

1 “**Permit Holder**” means any applicant that has been granted a permit pursuant to the terms of
2 this ordinance.

3 “**Public Rights-of-Way**” means any City street, alley, sidewalk, grass areas or other public
4 property adjacent to the street or alley.

5 **Section 2. Findings and Purpose.**

6 (a) The Board of Directors finds the City has experienced development, construction and
7 maintenance operations by utilities and other entities, which require excavations and cuts in public
8 streets, alleys and other properties.

9 (b) These excavations, or cuts, occur because of such things as the installation of water lines,
10 sanitary sewers, drainage structures, fiber optics, telephone lines, gas lines, other utilities, or the
11 replacement, improvement or maintenance of such systems.

12 (c) When these excavations or cuts occur, significant problems can face the City due to the
13 vast number of cuts, the occasional poor restoration techniques, or the multiple cuts in the same
14 area by different entities because of a failure to contact other utilities.

15 (d) As a result, there is a real potential for serious deteriorations of the paved public rights-of-
16 way, or a hidden threat to the public safety, or both.

17 (e) As a result, an ordinance is required that sets forth in detail the responsibilities of any entity
18 that utilizes the public rights-of-way, through Franchise or other legal authority, and causes
19 excavations or cuts to occur.

20 **Section 3. General Permit Requirement.**

21 (a) Except as set forth in Subsection (B), it shall be unlawful for applicant, to make or cause
22 to be made any excavation, bore or cut in the public right-of-way without having first obtained a
23 written permit from the City.

24 (b) A written permit is not required prior to an excavation, cut or boring of any public right-
25 of-way if, and only if:

26 (1) The excavation, cut or bore is made as a result of an emergency situation in which the
27 destruction of life or property is imminent or is necessary to restore basic service; and,

28 (2) The City Manager is notified at the earliest possible moment of such a situation,
29 provided that in any event, a permit must be obtained for the emergency work no later
30 than the first business day after excavation, cut or bore is made.

31 (c) The Permit Holder shall obtain a Traffic Barricade Permit in accordance Chapter 30 Article
32 IV of this Code for any lane closures or restrictions on collector or arterial streets and for all full
33 street closures. For emergency work, the Traffic Barricade Permit shall be obtained no later than
34 the first business day after excavation, cut or bore is made.

1 (d) The provision of this ordinance that requires notice to other utilities or entities before a
2 permit can be granted for Major Maintenance Work shall not apply to work which meets the
3 definition of Minor Maintenance Work or emergency restoration of services.

4 **Section 4. General Standards**

5 (a) The process for obtaining permits to make excavations, cut or bores in the public right of
6 way shall include, among other things:

- 7 (1) The Public Works Department shall be contacted in order to obtain a permit, or to
8 report an emergency excavation or cut;
- 9 (2) The Public Works Department will be responsible for the day-to-day administration
10 and enforcement of this ordinance;
- 11 (3) The requirement and process for notifying other public utilities of an intent to make an
12 excavation, bore or cut in the public right-of-way in order to participate in the
13 excavation, bore or cut;
- 14 (4) The time frame for submitting plans to the appropriate Department for the work to be
15 done, including the restoration work required, with notice that no permit shall be issued
16 until the review process has been completed for Major Maintenance Work Permits;
- 17 (5) The Public Works Traffic Engineering Division is responsible for approving the Traffic
18 Barricade Plan to be in place while the excavation, cutting or boring occurs;
- 19 (6) The temporary and permanent restoration requirements to be met during the course of,
20 or the completion of, the excavation, cutting or boring shall be in accordance with this
21 ordinance unless written approval is obtained from Public Works to use alternative
22 restoration methods.

23 (b) **Boring Preferred.** Notwithstanding any other provision of this ordinance, it is the
24 preference of the City that boring or pushing of utility services under City streets, alleys, or other
25 public property, occur instead of excavations or cuts. Even so, the permitting process set in this
26 ordinance for excavations, cuts or bores shall be met, and all tunneling or boring plans shall be
27 subject to approval by the City Manager.

28 (c) **Surety Bond.** If a bond requirement is not set forth in the applicant's Franchise
29 Agreement, the City Manager shall determine the amount of any Surety Bond that is appropriate to
30 ensure the completion of a project and fulfillment of all requirements set forth in this ordinance and
31 the procedures adopted pursuant to this ordinance. The City Manager has in his discretion the
32 authority to waive any Surety Bond if past experience with a utility so warrants.

