

ORDINANCE NO. 230

AN ORDINANCE AMENDING AND REPLACING ORDINANCE NO. 110 REGARDING EXCAVATIONS IN STREETS, REQUIRING A PERMIT AND BOND FOR SUCH EXCAVATIONS AND SETTING FORTH THE METHODS TO BE USED IN THE REPAIR THEREOF IN THE CITY OF BARLING ARKANSAS.

BE IT NOW ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF BARLING, ARKANSAS, THAT:

Section 1: In order that the officials of the City of Barling can protect the public property, it shall hereinafter be unlawful for any corporation, person, or other entity to make or cause to be made any excavation in any street of this City without first having obtained a written permit from the City allowing such excavation. Said permit shall cost \$15.00 and shall not be issued until the applicant has posted a \$1000.00 bond in proper form made payable to the City of Barling and conditioned upon the conformance of said applicant to the requirements of this ordinance.

Section 2: Any utility lines or drainage passages to be placed in any excavation in any street of this City shall be laid prior to the setting of any forms or construction of other structures or facilities to be installed in said excavation and the joints of such utility lines or drainage passages shall be allowed to harden until such joints will not be damaged by backfilling before any backfilling is commenced.

Section 3: Backfill of such excavations shall be composed of a plant mixed slurry of sand, cement, and flyash in a ratio of 3400 lb : 150 lb : 100 lb and shall have a minimum 28 - day compressive strength of 300 psi. The slurry shall be deposited in the trench in a manner so as not to damage or displace the utility line or drainage passages from the bottom of the trench to 6 inches below the pavement surface. The slurry is to be protected from vehicular traffic for a minimum of 72 hours either by barricades to prevent travel across the trench or steel plates placed across the trench to allow vehicular traffic to travel thereon.

Section 4: Immediately upon the completion of the backfill in any excavation in any street of this City, the corporation, person, or entity making or causing to be made any such excavation shall notify the City Administrator or Street Superintendent of the completion of said backfill in order that the City can inspect the backfill for conformance with the standards set forth in this ordinance. Only after such inspection by the City and written approval by the City of the backfill in question shall final repairs be made.

Section 5: Final repairs to pavement cuts within streets shall be made with 6 - inch P.C. concrete. The concrete shall have a minimum 28 - day compressive strength of 3,000 psi; shall have a minimum slump of 3 inches; shall have a 5% minimum air - entrainment; and shall have fiber mesh reinforcement (1.5 # per cu. yd.). The concrete is to be protected from vehicular traffic for a minimum of 96 hours either by barricades to prevent travel across the trench or steel plates placed across the trench to allow vehicular traffic to travel thereon.

Section 6: At all times during the excavation, construction, and repair until the repaired street is accepted in writing by the City, any corporation, person, or entity making or causing to be made any such excavation in any street of this City shall maintain all lights, barricades, or other devices necessary to prevent accidents for resulting from such work.

Section 7: Any corporation, person, or entity violating any of the provisions of this ordinance shall be guilty of a misdemeanor and, on conviction thereof, shall be fined in an amount not exceeding one thousand dollars (\$1000.00) for each violation. Each day in which any violation of Section 6 hereof shall continue shall be deemed a separate offense.

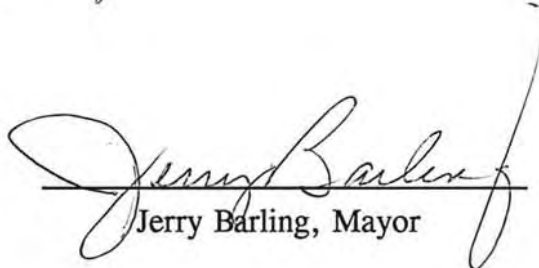
Section 8: Any corporation, person, or entity violating any of the provisions of this ordinance shall become liable to the City for any expenses, loss, or damage occasioned the City by reason of such violation.

Section 9: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

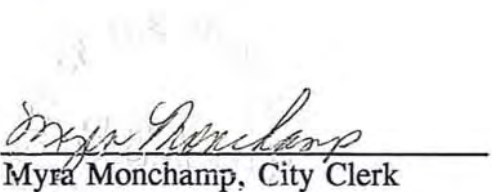

Section 10: The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

Section 11: The immediate protection of public property being necessary to protect the health, safety, and welfare of the public in the City of Barling, Arkansas, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage.

PASSED AND APPROVED this 10 day of May, 1994.


Jerry Barling, Mayor

ATTEST:



Myra Monchamp, City Clerk