



DIRT/MATERIALS AGREEMENT

Date: _____

(VALID FOR 60 DAYS)

City Staff has been advised that you have made inquiry as to the City disposing of materials taken from various job sites onto your property. The City is agreeable to and appreciates this offer. You should keep the following in mind:

1. You shall accept **ALL** materials delivered which may include dirt, sand, mud base, caliche, stone, aggregate and/or asphalt. The materials will be delivered to the locations designated by you, but such locations shall not be within the City Right of Way.
2. You are responsible for expeditiously leveling or placing the material with your equipment. The City **SHALL NOT** provide personnel or equipment beyond that required to deposit material at the designated locations. Be advised that you are required to maintain vegetation that may establish itself in deposited material at a height no greater than 12-inches. You may receive notice of violation from the Office of Code Enforcement if vegetation exceeds this height.
3. The material or any usable part thereof **SHALL NOT** be used to fill any drainage structure(s) such as ditches, gutters, drainpipe, etc. Nor shall the material be placed in any area designated by FEMA as a Special Flood Hazard Area without proper authorization from the City Flood Plain Administrator.
4. Materials will be delivered at a time that is convenient to the City and when the haul is a shorter distance than other designated dump sites.
5. The City **SHALL NOT** be responsible for any damage to your property, including rutting, which may occur during material delivery and **SHALL NOT** accept ANY liability resulting from your use of the materials.

This agreement may be terminated, in writing, by either party at any time.

Your signature below attests to your having read, understood, and agreeing to comply with the foregoing conditions.

Sincerely,

Henry Wied
Director of Public Works
(or Designee)

Signature: _____ **Date:** _____

Printed Name: _____ **Phone Number:** _____

Email Address: _____

Dumpsite Address/Description: _____

Approved By Flood Plain Administrator: _____