- 33 (1) The applicant shall post the required bond as an additional condition to the issuance of
34 a permit to excavate, cut or bore in the public right-of-way; and,

1 (2) The failure to post this bond in a timely manner shall be the basis for denying a permit,
2 or the basis for revoking a permit previously issued, and shall serve as a basis to
3 demand that the entity cease and desist all work immediately; and,

4 (3) This Surety Bond shall remain in place at least for the period of time necessary to
5 complete the work set forth in the permit and such additional period of time as deemed
6 appropriate by the City Manager to assure that all work and restoration has occurred in
7 a satisfactory manner and no further restoration is required; and,

8 (4) Notwithstanding the above listed requirements, if the permit application is only for
9 Minor Maintenance Work, a permit may be issued to an applicant without further
10 review if the applicant who has a Ten Thousand Dollars (\$10,000.00) Corporate Surety
11 Bond on file with the City Clerk, provided that after the issuance of the permit,
12 additional surety may be required if the City Manager determines that such security is
13 necessary to ensure proper completion of the project.

14 (d) ***Fees, Penalties and Permanent Restoration Reimbursement Costs.*** The applicant for a
15 permit to excavate, cut or bore in the public right-of-way shall, as a condition of any permit, pay
16 fees, penalties and permanent restoration reimbursement costs according to the provisions of
17 Sections 5 and 6 of this ordinance. There will be no permit fees or inspection fees charged to a
18 permit if the Permit Holder has a Franchise Agreement with the City of Little Rock which states
19 the permit fees and inspection fees are included in the Franchise Agreement.

20 (e) ***Limitations on Applications by Mail.*** The City Manager may permit applications for
21 permits to be made by mail, provided that no mail-in permit request shall be accepted in the
22 following instances:

23 (1) Excavations, cut or bores in street intersections for which there are traffic signals in
24 place or under construction; or,

25 (2) Excavations, cuts or bores in a part of the public right-of-way that is the subject of a
26 major construction, maintenance, or replacement project currently under review by the
27 City; or,

28 (3) Excavations, cut or bores in an arterial or collector street, as defined in the Master
29 Street Plan, if at anytime during the construction process, the work requires a total
30 street closure.

31 (f) ***Paint or Marking Compounds.*** No permanent paint or marking compound shall be used
32 to locate the right-of-way, or for any other purpose associated with boring, excavation or cuts to
33 the public streets, alleys, or public property. Any temporary paint or marking compound used shall
34 be of a type that will deteriorate over time, but in any event, will not be discernible thirty (30) days
35 after it is applied regardless to the date that work under any permit is completed.

1 (g) **City Signs, Conduits or Facilities to be Undisturbed.** No work done under a permit
2 issued pursuant to this ordinance shall disturb any City signs, conduits, pipes or other facilities
3 unless expressly authorized in writing by the City Manager.

4 (h) **Minimum Width.** All excavations or cuts in paved surfaces shall have a minimum
5 uniform width of twelve (12) inches unless a different width is expressly authorized in writing by
6 the City Manager. All excavations, or cuts in paved surfaces shall be smoothly cut or sawed in
7 straight lines and shall have a neat appearance.

8 **Section 5. Restoration.**

9 (a) **Restoration Required.** Any boring, excavation, or cut, made pursuant to the terms of this
10 ordinance shall be restored. Temporary restoration shall occur immediately upon completion of
11 the work for which the permit is issued. Permanent restoration shall be completed by the Permit
12 Holder.

13 (b) **Resurfacing.** Street cuts which exceed 400 continuous linear-feet require resurfacing and
14 replacement of pavement markings of the full width of the travel lane along the excavation by the
15 Permit Holder. Multiple street cuts by a Permit Holder which are not continuous, but the total
16 length of street cuts exceed 400 linear-feet within a twelve (12)-month period and the street cuts
17 are located less than 300 feet apart, will be considered a continuous Major Maintenance Work
18 Project. Street cuts which are determined to be a continuous Major Maintenance Work Project will
19 require resurfacing and replacement of pavement markings for the full length and width of the
20 travel lane for the full length of the continuous Major Maintenance Work Project as determined by
21 City Manager. Street cuts by a Permit Holder will not be considered part of a continuous Major
22 Maintenance Work Project if there is more than 300 feet between the street cuts or if more than
23 twelve (12) months of time has passed between the issue dates of the Street Cut Permits.

