of-way to its original or better condition if the Town cancels the access permit, and terminates all rights under the permit;
8. Reimburse the Town for costs incurred or deposit with the Town money necessary to cover all costs incurred for activities related to the access point, such as inspections, maintenance activities, restoring the right-of-way to its original or better condition, removing the access point, or repair access point to originally permitted condition;
9. Apply for a new access permit if the location of the permitted access changes;
10. Construct the access point according to the Towns requirements;
11. Obtain required permits from other government agencies or political subdivisions;
12. Remove any defective materials, or materials that fail to pass the Town's inspection, and replace with materials the Town specifies.

Right-of-Way Access Permit Frequently Asked Questions

- **What is a right-of-way access permit?** A right-of-way access permit provides authorization for an individual parcel or a private roadway to access Town owned right-of-way.
- **Why do I need a right-of-way access permit?** A right-of-way access permit is required per Town Code § 92.15. More specifically, this permit is to accommodate points of access onto Town Rights-of-Way while providing for the public health, safety and general welfare, and protecting the natural environment. The Public Works has been given the responsibility to oversee the operations of the Town road system, and safety is always the most important consideration. Driveway accesses are a major factor in the road system. Some accesses were constructed prior to the access permit requirement. Others were constructed in recent years without permits. Still, others have not been properly maintained. Public Works is working toward bringing accesses into conformance to the Town standards for the safety of the access users and traveling public on the roads.
- **When do I need a right-of-way access permit?** A right-of-way access permit is required for establishing a new point of access onto Town right-of-way. This includes changing, adding, or modifying the access location. Examples include building on a vacant parcel, adding an access point for a circular driveway/detached garage, moving a driveway, dedicating an easement for multiple parcels to access Town right-of-way, and any other activity that modifies traffic patterns along the Town right-of-way.
- **Do I still need a right-of-way access permit if my parcel does not directly access Town right-of-way?** A right-of-way access permit is required for single parcels *and* private roads that access Town right-of-way. The permit form designates "driveway access" and "roadway access".
- **What criteria determine the location of a right-of-way access?** A right-of-way access location is based on sound engineering principles. This includes sight distances due to horizontal and vertical geometry, speed limits, and any other visual barrier that could interfere with safety. The major considerations used when reviewing an access are lines of sight for safe stopping distances and proper drainage handling. Typical required revisions may involve culvert pipes, vegetation removal, gradient of the driveway, and the surface of the driveway.
- **How do I obtain a right-of-way access permit?** A right-of-way access permit can be obtained from Town Hall. Town Hall is located at 2735 South Highway 69, Humboldt, Arizona 86329.
- **How long does it take to obtain a right-of-way access permit?** A right-of-way access permit will take approximately 3 days to process as long as all required information is provided.

- **What type of information is required to process a right-of-way access permit?** Besides the permit and fees, the applicant will be required to submit a site map. The site map shall contain the following information:
  - Printed On 8.5" X 11" Paper
  - A North Arrow
  - Approximate Scale
  - Posted Speed Limit
  - Adjacent Property Lines
  - Adjacent Access Points
  - Roads Labeled
  - Parcel Highlighted
  - Utilities
  - Drainage Features (e.g., Roadside Ditch, Culvert)
  - Location Of Proposed Access Point
  - Dimensions To Adjacent Property Lines
  - Surface Material Noted (e.g., Concrete, Native)
  - Amount Of Material To Be Moved – Cubic Yards
  - Name Of Preparer
  - Date Of Preparation
  - Book/Page Of Easement (If Applicable)
- **How much does a right-of-way access permit cost?** The right-of-way access permit fees are outlines on the permit. The fees were established by Town Council in Ordinance 10-68.
- **What if I do not have a right-of-way access permit?** The penalty for establishing an access point without a right-of-way access permit is double the base amount. This penalty was established by Town Council in Ordinance 10-68.
- **Will the Town actively be pursuing parcels that do not currently have right-of-way access permits?** No, the Town passively enforces right-of-way access permits. The Town will require right-of-way access permits during the course of a code enforcement complaint, during an application for other permits (building, conditional use), new access point establishment observed by Town staff, and other activities that bring the violation to staff's attention.
- **Do I need a right-of-way access permit if the previous owner of my parcel already obtained the permit?** No, a right-of-way access permit is valid for the life of the parcel. However if the location of the access point is moved at anytime a new access permit is required.
- **When is an access permit not required?** An access permit is not required if a driveway or private road accesses a roadway not owned by the Town of Dewey-Humboldt.
- **Am I required to have a culvert or drainage pipe?** A culvert or drainage pipe may be required if drainage needs to be conveyed across the access point.
- **Do I need to hire a licensed contractor to perform the work within the right-of-way?** A licensed contractor is required to complete the work within the right-of-way due to liability and insurance requirements. A list of register contractors is available at http://www.azroc.gov/

