

AN ORDINANCE SETTING FORTH SPECIFICATIONS
FOR TRENCHING ACROSS CITY STREETS

BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF LAKEVIEW, ARKANSAS, AS FOLLOWS:

SECTION 1; SHORT TITLE. This ordinance shall be known and may be cited as the Lakeview, Arkansas, Street Trenching Ordinance.

SECTION 2. DEFINITIONS.

(a) "Contractor" means all contractors, sub-contractors, individuals, corporations, partnerships and utility companies, either public or private, who shall trench across city streets or cause trenches to be dug across city streets, including employers of said contractors.

(b) "City Streets" means all public thoroughfares owned or controlled by the City which have been dedicated for public use within the corporate limits of the City of Lakeview, Arkansas.

(c) "City", when used, means the City of Lakeview, Baxter County, Arkansas.

(d) "Sleeve" means a rigid plastic pipe or approved substitute, said approval to be given by the City Street Commissioner or his designee.

SECTION 3: PERMITS. All contractors shall obtain from the City, a City Street Trenching Permit. The fee for said permit shall be \$10.00 per trench. More than one contractor may use a trench at no additional charge. Application for said permit is to be made with the City forty-eight hours (48) in advance of the date the trench is to be dug and shall be valid for a period of ten (10) days unless extended by the City Street Commissioner or his designee. However, the forty-eight hour notice may be waived by the City for good cause, by the City Street Commissioner or his designee. In the event of an emergency, the contractor shall be permitted to make emergency repairs as necessary, prior to notifying City Street Commissioner or his designee, but still must obtain from the City a City Street Trenching Permit for a fee of \$10.00 and comply with Section 4.

SECTION 4: CROSSING SPECIFICATIONS.

(a) Contractors must install sleeve and fill the trench up to the road level with SB2 base rock. The contractor must then wait twenty (20) days minimum and thirty (30) days maximum and dig from road surface down at least four (4) inches and fill this four (4) inches with hot or cold mix. The cold mix or hot mix must then be leveled and rolled until the crossing is level and smooth so that the road is not higher or lower than the rest of the road surface unless notified by the City Street Commissioner or his designee, that the trench should be refilled to road level.

(b) The contractor is to notify the City Street Commissioner or his designee upon completion of the repair of the crossing. The crossing will be inspected by the Street Commissioner or his designee within fifteen (15) days after notification by the contractor to the Street Commissioner or his designee, that the crossing has been repaired.

(c) The contractor shall be required to maintain the road level prescribed in 4(a) at all times until final approval of the repair is given by the Street Commissioner or his designee.

LAKEVIEW, ARKANSAS STREET TRENCHING ORDINANCE (continued)

Section 4 Continued

(d) If the trenching repair is not satisfactory to the City Street Commissioner or his designee, the contractor will be notified and will have a maximum of fifteen (15) days and a minimum of seven (7) days in which to repair the trench crossing to the satisfaction of the City as specified in this ordinance. If this is not done within the fifteen (15) day period cited above, the City will hire a contractor to have the trenching repaired and will assess all costs as a lien against the assets of the contractor or employer within the City of Lakeview. When the trenching repair is properly completed, the Street Commissioner or his designee, shall endorse the contractor's copy of the permit to indicate acceptance. The responsibility of the contractor shall cease when this endorsement is made. In the event that a contractor shall make emergency repairs as per Section 3, the repair of the street shall be in accordance with Section 4. Only in extreme emergency will the above specifications be waived by the City.

(e) Trenching is prohibited on existing streets and thoroughfares where sleeves have been installed.

SECTION 5: NON-COMPLIANCE

Failure to comply with all provisions of this ordinance will constitute an offence against the City of Lakeview and each day of said non-compliance will constitute a separate offense. Penalty for such offense shall be one hundred (\$100.00) dollars per day each day that a contractor or employer of a contractor shall remain in non-compliance with said ordinance.

PASSED AND ADOPTED THIS 11th DAY OF JANUARY 1982

Signed: Jack Shyle
Mayor

Attest: Robert Lee
Recorder