

## **TITLE 9**

### **STREETS AND SIDEWALKS**

#### **Chapters:**

- 9.04 Streets, Alleys, Gutters or Ditches
- 9.08 Excavations and Alterations
- 9.12 Permit Parking

#### **CHAPTER 9.04**

### **STREETS, ALLEYS, GUTTERS OR DITCHES**

#### **Sections:**

- 9.04.01 Streets and alleys
- 9.04.02 Gutters or ditches
- 9.04.03 Constructing driveways

9.04.01 Streets and alleys. It shall be the duty of every owner or occupant of any lot or premises in this city along which any street or alleys runs, to keep said street or alley from the middle line thereof to the side next to him, free from all manner and kind of filth, garbage, trash, debris or decaying animal and vegetable substance of every kind.

9.04.02 Gutters or ditches. No person shall allow any dirt, filth or obstruction of any kind to accumulate in the gutter or ditch in front of his premises, and all owners or occupants of property are required to keep the gutter or ditch in front of their premises clean, open and free from trash and weeds, and all obstructions to the easy and rapid flow of water.

#### **9.04.03 Constructing driveways**

- A. Hereafter, any person constructing any new building within the city limits of the city of Pocahontas, Arkansas, where a driveway is to be constructed to connect to the city street shall be required to obtain a permit for the construction of the driveway which shall be issued without charge.

- B. Any person found guilty of violating this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined any amount not more than Twenty-Five Dollars (\$25.00), and each day of such violation shall be deemed a continuing offense. (Ord. No. 296, Sec. 1.)

## **CHAPTER 9.08**

### **EXCAVATIONS AND ALTERATIONS**

Sections:

9.08.01	Regulations
9.08.02	Written permit
9.08.03	Time limit
9.08.04	Cuts
9.08.05	Curbs
9.08.06	Fill
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9.08.08	Work sites
9.08.09	Payment
9.08.10	Inconvenience to public
9.08.11	Temporary Traffic Limitations

9.08.01 Regulations All openings made in the public streets or alleys to install plumbing or for any legitimate reason are hereafter to be regulated in accordance with the following rules and requirements. (Ord. No. 453, Sec. 1.)

9.08.02 Written permit Before any opening is made in any of the street or alleys of the city of Pocahontas, the person desiring to make the opening shall secure a written permit to do so from the City Collector, said permit to state and describe definitely the part or portion of the street to be disturbed. After the repair or replacement work has been completed and the hole refilled and compacted, all excess rubbish and material shall be removed leaving the street or sidewalk clean. All openings shall be marked with sufficient barriers, flares, or red lamps, or cones, shall be maintained around the opening at night and all other precautions shall be taken by the excavator to protect the public from damage to person or property. (Ord. No. 453, Sec. 2.)

9.08.03 Time limit Once construction has begun, all work shall be completed within fourteen (14) days. If the work is not completed within fourteen (14) days or if the work is not completed in compliance with the requirements as hereinafter set out, the city of Pocahontas will complete the work, or have it done. Further, any violation of this ordinance will result in said contractor or property owner being assessed a penalty of not less than double the reasonable expense of repairing the street. (Ord. No. 453, Sec. 3.)

9.08.04 Cuts All cuts shall be made with a saw or air chisel so as to be uniform. The cut shall be made perpendicular to the surface of the pavement and have a minimum 8" edge, in order that the repair shall result in a uniform, neat appearance. If for some reason part of the pavement breaks on the outside of the cut, the contractor shall remove damaged pavement and remove base material to a minimum depth of 8", so as to leave a perpendicular edge to the pavement. (Ord. No. 453, Sec. 4.)

9.08.05 Curbs If there is a curb at the location and it becomes loose or is damaged during or prior to the contractor's work, the curb shall be removed and poured back with the cap to the shape of the existing curb. (Ord. No. 453, Sec. 5.)

9.08.06 Fill All fill shall be SB-2, GB-2, GB-3 or in layers as set out in attached sketch marked as figure #1. (Ord. No. 453, Sec. 6.)

9.08.07 Inspection The contractor shall call the Pocahontas Street Department at 892-5020 for an inspection. (Ord. No. 453, Sec. 7.)

9.08.08 Work sites Contractors shall furnish channelizing devices to warn and direct traffic away from or around a work area. Drum design and/or barricade design shall be used for channelization devices, also cones of minimum of 19" can be used. Devices shall be placed to give motorists adequate sight distance to make necessary adjustments.

- A. Drums used for traffic warning or channelization shall be approximately 36" in height and a minimum of 18" in diameter. The markings on drums shall be horizontal, circumferential, orange and white reflectorized stripes from four to eight inches wide, using a material that has a smooth, sealed outer surface which will display the same approximate size, shape, and color day and night. There shall be at least two orange and two white stripes on each drum. If there are non-reflectorized spaces between the horizontal orange and white stripes, they shall be no more than two inches wide.
- B. Barricade design shall have 2' minimum length of rail, 3' minimum height, 8" to 12" width of rail, 6" width of stripe. Markings for barricade rails shall be alternate orange and white reflectorized stripes sloping downward at an angle of 45 degrees in the direction traffic is to pass. Devices shall keep traffic off concrete for a minimum of 24 hours after being poured. (Ord. No. 453, Sec. 8.)