24 If the Permit Holder performs multiple street cuts on a section of street within a twelve (12)-
25 month period and the street cuts in the travel lane are adjacent to more than 50% of the properties
26 along the street, then the Permit Holder shall resurface the street lane along the section of street as
27 directed by City Manager. The section of street with multiple street cuts evaluated by the City
28 Manager for resurfacing will be between the nearest intersecting side streets.

29 If the City has scheduled a resurfacing project which included the Permit Holder's permitted
30 area, the applicant and the City Manager may contractually agree for the Permit Holder to pay a
31 proportionate share of the City's costs of resurfacing rather than requiring the Permit Holder to
32 resurface the street travel lane. Resurfacing of the street travel lane shall not be required for minor
33 maintenance where the street cuts were 400 continuous feet or less if the minor maintenance street
34 cuts do not meet the continuous Major Maintenance Work Project resurfacing requirement listed
35 above.

1 (c) ***Temporary Restoration.***

- 2 (1) No materials removed from a boring, excavation, or cut shall be used as backfill
3 material in the paved portion of the street or alley.
- 4 (2) The top six (6) inches of backfill material shall be compacted to 95% of maximum
5 density as determined by the Modified Proctor Compaction Test.
- 6 (3) The surface course shall consist of a two (2)-inch application of cold-mix asphalt for
7 asphalt streets, concrete streets or streets with single or double penetration surface
8 treatments. For gravel streets and alleys, the top six (6) inches of backfill material shall
9 meet Class 7 of the most current Arkansas State Highway Commission Standard
10 Specifications, and shall be compacted to conform to the surrounding surface.
- 11 (4) The applicant is permitted to use any or all of the following as backfill material:
- 12 (a) Crushed rock and natural fines uniformly mixed and so proportioned as to meet
13 the specifications for Class 7 as reflected in the most recent edition of Arkansas
14 State Highway Commission Standard Specifications;
- 15 (b) Crushed rock, or other selected material approved by the City Manager or his
16 designee, that is free of debris and excess moisture, when compacted to a minimum
17 of 90% density as determined by the Modified Proctor Compaction Test;
- 18 (c) Compacted river sand or lean-mix concrete, if the use of this material has been
19 previously-approved by the City Manager.
- 20 (5) The applicant is wholly responsible for making temporary restorations consistent with
21 the standards set forth in this ordinance. Any temporary restoration must be flush with
22 the surrounding surface and be of sufficient quality, as determined by the City
23 Manager, to bring the City street, alley or public property, back to its original
24 usefulness and must be capable of supporting traffic use until permanent repairs are
25 completed.
- 26 (6) Inspections shall be made by the City of any temporary restorations. If the temporary
27 restoration is not acceptable to the City Manager, then the permit holder shall be
28 required to correct the situation within twenty-four (24) hours. Temporary restorations
29 which are not maintained and are deemed by the City to be unsafe, or not in compliance
30 with this ordinance, may be immediately repaired by the City and cost of such repair
31 shall be paid by the Permit Holder or shall be claimed from the Surety Bond required
32 pursuant to this ordinance.
- 33 (7) Any temporary restoration of Minor Maintenance Work shall be replaced by the Permit
34 Holder with the appropriate permanent restoration within thirty-five (35) calendar days
35 of the date of issuance of permit. Street cuts, excavations and bores in the right-of-

1 way on Minor Maintenance Work Permits which have not been permanently restored
2 within thirty-five (35) calendar days will be charged a daily penalty in accordance with
3 Section 6 Permits and Fee: Basis for Assessment. Any temporary restorations which
4 have not been permanently restored within sixty (60) calendar days of issuance of the
5 permit may be repaired by the City and the cost of such repair shall be in accordance
6 with permanent restoration reimbursement costs shown in Section 6 and shall be paid
7 by the Permit Holder or shall be claimed from the Surety Bond required pursuant to
8 this ordinance. The Permit Holder will be responsible for temporary repairs until
9 permanent restoration is in place.

