



STATE OF ARKANSAS  
*City of Brookland*

**ORDINANCE 2021-09**

**AN ORDINANCE TO REGULATE THE OPENING OR CUTTING OF PUBLIC STREETS, ALLEYS AND SIDEWALKS; THE REQUIREMENT FOR PERMIT BEFORE WORK IS TO BEGIN; REGULATING RESTORATION MATERIALS FOR COMPLETION; REQUIRING BARRIERS AND LIGHTS IN CONNECTION WITH SUCH EXCAVATION; PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR RELATED PURPOSES.**

**WHEREAS:** The City of Brookland continues to grow and improve city streets. With continued development utilities supplied by electric, phone, gas, cable, and internet suppliers will cause a need for street openings to be requested. Ordinance 1969-1 is now hereby repealed.

**NOW THEREFORE BE IT ORDAINED BY BROOKLAND CITY COUNCIL OF BROOKLAND, ARKANSAS:**

Section 1. It shall be unlawful for any person to cut into, or tunnel under or disturb in any manner any street, avenue, ally, street curb, sidewalk, or public way without first obtaining a written permit to do so from the Brookland Inspection Department.

Section 2. Such permit shall describe specifically the part or portion of the street to be disturbed and how same street shall be repaired. All repairs shall be done as set for in the street cut procedure guidelines and inspected by a street supervisor or inspection department and approved by the Brookland Inspection Department.

**NOTE: See CITY OF BROOKLAND STREET CUT SPECIFICATIONS 2021 for detailed instruction.**

Section 3. In addition, at the time a permit is secured, there shall be deposited with the City a sum to be determined depending upon where the cut/opening will occur in a hard surface street and not less than \$500.00 upon all other streets. In addition, thereto, there shall be deposited any additional sum of money as may be determined necessary expense incurred by the city in excess of deposit.

Section 4. The person, firm, or corporation to whom the permit is issued shall be responsible for restoring the street, walk or curb to as near its original condition as possible and the refilling of such excavation shall be done according to Brookland Street Cut Specifications 2021 Option A or B as provided by city.

Section 5. The person , firm, or corporation in charge of any work where the street or any part of same s being disturbed must place sufficient lights on or near the work site and must keep them burning from sunset to sunrise and shall erect suitable barriers or steel plates on or around such work as to ensure public safety by day or night.


Section 6. It shall be unlawful for any person to remove or take down or disregard any steel plates, barriers, or lights placed upon the streets, alleys, or sidewalks in order to protect paving, walks, construction, excavation, or other improvements.

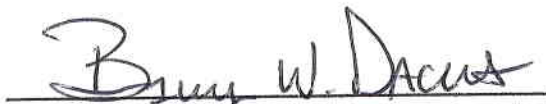
Section 7. Any person , firm, or corporation violating the provisions of this Ordinance shall be guilty and subject to a fine not less than One Hundred Twenty-Five Dollars (\$125.00) and each day the violation shall continue shall be considered a separate offense.

Section 8. Emergency Clause. It is found and declared by the City Council of the City of Brookland, Arkansas that there is considerable construction in and around the streets, alleys, and sidewalks of Brookland involving excavations, wherein the persons or corporations undertaking such construction have not adequately provided for the repair and replacement of street surfaces or adequately protected the public from the dangers of these excavations. The lack of these instructions and procedures to cover these issues could endanger vehicles, bicyclist, walkers, and therefore an emergency exists, and this ordinance shall take affect from and after its passage and approval.

**PASSED AND ADOPTED THIS 9<sup>TH</sup> DAY OF AUGUST 2021**

**ATTESST:**

  
Kenneth D. Jones, Mayor

  
Billy Dacus, Clerk/Treasurer