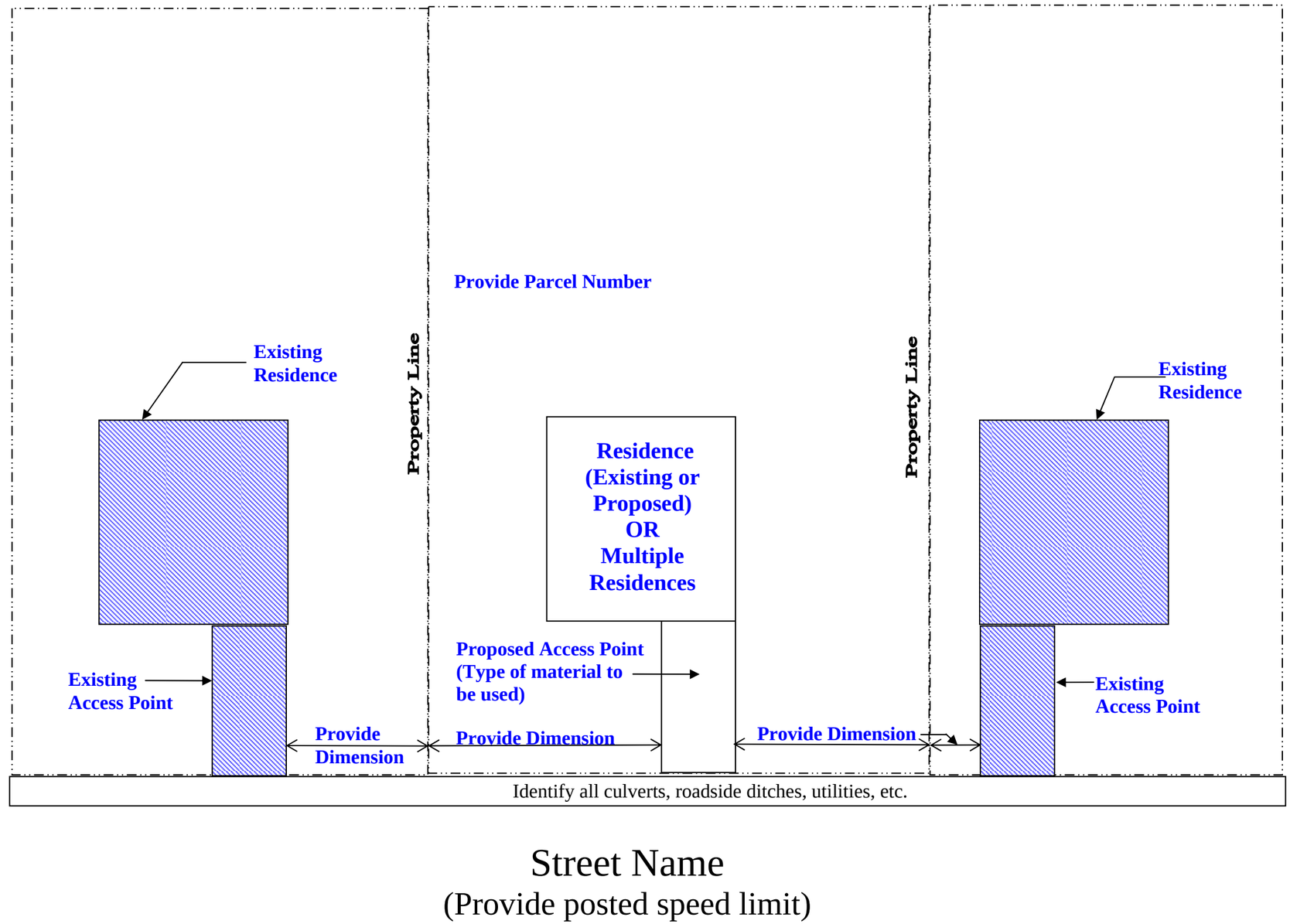
RIGHT-OF-WAY ACCESS PERMIT - SAMPLE SITE PLAN

Town of Dewey-Humboldt
Engineering Development
Public Works Division
2735 S. Highway 69
Humboldt, AZ 86329

Instructions for Drawing a Plot/Site Plan

- Printed On 8.5" X 11" Paper
- A North Arrow
- Approximate Scale
- Posted Speed Limit
- Adjacent Property Lines
- Adjacent Access Points
- Roads Labeled
- Parcel Highlighted
- Utilities
- Drainage Features (e.g., Roadside Ditch, Culvert)
- Location Of Proposed Access Point
- Dimensions To Adjacent Property Lines
- Surface Material Noted (e.g., Concrete, Native)
- Amount Of Material To Be Moved – Cubic Yards
- Name Of Preparer
- Date Of Preparation
- Book/Page Of Easement (If Applicable)

SITE PLAN MAY BE
NEATLY HAND DRAWN



Access Point
Site Plan

RIGHT-OF-WAY ACCESS SITE PLAN

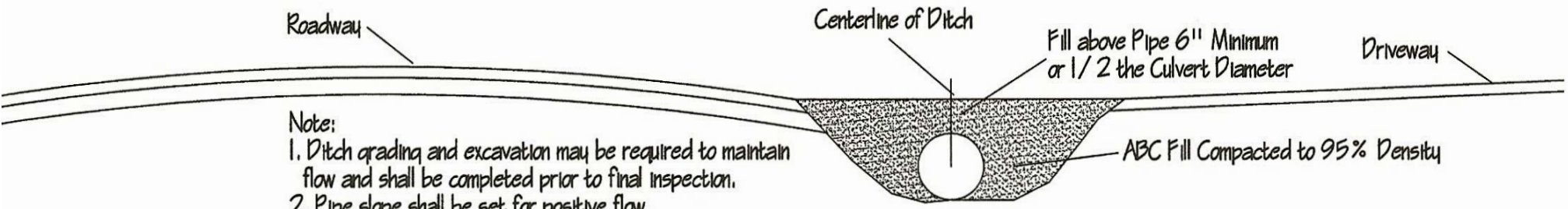
SCALE: 1" = 20'-0"

NORTH
ARROW

1

Town of Dewey-Humboldt

Typical Culvert Installation



Note:
1. Ditch grading and excavation may be required to maintain flow and shall be completed prior to final inspection.
2. Pipe slope shall be set for positive flow.
3. Culvert size and slopes will be specified by the Town of Dewey-Humboldt for each location.
4. Fill around pipe shall met YAG Standards for ABC.
5. Fill shall be compacted to 95% density.