10 (8) Any temporary restoration of Major Maintenance Work which requires resurfacing of
11 the street surface in accordance with Section 5 (b) shall be replaced by the Permit
12 Holder with the appropriate permanent restoration within sixty (60) calendar days of
13 the date of issuance of permit. Street cuts, excavations and bores in the right-of-way
14 on Major Maintenance Work Permits which have not been permanently restored within
15 sixty (60) calendar days will be charged a daily penalty in accordance with Section 6
16 Permits and Fee: Basis for Assessment. Any temporary restorations which have not
17 been permanently restored within sixty (60) calendar days of issuance of the permit
18 may be repaired by the City and the cost of such repair shall be in accordance with
19 permanent restoration reimbursement costs shown in Section 6 and shall be paid by the
20 Permit Holder or shall be claimed from the Surety Bond required pursuant to this
21 ordinance. The Permit Holder is responsible for temporary repairs until permanent
22 restoration is in place.

23 (d) ***Permanent Restoration.***

24 (1) Unless otherwise agreed to in writing by the City Manager and the Permit Holder, the
25 Permit Holder shall make all permanent restorations of any street or alley pavement in
26 which there has been a boring, excavation, or cut made pursuant to this ordinance.

27 (2) ***Arterials and Collectors.*** Permanent restoration of concrete or asphalt streets
28 designated as arterials or collectors by the Master Street Plan shall be as follows:

29 (a) Except as set forth in the Subsection, all backfill and compaction requirements
30 shall comply with Section (C) concerning temporary restorations; and,

31 (b) Backfill material shall be removed to a depth of eight (8) inches for concrete
32 streets and ten (10) inches for asphalt streets. Further,

33 (i) If the street is concrete, eight (8) inches of 3,000 Pound Per Square-Inch
34 (PSI) Concrete, meeting the specifications of the Arkansas Department of

1 Transportation (ArDOT) with crack control and expansion joints matching
2 the existing street shall be placed to provide the final restored surface;

3 (ii) If the street is asphalt, eight (8) inches of 3,000 PSI Concrete shall be
4 placed to within two (2) inches of the street surface and, as soon as the
5 concrete has cured, a bituminous tack coat shall be applied to the concrete
6 and the sides of the cut, and then two (2) inches of Hot-Mix Asphaltic
7 Concrete, meeting ArDOT Specifications, shall be applied.

8 (3) ***Streets and Surfaces Other than Arterial and Collector Streets.*** The permanent
9 restoration of surfaces other than those of Arterial and Collector Streets shall be made
10 as follows:

11 (a) Except as set forth in the Subsection, all backfill and compaction requirements
12 shall comply with Section (C) concerning temporary restorations;

13 (b) If the surface is concrete, the top six (6) inches of backfill shall be removed
14 and replaced with six (6) inches of 3000 PSI Concrete, and then finished to
15 conform with the surrounding surface with crack control and expansion joints
16 matching the existing street;

17 (c) If the surface is asphalt or single or double penetration surface treatment, the
18 top eight (8) inches of backfill shall be removed and replaced with six (6) inches
19 of Hot Binder Asphaltic Concrete in two (2)-inch compacted lifts, with the final
20 two (2) inches consisting of asphaltic concrete surface course compacted to
21 conform with the surrounding surface;

22 (d) If the surface is gravel, gravel shall be added as required and compacted to
23 conform to the surrounding surface.

24 (e) ***Notice.*** Permit Holders authorized, or required, to make permanent
25 restorations pursuant to this ordinance shall notify the City Manager on the first
26 business day after the completion of the permanent restoration for each permit.

27 (f) ***Sidewalks, Driveways or Curbs.*** All removed or undercut sidewalks,
28 driveways and curbs shall be restored by the Permit Holder in accordance with this
29 ordinance and any other applicable ordinance. The Permit Holder shall be
30 responsible for protecting any shoulders, ditches and other drainage structures in
31 the work area and, if damaged in any way whatsoever during the time of the permit,
32 shall make all necessary repairs. Notification of completion shall be in compliance
33 with standards established by the City Manager.

34 (g) ***Grasses and Vegetation.*** To the extent possible, the Permit Holder shall
35 restore or replace all planted grasses and vegetation with the same type of grass

1 and vegetation as was removed from the right-of-way. A Permit Holder which
2 removes trees from the right-of-way shall ask the Public Works Department to
3 determine if the tree needs to be replaced. Trees which are removed due to
4 interference with above ground utilities will not have to be replaced by the Permit
5 Holder. If the City Manager determines a tree removed by the Permit Holder does
6 need to be replaced, the Permit Holder shall replace the tree using local nursery
7 stock as directed by City Manager. The City Manager shall permit modifications
8 to this aspect of the restoration plan in appropriate cases. Notification of
9 completion shall be in compliance with the standards established by the City
10 Manager.

11 (h) ***Excess Material or Debris.*** When any temporary or final restoration is
12 completed, all excess material, debris, mud, or other foreign materials shall be
13 removed from the street, alley or other public property involved in the permit, and
14 the surface shall, to the satisfaction of the City Manager, be restored to its original
15 condition.

16 (i) ***Agreements for Final Restoration not Prohibited.*** Nothing in the ordinance
17 shall prohibit the City Manager from entering into written agreements with any
18 Permit Holder concerning the final restorations, provided that the terms of any
19 such agreements shall comply with the requirements of this ordinance or shall be
20 determined by the City Manager to utilize new procedures that comply with the
21 purposes of this ordinance, and provided further, that the City shall receive an
22 inspection fee for the final inspection of any work done pursuant to such an
23 agreement.

24 **Section 6. *Permits and Fee: Basis for Assessment.***

25 (a) The Public Works Department shall issue all permits for boring, excavations, or cuts in the
26 public right-of-way. Permit limits shall not exceed 1,000 total linear-feet including boring,
27 excavations or street cuts per permit.

28 (b) Permit fees for the excavation or cut shall be Two Dollars (\$2.00) per foot for the first fifty
29 (50) feet of the excavation or cut, or any fraction thereof, and One Dollar (\$1.00) per each additional
30 foot, or any fraction thereof.

31 (c) Permit fees for boring that does not break the street or alley surface shall be Fifty Cents
32 (\$0.50) per foot.

33 (d) Inspection fees shall be Thirty Dollars (\$30.00) for the first 500 feet, or fraction thereof, of
34 restoration. The inspection fee will be Sixty Dollars (\$60.00) for permits with a total length between
35 501 feet and 1,000 feet.

1 (e) There will be no permit fees or inspection fees charged to a permit if the Permit Holder has
2 a Franchise Agreement with the City of Little Rock which states the permit fees and inspection fees
3 are included in the Franchise Agreement.

4 (f) If the Permit Holder does not do the final restorations of Minor Maintenance Work Permits
5 within thirty-five (35) calendar days of issuance of the permit, then in addition to any other fee set
6 forth in the ordinance, the City shall bill the Permit Holder a penalty of Fifty Dollars (\$50.00) per
7 day for each day past thirty-five (35) calendar days from permit issuance until permanent
8 restorations are completed. If the Permit Holder does not complete the final restorations within
9 sixty (60) days, the City may complete the permanent restorations and bill the Permit Holder a
10 Permanent Restoration Reimbursement Cost of One Hundred Dollars (\$100.00) per square-yard of
11 restoration or a Minimum Permanent Restoration Reimbursement Cost of Five Hundred Dollars
12 (\$500.00), whichever is greater in addition to the penalty of Fifty Dollars (\$50.00) per day for each
13 day past thirty-five (35) calendar days until permanent repairs are completed and payment shall be
14 due upon receipt of this bill. For Minor Maintenance Work Permits which exceed thirty-five (35)
15 calendar days for permanent restorations, the Permit Holder must notify the City in writing the date
16 permanent restorations were completed.

17 (g) If the Permit Holder does not do the final restorations of Major Maintenance Work Permits
18 within sixty (60) calendar days of issuance of the permit, then in addition to any other fees set forth
19 in the ordinance, the City shall bill the Permit Holder a penalty of Fifty Dollars (\$50.00) per day
20 for each day past sixty (60) calendar days from permit issuance until permanent restorations are
21 completed. If the Permit Holder does not complete the final restorations within sixty (60) days, the
22 City may complete the permanent restorations and bill the permit holder a Permanent Restoration
23 Reimbursement Cost of One Hundred Dollars (\$100.00) per square-yard of restoration or a
24 Minimum Permanent Restoration Reimbursement Cost of Five Hundred Dollars (\$500.00) in
25 addition to the penalty of Fifty Dollars (\$50.00) per day for each day past sixty (60) calendar days
26 until permanent repairs are completed and payment shall be due upon receipt of this bill. For Major
27 Maintenance Work Permits which exceed sixty (60) calendar days for permanent restorations, the
28 Permit Holder must notify the City in writing the date permanent restorations were completed.

