



ORDINANCE 2024-A497

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, AMENDING THE CODE OF CAMP VERDE, ARIZONA, CHAPTER 7 BUILDING, ARTICLE 7-5 ROAD SPECIFICATIONS AND DETAIL, RELATED TO RENUMBERING THE ARTICLE AND ADDING A SECTION REGARDING RESTRICTIONS ON WORK IN NEWLY PAVED OR RESURFACED PUBLIC ROADWAYS AND RIGHTS-OF-WAY.

WHEREAS, the Mayor and Common Council desire to amend Town Code requirements governing road specifications and details; and

WHEREAS, the amendments will ensure continuity of Town operations and the provision of government services for the benefit and welfare of residents.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA, AS FOLLOWS:

Section 1. General. The Code of Camp Verde, Arizona, Chapter 7, Building, Article 7-5 Road Specifications and Details is amended by renumbering Article 7-5 and by adding a new Section 7-5-2 Work in Newly Paved or Resurfaced Public Roadway or Right-Of-Way:

Article 7-5 ROAD STANDARDS

SECTION 7-5-1 ROAD SPECIFICATIONS AND DETAILS

That certain document entitled "Uniform Standard Specifications" and that certain document entitled "Uniform Standard Details" as published by the Maricopa Association of Governments, are hereby adopted as the Town road standards and made a part of this chapter as though said documents were specifically set forth in full herein.

SECTION 7-5-2 WORK IN NEWLY PAVED OR RESURFACED PUBLIC ROADWAY OR RIGHT-OF-WAY

7-5-2.1. Intent.

The purpose of this Section is to protect the Town's investment in public infrastructure, preserve the life of streets, and to provide safe and appealing roadway surfaces for roadways that have undergone utility work.

7-5-2.2. Exemptions.

No entity or organization shall be exempt from the requirements of this Section, including but not limited to, utility companies, state agencies, federal agencies, school districts, and private developers.

7-5-2.3. Definitions.

A. As used in this Section, capitalized terms shall have the following meaning:

1. **ASPHALT CONCRETE (AC)** means blend of aggregate and asphalt binder meeting the specifications set forth in the Town of Camp Verde standard specifications, Maricopa Association of Governments (MAG) Standard Specifications, and Arizona Department of Transportation (ADOT) Construction Manual, Section 4, whichever is more stringent or as directed by the engineer.
2. **COMPLETION DATE** means the date of acceptance by the Town for the completion of roadway construction, resurfacing operations, or maintenance. For streets paved as public improvements for private development, this date shall be the date the Town formally accepted improvements.
3. **DIRECTOR** means Public Works Director or Designee.
4. **EXCAVATE** or **EXCAVATION** means cutting, digging, potholing, or otherwise disturbing the street surface within the right-of-way to access or install a utility line or any related facility or for other reasons. All such excavations shall require an encroachment permit by issued.
5. **OWNER** means the owner of the facility to be installed in the public right-of-way and includes but is not limited to, the utility that owns the facility.
6. **PERMIT** means written authorization from the Director to excavate, encroach upon, or obstruct a public right-of-way.
7. **PUBLIC RIGHT-OF-WAY** means that area in, upon, above, beneath, or across any public street, parking lot, other Town owned parcels or easements, including but not limited to any highway, street, lane, court, alley, boulevard, sidewalk, median, parkway, parking lot, or easement reserved by or dedicated to the Town for public use.
8. **ROADWAY** means any public street, including but not limited to any highway, street, lane, court, alley, boulevard, median, parkway, parking lot, or easement reserved by or dedicated to the Town for vehicular, pedestrian, or equestrian travel.
9. **UTILITY** means any person or entity providing electricity, gas, telephone, telecommunications, water, sanitary sewer or other services to customers, and which pursuant to state law or local franchise is entitled to install its facilities in the public right-of-way.

7-5-2.4. Restrictions on Excavation Permits in Public Roadways and Rights-of-Way.

Except as set for in Section 7-5-2.5 and absent an Excavation Waiver as provided in Section 7-5-2.6, permits to excavate in a public street or right-of-way shall not be granted where any of the following apply:

1. For any pavement with a very good to excellent condition as determined by having a Pavement Condition Index rating of eighty (80) or above using the ASTM D6433-18 Standard Practice for Roads and Parking Lots Pavement Condition Index Surveys.
2. For seven (7) years after the completion date of public street construction, including but not limited to an inlay, overlay, chip seal, reconstruction, or other similar maintenance.
3. For three (3) years after completion date slurry seal coatings or micro-paving of the roadway surface. Utilities shall plan well enough in advance to determine alternate methods for making necessary repairs to avoid excavating in newly resurfaced public streets.

