

TITLE 9

STREETS AND SIDEWALKS

Chapters:

- 9.04 Streets, Alleys, Gutters or Ditches
- 9.08 Excavations and Alterations

CHAPTER 9.04

STREETS, ALLEYS, GUTTERS OR DITCHES

Sections:

- 9.04.01 Streets and alleys
- 9.04.02 Gutters or ditches

9.04.01 Streets and alleys It shall be the duty of every owner or occupant of any lot or premises in this city along which any streets or alleys runs, to keep said street or alley from the middle line thereof to the side next to him, free from all manner and kind of filth, garbage, trash, debris or decaying animal and vegetable substance of every kind.

9.04.02 Gutters or ditches No person shall allow any dirt, filth or obstruction of any kind to accumulate in the gutter or ditch in front of his premises, and all owners or occupants of property are required to keep the gutter or ditch in front of their premises clean, open and free from trash and weeds, and all obstructions to the easy and rapid flow of water.

CHAPTER 9.08

EXCAVATIONS AND ALTERATIONS

Sections:

- 9.08.01 Permit required to make cuts, openings or excavations in city streets
- 9.08.02 Permit fee required
- 9.08.03 Permittee obligated to repair street

9.08.04	Performance bond required
9.08.05	Building Inspector to collect permit fees and approve bonds
9.08.06	Building Inspector to maintain records of fees collected and bonds approved
9.08.07	Wynne Water Utilities to be exempt
9.08.08	Safety precautions
9.08.09	Penalty for violation

9.08.01 Permit required to make cuts, openings or excavations in city streets From and after the adoption of this ordinance, it shall be unlawful for any person, firm or corporation to make any excavations, cuts or openings in the streets or alleys of the city of Wynne, for the purpose of installing or connecting water pipes, sewage pipes, gas pipes, or for any other purposes without having first obtained a permit for such operation from the Building Inspector of the city of Wynne or his designated representative. (Ord. No. 428, Sec. 1.)

9.08.02 Permit fee required A fee shall be charged for the issuance of the permit required in Section 9.08.01 hereof in the amount of Seventy-Five Dollars (\$75.00) for each individual, continuous and contiguous cut, opening or excavation desired. (Ord. No. 428, Sec. 2.)

9.08.03 Permittee obligated to repair street It shall be the obligation and duty of any person, firm or corporation making any of the excavations noted herein to repair such street or alley at its own expense to its previous normal operating condition. Said repairs shall be made in the manner and according to the specifications of the City Building Inspector. Said repairs shall be made within ten (10) days after such opening shall have been made. If such repairs are not made within said time limits, the city may then undertake to effect said repairs and deduct the cost thereof from the bond posted as set forth in Section 9.08.04 hereof. In such event the bond proves to be insufficient to cover the city's cost of repairs, then the person, firm or corporation making the original cut or opening shall be liable for any and all costs in excess thereof. (Ord. No. 428, Sec. 3.)

9.08.04 Performance bond required In addition to the permit fee required in Section 9.08.02 herein, each person, firm or corporation making any cuts, openings or excavations in the street or alleys of Wynne shall be required to post with the city Building Inspector, prior to commencement of operations, a performance bond approved by the said Inspector, in insure that said streets are repaired to the condition and in the manner set forth in Section 9.08.03 herein. The amount of said bond shall be determined by the Building Inspector and shall be equivalent to the estimated cost of repairing the street or alley to be cut. Prior to releasing or returning said bond, the Building Inspector shall inspect the excavation to determine if the repairs have been made in accordance with specifications. (Ord. No. 428, Sec. 4.)

9.08.05 Building Inspector to collect permit fees and approve bonds. The Building Inspector of the city of Wynne shall be responsible for the issuance of street cutting permits and collection of the fees set forth in Section 9.08.02 herein. Said Inspector shall also be responsible for the approval of the bonds required in Section 9.08.04 herein. (Ord. No. 428, Sec. 5.)

9.08.06 Building Inspector to maintain records of fees collected and bonds approved The Building Inspector shall maintain written records of all moneys collected for the issuance of street cutting permits and performance bonds accepted and approved together with the dates that each performance bond is released. All moneys collected by said Building Inspector shall be delivered over to the City Clerk on a weekly basis for deposit in the city treasury. Upon authorization by the Building Inspector the City Clerk may return the bonds posted as required by Section 9.08.04 herein. (Ord. No. 428, Sec. 6.)

9.08.07 Wynne Water Utilities to be exempt The Wynne Water Utilities being an extension of the city departments shall be exempt from the required permit fees and performance bond requirements set forth in this ordinance. The Wynne Water Utilities department shall be required, however, to repair any street cuts or excavations made by it in accordance with the standards and procedures set forth in Section 9.08.03 of this ordinance. (Ord. No. 428, Sec. 7.)

9.08.08 Safety precautions Any person, firm or corporation which shall make application to make any excavation, cut or opening in any street or alley of the city of Wynne shall before commencement of such excavation erect barricades and provide such other proper warning devices as may be necessary to give notice to the public of such excavation. (Ord. No. 428, Sec. 8.)

9.08.09 Penalty for violation Any person, firm or corporation found guilty of violating any part of this ordinance shall be deemed guilty of a misdemeanor and each offense, and each day such violation shall be permitted to exist shall constitute a separate offense. (Ord. No. 428, Sec. 9.)