9.08.09 Payment Contractors and/or property owners shall pay the city of Pocahontas, Arkansas, \$250.00 per street cut plus \$1.50 a cubic foot for backfill only; plus \$3.00 per square foot for surface material. City will be responsible for all material and laying asphalt or pouring concrete. (Ord. No. 03-12, Sec. 1.)

9.08.10 Inconvenience to public In general all openings made in the public streets or alleys to repair or install plumbing must be made as carefully as possible and all materials excavated from the trenches shall be removed or placed where the least inconvenience to public will be caused. (Ord. No. 453, Sec. 10.)

9.08.11 Temporary Traffic Limitations Traffic lanes entering and exiting from the middle lane of Market Drive at the intersection with Highway 67 shall be temporarily closed except to all emergency and government vehicles effective as of the date the City causes barricades and proper signage or markings to be placed upon said roadways. It shall be unlawful and in violation of this ordinance for any other person to drive or operate a vehicle upon the middle lane at the intersection of Market Drive and Highway 67. (Ord. No. 2016-14, Sec. 1)

While the middle lane of Market Drive at the intersection of Market Drive and Highway 67 is closed to traffic as indicated by the appropriate signs, barricades, or markings, no person other than the Mayor or his designee shall have the authority to remove any barriers, signs, or markings erected by the City under the provisions of this ordinance.(Ord. No. 2016-14, Sec. 2)

Upon the completion of the new Black River bridge project and once Highway 67 is returned to a four lane highway crossing the Black River, this ordinance shall automatically terminate and any barriers, signs, or markings placed pursuant to this ordinance shall cease to have effect and shall be timely removed by the City Street Department.(Ord. No. 2016-14, Sec. 3)

## CHAPTER 9.12

### PERMIT PARKING

#### Sections:

- 9.12.01 Registered parking permit
- 9.12.02 Signs
- 9.12.03 Public parking

9.12.01 Registered parking permit It shall be unlawful to park in any designated permit only parking area without a property registered parking permit. (Ord. No. 97-9, Sec. 1.)

9.12.02 Signs Violator will be subject to having their vehicles towed and impounded. Visitors must park in designated visitor parking only spaces, and if none are available, parking must be on public streets where permitted. In order to enforce the tow-away portion of the ordinance, clearly printed illuminated warning signs must be placed at all driveway entrances to the property. These signs must be no less than 18 inches by 24 inches in size and be illuminated for clear visibility at night. The sign must contain the language **PERMIT PARKING ONLY** in large letters and the balance of information in no less than 2 inch letters explaining the tow-away and visitor parking regulations and City Ordinance Number. The signs must be placed within three feet from the driveway curb entrance and be mounted on poles so as to be approximately 6 feet from the ground at the bottom of the sign. (Ord. No. 97-9, Sec. 2.)

#### 9.12.03 Public parking

A. Designation of restricted public parking places. There is hereby designated those certain six parking places on the south side of Broadway Street (identified in Exhibits "A" and "B") as places where public parking is restricted pursuant to this Ordinance.(Ord. No. 2016-16, Sec. 1)

B. Stopping, standing or parking restricted in specified public parking places. It is unlawful for any person to park or leave standing, or cause to be parked or left standing any vehicle upon the six designated parking spots on the south side of Broadway Street in the City of Pocahontas for two (2) or more consecutive hours during regular business operating hours, Monday through Friday, 8 a.m. through 5:00 p.m. (Ord. No. 2016-16, Sec. 2)

C. Owner responsible for illegal parking. No person shall allow, permit, or suffer any vehicle registered in his or her name to stand or park on any street, highway or boulevard in this city in violation of this ordinance regulating the standing or parking of vehicles. (Ord. No. 2016-16, Sec. 3)

D. Signage. It is unlawful for any person or persons willfully to obstruct the free, convenient, and normal use of any public street, highway, or road by impeding, hindering, stifling, retarding, or restraining traffic or passage thereon, by standing or approaching motor vehicles thereon, or by endangering the safe movement of vehicles or pedestrians traveling thereon; and any person or persons who violate the provisions of this subsection, upon conviction, shall be cited. (Ord. No. 2016-16, Sec. 4)

E. Obstruction of public streets, highways, and roads. It is unlawful for any person or persons willfully to obstruct the free, convenient, and normal use of any public street, highway, or road by impeding, hindering, stifling, retarding, or restraining traffic or passage thereon, by standing or approaching motor vehicles thereon, or by endangering the safe movement of vehicles or pedestrians traveling thereon; and any person or persons who violate the provisions of this subsection, upon conviction, shall be cited.

F. Fine. Any person in violating of this ordinance shall be cited for Illegal Parking. Illegal parking shall carry a fine of \$25.00. Second and subsequent violations of this ordinance within a one-year period shall carry a minimum fine of \$25.00 and a maximum fine of \$150.00. Each day for a continued violation, after due notice by proper authority of the city to cease the violation, shall be deemed a separate offense. Any such violation as to the obstruction of vehicular or pedestrian passageways shall be summarily removed or corrected by the city. (Ord. No. 2016-16, Sec. 6)