

**MORRO HILLS COMMUNITY SERVICES DISTRICT
P. O. BOX 161
FALLBROOK, CALIFORNIA 92088-0161**

PERMIT APPLICATION FOR ROAD RIGHT-OF-WAY ENCROACHMENT

Date: _____ Fee Attached: \$ _____

Applicant/Owner: _____ Telephone: _____

Mailing Address: _____

Location of encroachment: _____ APN _____

Describe Requested Encroachment: _____

(Check Appropriate Classification(s) Below)

Irrigation/Landscape	Electrical or Telephone Hook-up	Water Meter Hook-up	
Driveway/Grading	Electrical or Cable Line Repair	Other	

If cuts into the asphalt are required, please refer to the MHCS D Right-of-Way Policy for the fee schedule. Please indicate below the estimated asphalt area to be removed to provide access for repair: _____ square feet.

Will encroachment interfere with the public use or District maintenance of any of the following:

Roadway	Emergency Shoulder Parking	Drainage structure or watercourse	Walking pathway
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Estimated time for completion: _____ days. If approved, estimated start date: _____

AGREEMENT – In consideration of the granting of this permit, the applicant agrees:

1. To hold harmless the MHCS D and any officer or employee thereof from any liability or responsibility for any accident, or loss or damage to persons or property, happening or occurring as the proximate result of any placement, change or renewal of an encroachment under the terms of this permit, and to assume all of said liabilities.
2. To comply with all applicable laws in the establishment, maintenance and or removal of the encroachment.
3. That applicant and any other person engaged in any work authorized by this permit shall conform to all due safety precautions for the protection of persons and property.
4. To notify the District if the estimated time for completion will be exceeded.
5. To notify the District and submit a new application if the conditions or scope of work changes after the approval of this permit has been granted.
6. After completing the work requested, to restore the roadway to the equivalent or better condition than it was prior to the date this permit became effective, or prior to the date the encroachment was first placed, whichever is earlier.
7. Approval is conditioned upon the following special requirements of the MHCS D (if stated): _____

8. To notify the District when the work is completed. If the MHCS D so desires, an inspection shall be made of the performance of work under this permit. If the restoration of the right-of-way, including asphalt surface, is not restored to a standard acceptable to the District the applicant agrees to perform such work requested at no additional cost to the District. Item #6 will be the standard used.

9. Applicant understands that all encroachments placed in the right-of-way must not pose a hazard or impede pedestrian or vehicular traffic. Applicant understands that these encroachments may be removed should road improvements by MHCS D warrant it.

Signature of Applicant _____

Dated: _____

In consideration of the above agreement the permit is granted:

District Officer Approving Application _____

Dated: _____

MORRO HILLS COMMUNITY SERVICES DISTRICT ROAD RIGHT-OF-WAY POLICY

ON USE OF ROAD RIGHT-OF-WAY 30' FROM CENTER LINE

A. LANDSCAPING/IRRIGATION

1. Only ground cover may be planted from road edge, anywhere in road right-of-way.
2. The type of ground cover used should not impede pedestrian use of road right-of-way.
3. Shrubbery, growing no higher than 3 ft. may be planted 12 ft. or more from road edge. Use of drought resistant plants is encouraged.
4. No trees may be planted in road right-of-way.
5. No rocks (boulders) should be placed in road right-of-way.
6. Irrigation equipment installed in the road right-of-way must be pop-up sprinklers, drip lines or like items only.

B. OBSTRUCTIONS

1. No fences or walls are permitted in road right-of-way.
2. No materials, equipment, or vehicles may be stored on road right-of-way.

C. ASPHALT CUTS TO ROAD

1. Driveway attachment, grading, excavation for utility hook-up and repairs are governed by MHCSD Ordinance #3.

D. PERMITS AND FEE SCHEDULE

1. Landscape/Irrigation: A permit from MHCSD is required. There is no fee for permit.
2. Driveway/Grading: A permit from MHCSD is required. The fee is \$50.00 to attach to road surface for each driveway and MUST be submitted with the permit application.
3. Excavation for utility hook-up or repairs requiring cut(s) in the road surface: A permit from MHCSD is required. The fee is \$100 for cuts up to 100 sq. ft. and \$300 for cuts accumulating over 100 sq. ft. and MUST be submitted with the permit application.
4. The Board of Directors has the right to change or alter the fee schedule if necessary to cover anticipated cost to the District which may exceed this scheduled fee structure.

E. APPEAL PROCESS

1. Residents may appeal to the Board of Directors if their permit is denied.
2. The appeal must be made in writing stating the reasons therefore.
3. Appeals should be mailed to Morro Hills Community Services District at the address below or delivered in person to any Director.
4. The appeal will be addressed at the next regularly scheduled Board Meeting and acted upon within 60 days.

Morro Hills Community Services District
Post Office Box 161
Fallbrook, California 92088-0161
(760) 723-3642 (answering machine)

Revised January 2005