ORDINANCE NO.: 2022-___

AN ORDINANCE TO AMEND ORDINANCE No. 2013-04 TO ADD SECTIONS H, I, J, K, L, M, AND N WITH EMERGENCY CLAUSE

WHEREAS, cities of the first class are empowered by Act 186 of 1957, as amended and codified in the Arkansas Code, Annotated(A.C.A) in S 14-56-401, et seq. to adopt and enforce a plan or plans for the coordinated, adjusted, and harmonious development of themselves and their environs; and

WHEREAS, it is necessary for the City to amend the minimum specifications for streets when needed to ensure our standards evolve in a way to have the least amount of traffic and quality reductions of the streets and utilities for our citizens ;

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

Section 1: Amendment to Ordinance 2013-04

Ordinance 2013-04 is hereby amended by adding section "Utilities and Utility Crossings" subheadings General sections H, I, J, K, L, M, and N.

Section 2: Provisions Severable

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of the Ordinance are hereby declared to be severable.

Section 4: Repealer

All ordinances and resolutions and parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 5: Emergency Declared.

This Ordinance is necessary to preserve the public peace, health, safety and welfare, an emergency is declared to exist and this Ordinance shall be in full force and effect from and after the date of its passage.

PASSED AND APPROVED THIS ____ DAY OF APRIL, BY THE CITY COUNCIL OF BRYANT, ARKANSAS.

Attest: _____ Allen Scott, Mayor

_____
Mark Smith, City Clerk

H. Permits - A permit shall be issued for a maximum of 1000 linear feet. Permits shall be valid for 6 months from the date of issuance. The contractor shall notify the Streets department locator at least five working days in advance of the anticipated start of construction. A permit shall not be issued to any company, contractor, or subcontractor that is not in good standing with the City; including, but not limited to, is under a stop work order or has unpaid fines or restitution to the City.

I. Yard and Landscaping - All surfaces including lawns, pavements, sidewalks, curbs, berms, and other surfaces disturbed during the construction of this project shall be restored by the contractor to the original or better condition. All restoration, including lawns, pavements, sidewalks, curbs, berms, trees, and shrubs shall be warranted for a period of one year from the acceptance of restoration. It is the City's expectation that restoration shall be completed within no more than 15 days after the completion of construction.

J. Trees - It is the intent that trees shall be preserved. The contractor will be responsible for any claim for damage to trees. Trees needing to be removed require the prior approval of the City.

K. Private Utilities - Privately owned utilities may be located within the City-owned ROW and easements. These improvements include (but are not limited to) sanitary sewer laterals and water services. These private utilities are not located by the City of Bryant, it is the Contractor's responsibility to locate these utilities prior to work being done. The Contractor is responsible for any damage to private utilities and shall begin restoration immediately upon discovery.

L. City Owned Utilities - Any damage to City Utilities shall be reported to the Bryant Public Works Department immediately. Bryant Public Works shall be reimbursed for any and all costs associated with repairing said damages.

M. Stop Work Order - The Director of Public Works, the Director of Community Development or their designees has the authority to issue a stop work order. A stop work order will be issued in the following circumstances:

a. Working without a permit or with an expired permit.
b. Disruption of service of private utilities (including but not limited to water, sewer, gas, electrical, and communications) without immediate restoration.
c. Any violation of this ordinance.
d. Unsafe working conditions or unsafe site management.

N. Fine - A five hundred ($500) fine shall be imposed for any company, contractor or subcontractor working after a stop work order has been issued. For every subsequent violation, the fine shall be doubled the price of the previous fine. The Director of Public Works or the Director of Community Development has the authority to issue fines.