

**CITY OF CABOT, ARKANSAS**  
**APPLICATION AND PERMIT FORM**  
Planning & Environmental Division

**HOW TO OBTAIN A COMMUNICATIONS OR UTILITY RIGHT-OF-WAY ENCROACHMENT PERMIT**

**Permit Fee: \$100.00. All fees are non-refundable.**

**\* \* \* KEEP FOR YOUR RECORDS \* \* \***

**Step 1.** Verify Scope of Work is within the City of Cabot Right-of-Way. Refer to the City, County, State Right-of-Way Map for Scope of Work jurisdictional responsibility. This Permit is only applicable to streets and roadways that are classified as City of Cabot right-of-way. For utility encroachment projects affecting County right-of-way, please contact Lonoke County (501-676-2368) to obtain a Lonoke County ROW Encroachment Permit. Utility encroachment projects affecting State right-of- please contact Arkansas Division of Transportation (501-569-2000) to obtain an Arkansas D.O.T. ROW Encroachment Permit.

**Step 2.** Utility Registration. Each utility who occupies, uses or has facilities in the City rights-of-way, including by lease, sublease or assignment, to operate facilities located in the City rights-of-way, unless specifically exempted by state or federal law or this city, shall file a Registration Statement with Encroachment Application.

**Step 3.** Complete the following Encroachment Application Form.

**Step 4.** Submit Documents. Submit the Encroachment Application, 1 complete set of construction drawings, a security bond in the amount of 1.5 x's the project cost (must have the City of Cabot listed), a copy of the Registrant's certificate of authority from the Arkansas Public Service Commission and/or FCC, a copy of the Franchise Agreement with the city of State of Arkansas and a copy of the NPDES permit.

**Step 5.** Application Review. Applications determined to be incomplete or that contain information that is determined to not be in conformance with the City Code of Ordinances may require additional information/submittal(s) until such time the application package is deemed complete and in conformance with the City Code of Ordinances.

**Step 6.** Permit Pickup. When contacted by Planning and Environmental Division staff that the permit is ready for issuance, a return visit to Planning & Development Division is necessary. Remit the appropriate permit fees (cash, check, Visa, and MasterCard accepted).

**Step 7.** Notice of Commencement Required. Applicant/Contractor shall notify the City of Cabot Division of Planning and Environmental Division by email ([Inobles@cabotar.gov](mailto:Inobles@cabotar.gov)) at least 48 hours before beginning work.

**Step 8.** Complete Scope of Work.

**Step 9.** Notice of Completion Required. Applicant/Consultant shall notify the City of Cabot Division of Planning and Environmental Division by email ([Inobles@cabotar.gov](mailto:Inobles@cabotar.gov)) no later than 24 hours after the completion of work.

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<b>Applicant</b>	<b>Consultant</b>
Applicant Name: _____	Contractor Name: _____
Address: _____ _____	Address: _____ _____
City: _____	City: _____
State / Zip Code: _____	State / Zip Code: _____
Phone: _____	Phone: _____
Fax: _____	Fax: _____
Contact Person Name: _____	Contact Person Name: _____
Contact Person Number: _____	Contact Person Number: _____
Email Address: _____	Email Address: _____
24 Hour Contact Information:	24 Hour Contact Information:
Name and Title: _____	Name and Title: _____
Phone: _____	Phone: _____
Email: _____	Email: _____

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**General Description of Work**

Work Location in ROW: \_\_\_\_\_

Describe Scope of Work:

Number of Steel Poles: \_\_\_\_\_

Number of Wood Poles: \_\_\_\_\_

Total Linear Footage: \_\_\_\_\_

Project Start Date: \_\_\_\_\_

Projected End Date: \_\_\_\_\_

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Applicant Certification

Applicant agrees to indemnify and hold harmless the City and all officers, employees or agents of the City consistent with the provisions of State Law.

This permit is requested this \_\_\_\_\_ day of \_\_\_\_\_ in the year 20\_\_\_\_.

\_\_\_\_\_  
By Signature

\_\_\_\_\_  
By Witness Signature

\_\_\_\_\_  
Printed Name Title

\_\_\_\_\_  
Title/Position

**>>>FOR STAFF USE ONLY<<<**

DATE RECEIVED: \_\_\_\_\_

PERMIT #: \_\_\_\_\_

# OF FACILTIES: \_\_\_\_\_

Permit is hereby:     Approved     Denied

Reason for Denial:

Permit Granted by: \_\_\_\_\_ Date: \_\_\_\_\_

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**GENERAL PROVISIONS**

1. Notice required by email to ([Inobles@cabotar.gov](mailto:Inobles@cabotar.gov)) at least 48 hours before beginning work; and no later than 24 hours after completion of work.
  
2. All references in this document to the Planning and Environmental Division” (the term document includes all papers, writings, documents, drawings, or photographs used, or to be used, in connection with this document), shall mean the Division of Planning and Environmental Division of the City of Cabot. All references to the “Director” shall mean the Director of Planning and Environmental Division.
  
3. Prior to the initiation of any work under this permit, the applicant shall determine the location of any and all other installations for utilities upon, over or across the right-of-way and shall install, operate and maintain the facilities in such a manner as not to damage or interfere with the operation of the existing facilities.
  
4. The Applicant shall restripe all existing roadway marking as currently marked. The Applicant shall restripe all existing roadway markings on side roads to the end of the new resurfaced section. Also, the Applicant shall restripe or paint (where not existing) stop bars at all side roads and streets. Reference pavement marking details and notes on sheets and for location edge lines. The cost of restriping including painting required stop bars, crosswalks, and providing construction layout shall be included in the Applicant's cost of construction for traffic control and shall be done to the satisfaction of the Director.
  
