



CITY OF ASPEN ENGINEERING DEPARTMENT  
**REVOCABLE PERMANENT ENCROACHMENT PERMIT**  
**APPLICATION CHECKLIST**

The following items must be submitted **before** a Revocable Permanent Encroachment License application is processed.

- Completed Application Form** (*incomplete applications will not be accepted*).
- Permanent encroachment exhibits** (Exhibit "A") must include an 8½" x 11" drawing, accurately and legibly prepared and stamped/sealed/dated by a Colorado Professional Land Surveyor. All drawings must include the following information:
  - Property lines identified
  - City Right-of-way identified
  - Property address
  - Abutting street and alley name
  - Exact location and dimensions of items that encroach
- Certificate of Liability Insurance**, in the amount not less than statutory limits, that:
  - Names the City of Aspen as an additional insured.
  - Must be valid for the duration of the encroachment. It shall be renewed if necessary to provide continuous coverage.
  - Is issued by an insurance company having an established office in Colorado and licensed to do business under Colorado State laws.
  - Has witnessed execution of application document by a Notary Republic.
- Nonrefundable application review fee of \$1,000.00\*** (cash or check issued to the City of Aspen).  
\*Recording fees determined by the Pitkin County Recorder's Office and collected by the City of Aspen as part of the permit application fees.

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Please allow **fourteen (14) business days** for review.

Note: If the insurance policy is canceled/not renewed, the encroachment license may become null and void at that time.



## CITY OF ASPEN ENGINEERING DEPARTMENT **REVOCABLE PERMANENT ENCROACHMENT PERMIT REVIEW PROCEDURES**

Encroachment license applications are received and reviewed by the Engineering Staff and approved or rejected by the City Engineer. Depending upon the feasibility of an encroachment into a public Right-Of-Way (ROW) and restrictions imposed upon use of the ROW for public access, delivery and installation of underground services, an application for encroachment license may be approved or rejected in accordance with the City of Aspen Municipal Code (AMC 21.04.050, 21.04.060, 21.04.070, 21.04.080, and 21.04.090).

All applications for permanent encroachments will be reviewed by the Engineering Department according to the following criteria:

- **UNRESTRICTED ACCESS:** The area of encroachment within the public ROW corridor must be accessible at all times to service/construct utilities, roadways or any other activity as deemed necessary by the City.
- **TRAFFIC CIRCULATION:** Areas designated for vehicular turning movements, deck overhang space, etc. should not be negatively impacted.
- **STREET OR ALLEY MAINTENANCE OPERATIONS:** Maintenance work such as snow storage and snow removal should not be negatively impacted.
- **CODE AND LAW ENFORCEMENT:** Encroachment shall not cause a problem or compound an existing problem for traffic control, city police, ambulance service or fire protection district operations.
- **IMPACT ON INCOME PRODUCING SPACES:** Paid parking stalls, net leasable commercial area or other income producing spaces may not be encroached unless a rental agreement is obtained from the City of Aspen prior to application for encroachment.
- **COMPLIANCE WITH ADOPTED MASTER PLANS:** An encroachment shall not override the requirements of other adopted land use master plans such as the Trail corridors, Malls, improvement districts, etc.
- **BENEFIT:** Consideration of whether the encroachment is beneficial to the City of Aspen. An encroachment effectively provides public property for private use. Therefore, as a general policy, it is not in the City's interest to grant encroachments. New structures should be able to accomplish their various needs within the confines of their property boundaries and required setbacks. Granting of encroachment will generally occur under one of the following conditions:
  - a) To acknowledge an existing, historical unlicensed encroachment and to outline the owner's liability and responsibility for maintenance and future removal of the encroaching structure, or
  - b) To license an encroachment that is a public amenity. Examples may include awnings on commercial structures, non-restrictive safe objects, planters in the right-of-way (but not within pedestrian walkways), irrigation systems approved by Engineering and Parks Departments to maintain landscaping within public right-of-way.