

## TITLE 9

### STREETS AND SIDEWALKS

#### Chapters:

- 9.04 Streets, Alleys, Gutters or Ditches
- 9.08 Excavations and Alterations
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#### CHAPTER 9.04

### STREETS, ALLEYS, GUTTERS OR DITCHES

#### Sections:

- 9.04.01 Streets and alleys
- 9.04.02 Gutters or ditches
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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 alley 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 Driveways That every person, firm or corporation constructing a driveway over any public ditch within the city of Clarksville, Arkansas, shall provide some adequate means for the continual flow of water through said ditch; such opening shall be made by tile or other materials to be approved by the Street Superintendent of the city of Clarksville, Arkansas. (Ord. No. 109, Sec. 1)

9.04.04 Penalty Any person failing to comply with the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be punished upon conviction in any sum not less than Twenty-Five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00) and each day that said condition shall exist shall be considered a separate offense. (Ord. No. 109, Sec. 2)

9.04.05 Use of certain vehicles restricted No bicycles, skates, skateboards, rollerblades, scooters, segways, or other similar devices shall be used upon any sidewalk in the downtown business district of Clarksville in the areas on Main Street from Legion Street (just west of the Spadra Bridge) to Johnson Street and all streets and alleys running north and south between Sevier and Cherry Streets, including but not limited to Cravens, Fulton, College, and Ladd, but excluding Sevier and Cherry Streets proper. This restriction shall only apply between the hours of 8:00 a.m. to 5:00 p.m. Mondays – Saturdays.

Additionally, none of such devices shall be used on the walkways stairs, rails, parking lots or other areas of any business, residence, church or other property without the consent of the property owner. (Ord. No. 2007-557, Sec. 1.)

#### 9.04.06 Definitions

**Skateboard** – a short, narrow board having wheels mounted to it.

**Skate** – a shoe or boot with wheels affixed to its sole, enabling it to roll across surfaces, with the exception of wheeled sneakers.

**Sidewalk** – that area adjacent to a roadway and commonly used by pedestrians as a walkway. (Ord. No. 2007-557, Sec. 2.)

9.04.07 Responsibility of parent or guardian Where a person under the age of fourteen (14) years of age is in violation of the provisions of this ordinance, the responsibility for the non-compliance shall be placed on that person's parent or guardian. (Ord. No. 2007-557, Sec. 3.)

9.04.08 Penalty Any individual fourteen (14) years of age or older, or the parent or legal guardian of any child under the age of fourteen (14), who knowingly permits a child to violate any of the provisions of this ordinance, shall be fined not less than Twenty-Five Dollars (\$25.00) nor more than Fifty Dollars (\$50.00). (Ord. No. 2007-557, Sec. 4.)

## CHAPTER 9.08

### EXCAVATIONS AND ALTERATIONS

Sections:

9.08.01	Excavations - permit
9.08.02	Application for permit - deposit
9.08.03	Municipal exemption
9.08.04	Emergencies
9.08.05	Permit required
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9.08.01 Excavations - permit From and after the passage of this ordinance any person, firm or corporation or anyone wishing to bore or excavate under or cut or excavate into the surface of or otherwise upon any street, alley or public roadway in the city of Clarksville, Arkansas, shall furnish to the City Clerk of the city of Clarksville, Arkansas, the location where the opening is to be made, the nature, extent and purpose of said opening and shall pay to the City Clerk a fee in the amount of Fifty Dollars (\$50.00) for a permit allowing such opening for excavation, which permit shall be issued by the City Clerk with the approval of the Street Superintendent of the city of Clarksville, Arkansas, upon the posting of a bond as hereinafter provided. (Ord. No. 94, Sec. 1)

9.08.02 Application for permit - deposit Anyone desiring to make an opening or excavation in the city of Clarksville, Arkansas, shall deposit with the City Clerk at the time of application for a permit a bond in the amount of Three Hundred Dollars (\$300.00) to be used as necessary by the city in repairing and restoring the roadway to its former condition. In the event it is necessary to cut the curb as well, said bond will be increased to Five Hundred Dollars (\$500.00). After repair of street and/or curb has been completed and inspected, any excess of such bond remaining shall be refunded. Costs of such repairs will be calculated according to schedule approved by the City Council. (Ord. No. 94, Sec. 2)

9.08.03 Municipal exception The Clarksville Light and Water Company and other municipal departments shall secure a permit before opening any street, alley or public roadway but shall not be required to pay the permit fee or post a bond in those instances where such opening is necessary for repairs or improvements to the public utility system. Clarksville Light and Water Company may open a street or roadway to perform utility work on behalf of a customer or property owner only after such responsible individual has obtained permit and bond as herein required. Under no circumstances will a permit be issued in the name of Clarksville Light and Water Company for a street cut performed for the benefit of a private contractor, customer or property owner. (Ord. No. 256, Sec. 2)

9.08.04 Emergencies An emergency is hereby defined as a utility repair that is necessary and that occurs after the office hours of the City Clerk. A permit is required for an emergency opening or excavation, and a permit shall be obtained from the City Clerk within four (4) hours after the City Clerk's office becomes open to the public, following such emergency excavation or opening. A signed statement shall be submitted to the Street Superintendent at the time of application for a permit, describing in detail the nature of the emergency and the reasons for the opening of excavation. (Ord. No. 256, Sec. 3)

9.08.05 Permit required No person, firm or corporation shall bore, excavate under, cut or excavate into the surface of or otherwise upon any street, alley or public roadway within the city limits of Clarksville, Arkansas, for any purpose whatsoever without first obtaining an official permit therefor from the City Clerk as herein provided. (Ord. No. 94, Sec. 5)

9.08.06 Penalty Violation of this ordinance is declared to be a misdemeanor and any person, firm or corporation who is found guilty of a violation hereof shall be fined not more than One Hundred Dollars (\$100.00) and each day during which a violation continues shall constitute a separate offense. (Ord. No. 94, Sec. 6)

## CHAPTER 9.12

### VISIBILITY AT INTERSECTIONS

#### Sections:

9.12.01      Regulated

9.12.01 Required On a corner lot on which a front yard is required, nothing shall be erected, placed, planted or allowed to grow in such a manner as materially to impede vision between a height of two and one-half (2 1/2) feet and ten (10') feet above the center line grade of the intersecting street in the area bounded by the street right-of-way lines (not curb lines but the right-of-way lines which are also the property lines) of such corner lot and line joining points along said streets right-of-way lines twenty-five (25) feet from the point of intersection. Graphic illustration of these requirements is provided by the following: