

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE TOWN OF FOUNTAIN HILLS
AND
FOUNTAIN HILLS DARK SKY ASSOCIATION**

This Memorandum of Understanding (“MOU”) is hereby made and entered into by the Town of Fountain Hills (“Town”) and the Fountain Hills Dark Sky Association (“FHDSA”), a civic program of the Fountain Hills Cultural and Civic Association, collectively referred to as the parties.

1. Purpose. The purpose of this Memorandum of Understanding (MOU) is to articulate the role and responsibilities of the parties in the accomplishment of maintaining the International Dark-Sky Association’s designation of Fountain Hills as a Dark Sky Community. Through this MOU, the parties agree to collaborate, consult and to work together as described in the “Duties of the Parties” below.

2. Statement of Mutual Benefit and Interests. The parties recognize the importance of the preservation of the night sky through the implementation and enforcement of quality lighting codes, dark sky education, citizen support for dark skies, and that achieving designation as a Dark Sky Community provides many benefits to the community including preservation of the night sky, ecotourism, and reductions in night time light pollution.

3. Duties of the Parties. The parties agree to work together to maintain the Dark Sky designation and to uphold the tenets of dark sky policies as described by the International Dark-Sky Association. FHDSA agrees that it will act in an advisory capacity. The Town agrees to consult with and consider the advice of FHDSA in areas where consultation with FHDSA may be beneficial or necessary to perform the duties outlined above. The following is a list of duties designated to each party.

- A. Interpretation and enforcement of the Town of Fountain Hills Zoning Ordinance – Town Only
- B. Maintenance of Dark Sky Community designation:
 - 1. Communications with the International Dark Sky Association for purposes associated with annual reporting requirements or other matters related to maintaining Dark Sky Community designation – Town Staff with FHDSA copied as needed.
 - 2. Building Permit and Development Site Plan Review - Town Only
 - 3. Installation of Dark Sky Compliant Municipal Lighting – Town Only
 - 4. Community education and outreach – FHDSA
 - 5. Annual dark sky light measurements – Town and FHDSA
 - 6. The parties shall work together to file an annual report with the IDA with basic information on any upcoming Town Capital Improvement Projects that will include new outdoor lighting fixtures.

4. General Provisions.

- A. The parties will work together to support dark skies and good lighting through the distribution of publications, flyers, public service announcements and other forms of public communication promoting the concepts of dark skies and good lighting;

- B. The parties will work together to maintain a commitment to providing dark sky education within the community by:
1. Planning and execution of at least two community dark sky awareness events per year;
 2. Inclusion of dark sky awareness documents with other community informational documents that are made available to residents and visitors;
 3. Encourage the Fountain Hills Unified School District to incorporate dark sky educational materials into any environmental/ sustainability programs or classes offered by the District. The parties shall offer the presentation of Dark-Sky events with activities tailored for school-age children.
 4. The parties shall work together to establish and maintain a sky brightness measurement program to follow the evolution of light pollution within the Fountain Hills Town limits. If possible, the parties shall work together and participate in the IDA Global Sky Monitor website.

5. MOU Effective Date and Termination. This MOU between the parties takes effect upon the signature of both parties. The parties agree that January 1 shall be considered the "Anniversary Date" of this MOU. The MOU will be automatically renewed on an annual basis on the Anniversary Date unless either party provides 30 days' notice of termination to the other.

Fountain Hills Dark Sky Association

The Town of Fountain Hills

Joe Bill 2/12/18
Date

Grady E. Miller 2/20/18
Grady E. Miller, Town Manager Date

Attest:

Maura Neal 2/12/18
Date

Beverly J. Bender 2/20/18
Beverly J. Bender, Town Clerk Date

Approved as to form:

Dickinson Wright, PLLC 2/20/18
Dickinson Wright, PLLC, Town Attorneys Date