5. Within the limits of any shoulder paving operation where insufficient shoulder width exists to accommodate the shoulder paving, the shoulder shall be constructed to the necessary width by AASHTO standards.
  
6. The Applicant shall reconstruct the earth shoulders in accordance with details and notes on AHTD standards, the reconstruction shall include grading, and furnishing and placement of borrow material. The cost of work shall be included in the Applicant’s cost of construction. The Applicant shall be responsible for determining the required earthwork quantities; reconstruction work shall be performed and paid for by the Applicant.
  
7. The Applicant shall complete shoulder reconstruction work within 20 working days, after the end of construction and/or excavation activity. Failure by the Applicant to complete shoulder reconstruction work within this time frame will result in, but may not be limited to, damages being assessed, bond forfeiture, future projects being not permitted, civil penalties, and/or restitution.

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8. The Applicant shall grass all public right-of-way, City easement or any other City property disturbed by his work and at all areas of shoulder reconstruction. Grassing, water, lime, nitrogen and fertilizer shall be performed and paid for by the Applicant. Grassing shall be Bermuda, fescue, or sod. If temporary grassing, (rye or any other annual) is in place it shall be plowed or over seeded using a no-till method. When grassing areas adjacent to residential or commercial lawns, the plant material shall be changed to match the type of grass growing on the adjacent lawn or as directed by the Director. This includes beauty strips.
9. This project does require a Notice of Intent (NOI) to Excavate or Demolish as provided in Arkansas Statue 14-271-112.
10. Applicant shall be responsible for obtaining approvals for the proposed installation when required by any government or agency on roads or streets under their jurisdiction.
11. This permit shall be void unless work hereunder is begun within six (6) months of the date of its approval, unless renewed or extended in writing by the City.
12. Applicant shall be responsible for obtaining any other county, state and federal permits necessary for work performed under this permit.
13. The City of Cabot, its engineers, managers, officers or employees shall not be held responsible or liable for injury or damage that may occur to facilities covered by this permit, or to any connection or connections thereto by reason of City maintenance and construction activities or City contractor or Applicant operations. City of Cabot shall not be held liable for any damage that may occur to utility facilities if the Applicant has been notified of a construction conflict and given reasonable time to mark or relocate its facilities but has failed to do so.
14. It is the Applicant's responsibility to verify the limits of public right-of-way, public roadway, City easement, or any other City property and perform land surveying if necessary, for location of the utility facilities authorized hereby.
15. No inherent or retained right or privilege of any abutting property owner is affected by this permit nor is City of Cabot responsible for any claim which may develop between the Applicant and any property owner concerning the use of the public right-of-way, public roadway, City easement, or any other City property. Applicant is responsible for maintaining reasonable access to private driveways during installation of its facilities and for restoration of driveways to the owner's satisfaction. The Applicant will be required to replace any disturbed area with "in kind" materials throughout entire permit area unless a satisfactory replacement is approved by the Director.

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16. Approval of this permit does not constitute approval of design or construction layout and details for the proposed facilities. Applicant is responsible for compliance with all applicable governmental codes and regulations as well as designs and construction layouts that are safe for public use.

17. Use of explosives within the public right-of-way, public roadway, City easement, or any other City property is prohibited unless until Utility has given 48 hours' notice by submitting a locate request to the One Call Center per Arkansas Statute 14-271-112.

18. This permit is a license for permissive use only and the placing of facilities upon public property pursuant to this permit shall not operate to create or vest any property right in holder.

19. Prior to the initiation of any work under this permit, the Applicant must determine the location of any and all other installations for utilities upon, over or across the right-of-way and shall install, operate and maintain the facilities in such manner as not to damage or interfere with the operation of its existing facilities.

20. The provisions of this permit are regulatory and not contractual. No interest or right of an Applicant granted by this permit may be transferred to another except by written consent of City of Cabot.

21. This permit may be revoked at the discretion of City of Cabot upon written notice to the Applicant. All General and Special provisions of this permit shall survive the revocation of the permit until requirements to restore the work site as provided herein have been satisfied.

22. Whenever necessary for the construction, repair, improvement, maintenance, safe and effective operation, alteration or relocation of all or any portion of the roadway or other City facilities as determined by City of Cabot, any or all of said facilities and appurtenances authorized hereunder shall be immediately removed from the public right-of-way, public roadway, City easement, or any other City property, or reset or relocated thereon, as required by City of Cabot, and at the sole expense of the Applicant unless reimbursement is authorized by separate agreement, should the Applicant fail to remove or relocate its facilities, upon due notice from the City, Applicant shall be liable for any abnormal cost or damages incurred by City of Cabot. If immediate removal of facilities is not required, it shall be the responsibility of the Applicant to plan with City of Cabot and its contractor a schedule which will clearly set forth at which state of operations the Applicant will be required to perform any adjustment to its facilities necessary to accommodate the City improvements.

23. Applicant agrees to indemnify and hold harmless the City of Cabot, and all officers, employees or agents of the City of Cabot against any and all claims, damages, demands, actions, causes of action, cost and expenses of whatsoever nature, which may result from any injury to, or the death of, any persons or from the loss of, or damage to, property of

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any kind or nature, when such injury death, loss of damage arises out of the construction operation, maintenance, repair, removal or relocation of the facilities covered by this permit.

24. Applicant must maintain public access to all sidewalks and driveways, except where there is active construction.

25. Applicant must protect street trees and any tree protection zone, utilities, storm drains, and drainage structures from damage and shall be responsible for any repairs required as a result of any actions, omissions, or negligence.