7-5-2.5 Exceptions.

- A. Exceptions to the above restrictions may be permitted in the following situations, at the discretion of the Director:
1. Emergency which endangers life or property.
 2. Interruption of essential utility or communications service.
 3. Work that is mandated by town, county, state or federal legislation.
 4. Service for buildings where no other feasible means of providing service exists.
 5. Unforeseen circumstances where the financial burden outweighs the benefit to the public street infrastructure or other situations deemed by the Director to be in the best interest of the general public.
- B. Emergencies and other exceptions do not exempt the permittee from any requirements to repair or restore the pavement as included in this Section or as conditions of approval of a permit.

7-5-2.6 Excavation Waiver and Restoration.

- A. To excavate within a public street within seven (7) years of the completion date of original construction or of pavement maintenances as defined in Section 7-5-2.4, or within three (3) years of slurry seal coatings or micro-paving, a waiver must be obtained. To request a waiver, the applicant must submit a written request that includes all the following:
1. The location of the excavation.
 2. Description of the work to be performed.
 3. A statement from the applicant setting forth good cause for why the work was not performed before the public street was resurfaced.
 4. A statement from the applicant setting forth good cause for why the work cannot be deferred until after the seven (7) or three (3) year period.
 5. A statement from the applicant setting forth good cause for why the work cannot be performed at another location.
- B. In the event the waiver is granted under Subsection (A), any excavation in the public street shall be repaired in accordance with standards of the Town of Camp Verde trench restoration requirements as well as with full-lane paving on the street, as follows:
1. For overlaid or reconstructed roadway, all lanes that are affected shall be ground down three (3.0) inches and paved with three (3.0) inches of similar asphalt concrete material as the previous treatment to the satisfaction of the Director. Some roadways may require rubberized asphalt or other materials.
 2. For slurry sealed, chip sealed, or micro-surfaced streets, all lanes that are affected shall be resurfaced to the satisfaction of the Director with a treatment similar to what was previously utilized.
 3. For trenches perpendicular to the curb face, the trench shall be resurfaced for the entire width plus twenty-five (25') feet on each side of the trench (i.e. fifty (50') feet plus the full width of the trench) along the entire length of the impacted lane or lanes. For trenches parallel to the curb face, the entire lane shall be resurfaced along the entire length of the trench plus twenty-five (25') feet on each end (i.e. fifty (50') feet plus the length of the trench).

4. Full-lane width restoration shall not be required during a curb and gutter restoration in which the Town has exempted the contractor from removing and replacing the required twenty-four inches (24") of asphalt paving from the edge of the gutter. Town staff will provide the waiver following an inspection determining the pavement cut is smooth and straight along the gutter lip and existing asphalt.
- C. Exceptions to Subsection B may be permitted at the discretion of the Director or designee to repair existing utilities, not associated with a construction project in the following cases:
1. Emergencies which endanger life, property or public health and safety.
 2. Interruption of essential utility service.
 3. Unforeseen circumstances where the financial burden outweighs the benefit to the roadway infrastructure, or other situations deemed by the Director to be in the best interest of the general public.

7-5-2.7 Declaration of Public Nuisance.

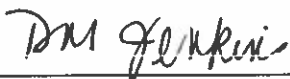
Any condition caused or permitted to exist in violation of any of the provisions of this Section is a threat to the public health, safety, and welfare. Such condition is hereby declared and deemed to be a public nuisance within the provisions of Article 10-2 of the Town Code.

7-5-2.8 Permits.

Except as in emergencies as provided in Section 7-5-2.5(A)(1), prior to commencing maintenance or repair work an owner shall obtain an encroachment permit, if required, as well as any other approval required for such work and shall meet all Town standards in performing the work.

Section 2. Providing for Repeal of Conflicting Ordinances. All other ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section 3. Providing for Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or any part of the Code adopted herein by reference is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.
PASSED, ADOPTED AND APPROVED BY A MAJORITY VOTE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA,
THIS 2nd day of April, 2025.



Dee Jenkins, Mayor

ATTEST:

Leah Rhodes
Leah Rhodes, Town Clerk

APPROVED AS TO FORM:

Trish Stuhman
Trish Stuhman, Town Attorney
Pierce Coleman PLLC

I, Leah Rhodes, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO 2024-4457A ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE ON THE 2 DAY OF April, 2025, WAS POSTED IN THREE PLACES ON THE 4 DAY OF April, 2025.

Leah Rhodes
Leah Rhodes, Town Clerk

Exhibits on file at the Town Clerk's Office, 473 S Main St. Ste 102, Camp Verde. Arizona.