

**CEDARVILLE, ARKANSAS**

**ORDINANCE NO. 2020-07-21-01**

AN ORDINANCE REQUIRING PERMITS FOR ANY PERSONS PERFORMING WORK IN ANY CITY STREET OR RIGHT OF WAY; AND PROVIDING A PENALTY FOR VIOLATION THEREOF, AND FOR OTHER PURPOSES.

WHEREAS, the City of Cedarville is working to secure resurfacing of all of the City's streets;

WHEREAS, utilities laid at shallow depths in the ditches and right of ways in the City are being damaged during routine street and ditch maintenance causing unnecessary outages to the citizens of the City;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDARVILLE, ARKANSAS:

**SECTION 1:** It is the express requirement that all utility lines installed within the City right of ways be installed at a depth such that routine ditch maintenance or grading of City streets will not result in damage or cutting of said utilities.

**SECTION 2:** Any work within the City's right of ways shall require a permit issued by the mayor or the mayor's representative. The permit fee for excavations or installations three feet or less below grade shall be \$2,500.00. The permit fee for excavations or installations greater than three feet below grade shall be \$250.

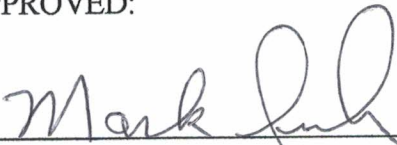
**SECTION 3:** Any person failing to comply with the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be punished upon conviction in any sum not less than five hundred dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00) for a first offense, and each day that said condition shall exist shall be considered a continuing offense subject to an additional fine of not less than five hundred dollars (\$500.00) nor more than Two Thousand Dollars (\$2,000.00) per day.

**SECTION 5:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

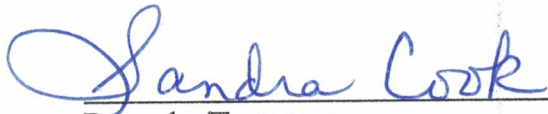
**SECTION 6:** Whereas it is of the utmost urgency that the City of Cedarville, Arkansas, protect the newly paved streets and roads within its municipal limits. Constant installation and construction are ongoing, such that each day the streets are in jeopardy due to installation of utilities within the city's right of ways. Therefore, an Emergency is hereby declared to exist and this ordinance being necessary for the immediate protection of the public peace, health and safety shall take effect immediately on its passage, approval, and publication.

PASSED AND APPROVED ON THIS THE 21<sup>st</sup> DAY OF July, 2020.

APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

  
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Recorder/Treasurer