

Entered in Minutes Book 5-1, 18-19
2-30-55

ORDINANCE NO. A-302

AN ORDINANCE ENTITLED "AN ORDINANCE TO AMEND SECTION TWO (2) OF ORDINANCE NO. A-231, ADOPTED DECEMBER 9, 1947, AS AMENDED BY ORDINANCE NO. A-299, ADOPTED NOVEMBER 23, 1954; TO AMEND SECTION FOUR (4) OF ORDINANCE NO. A-231, ADOPTED DECEMBER 9, 1947; AND FOR OTHER PURPOSES."

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY,
ARKANSAS :

SECTION 1. That Section Two (2) of Ordinance No. A-231, adopted by the City Council of the City of Conway, Arkansas, on December 9, 1947, as amended by Section One (1) of Ordinance No. A-299, adopted by said City Council on November 23, 1954, is amended to read as follows:

"SECTION 2. Any person, firm or corporation desiring to cut, dig or break through or under, or make any excavation in any pavement, street or sidewalk within said City, for any purpose whatever, shall apply to the City Clerk and/or the Building Official of Conway, Arkansas, for a permit so to do; setting out the type of work to be done, the size and location of said excavation, and for the purpose of repairing any such excavation to be made shall deposit with said City Clerk and/or Building Official, before the granting of any permit, the following sums:

"(a) For the breaking, cutting, digging or excavating under any paved street, paved curb or sidewalk, the sum of \$25.00; Provided, that for the breaking, cutting or severing of any paved curb in connection with any breaking, cutting, digging or excavating under any street or paved sidewalk there shall be paid an additional sum of \$5.00;

"(b) For the breaking, cutting, digging or excavating under any dirt or gravel street, the sum of \$10.00."

SECTION 2. That Section Four (4) of Ordinance No. A-231, adopted by the City Council of Conway, Arkansas on December 9, 1947, is amended to read as follows:

"SECTION 4. Where any curb, sidewalk, street or pavement is cut or broken it shall be replaced, and repaired in accordance with approved methods in use for the doing of such work, and all such

work, under the direction of the Mayor, may be done by the City, or by other persons employed by the City. Provided, however, that all cuts, breaks, diggings or excavations under any paved street, paved curb or sidewalk shall be refilled with sand, and in no instance shall the dirt and materials removed from such break, cut, digging or excavation be replaced therein."

SECTION 3. This ordinance is cumulative to the ordinances of the City of Conway, Arkansas, and in no way repeals, alters or amends any ordinance or portions of ordinances of said City except as herein provided, and except as are in conflict herewith.

SECTION 4. It is ascertained and declared that the provisions of this ordinance are necessary to better regulate and control the breaking, digging, cutting and excavating under the streets, curbs and sidewalks of the City, and to better protect the inhabitants of said City, and are necessary for the immediate preservation of the public health, peace and safety of the inhabitants of said City; and an emergency is hereby declared to exist, and this ordinance shall take effect and be in force and effect from and after its passage.

PASSED: March 29, 1955.

APPROVED: _____
Mayor

ATTEST: _____
City Clerk