29 (h) The thirty-five (35) calendar days to complete permanent restoration on Minor
30 Maintenance Work Permits and sixty (60) calendar days to complete permanent restoration on
31 Major Maintenance Work Permits may be extended by the City Manager if the delay was caused
32 by excessive inclement weather or if the delay was the result of unpreventable circumstances.
33 Excessive inclement weather days are defined as more than five (5) days in a thirty (30)-day period
34 if the maximum daily temperature in Little Rock is less than forty five (45) degrees or if more than
35 five (5) days in a thirty (30)-day period the Little Rock rainfall amount exceeds one tenth (0.1) inch

1 per day of rain according to National Weather Service records. To request a time extension on a
2 permit, the Permit Holder shall submit a written Time Extension Request to the Public Works
3 Department. The written Time Extension Request shall state the permit number, permit location,
4 number of days requested to extend and the reason the Permit Holder believes a time extension
5 should be granted by City Manager. The Public Works Department will reply to the Permit Holder
6 in writing with the City Manager's decision to extend permit completion days or reject the request
7 for a time extension.

8 **Section 7. *Shared Excavations or Cuts.*** The City has a vested interest in assuring that any disruption
9 of the flow of traffic, or the digging of any trench, excavation, or cut, in the paved portion of the public
10 right-of-way, is kept to a minimum. In order to facilitate this interest, at least once a year, utility companies
11 shall submit any known construction projects in the public right-of-way planned to be started within the
12 next twelve (12) months to the Public Works Department so the projects can be coordinated with City
13 infrastructure projects and other planned utility work when possible. When the Permit Holder has a project
14 which is not minor maintenance or emergency work and the work will require resurfacing of the travel lane
15 in accordance with Section 5 (b), the Permit Holder shall notify Public Works Department prior to
16 construction. The City shall provide notice to any other utility or entity known to seek permits under this
17 ordinance that an application for a permit for other than minor maintenance has been made. Any other
18 utility or entity that desires to do so may make arrangements with the Permit Holder to simultaneously
19 excavate, cut, lay conduit, or place equipment in the paved portion of the public right-of-way prior to the
20 Permit Holder resurfacing the street in accordance with Section 5 (b). The City Manager may give
21 additional days in addition to the sixty (60) days to complete permanent restoration after issuance of permit
22 for major projects exceeding 400 linear-feet of street cut which are shared street cuts by multiple utilities
23 or entities so they can coordinate utility work prior to the Permit Holder resurfacing the street.

24 **Section 8. *Premiums.*** For minor maintenance only, in addition to any other cost for fees, penalties
25 or permanent restoration reimbursement costs set forth in this ordinance, whenever an applicant seeks a
26 permit pursuant to the terms of this ordinance that involves the excavation or cut in the paved portion of
27 the public right-of-way that has been improved by paving, reconstruction, or resurfacing within the
28 immediately preceding five (5) year period, the Permit Holder shall be required to pay the City a penalty in
29 an amount of the larger sum of Two Hundred Dollars (\$200.00) per square-yard of excavation, or cut, or a
30 minimum penalty of Five Hundred Dollars (\$500.00) for each excavation or cut made within twelve (12)
31 months of the date the surface was paved, reconstructed or resurfaced. In the subsequent twelve (12)-month
32 periods, this penalty shall be:

33 Period	Basic Penalty Per Square-Yard	Minimum Penalty
34 13-24 months	\$160.00	\$400.00
35 25-36 months	120.00	300.00

1	37-48 months	80.00	200.00
2	49-60 months	40.00	100.00

3 **Section 9. Penalties.** The failure of any person, firm, corporation, governmental entity or association
4 of any kind to comply with this ordinance, shall result in a penalty of Five Hundred Dollars (\$500.00) in
5 addition to the amount of any permit fees, penalties or permanent restoration reimbursement costs required
6 by this ordinance.

7 **Section 10. Severability.** In the event any title, section, paragraph, item, sentence, clause, phrase, or
8 word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or
9 adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and
10 effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the
11 ordinance.

12 **Section 11. Certain Provisions Supplemental.** The providers of this ordinance that relate to
13 Barricade Plans and street closures shall be supplemental to all existing ordinances and code provisions
14 relating to these topics.

15 **Section 12. Repealer.** Except as set forth in Section 11 above, all ordinances and parts of ordinances
16 in conflict with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

17 **PASSED: October 1, 2018**

18 **ATTEST:**

APPROVED:

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20 _____
21 **Susan Langley, City Clerk**

Mark Stodola, Mayor

22 **APPROVED AS TO LEGAL FORM:**

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24 _____
25 **Thomas M. Carpenter, City Attorney**

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