

ORDINANCE NO. 216

AN ORDINANCE REGULATING ALL CONSTRUCTION, MAINTENANCE AND REPAIR OF PUBLIC STREETS; AND, REPEALING ALL ORDINANCES IN CONFLICT OF THIS ORDINANCE.

BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF HATTON, NORTH DAKOTA:

1. All construction, maintenance and repair of public streets and other public ways shall be under the supervision of the councilman assigned to streets.

2. It shall be unlawful to construct, reconstruct, alter, grade, or repair, any public street, curbs, gutters, or retaining walls, without having first secured a permit therefore from the councilman assigned to streets. No permits will be issued unless the work will conform to the ordinances of the city and all construction, maintenance and repair herein shall be made in conformity with specifications laid down or approved from time to time by the governing body.

3. To indemnify the city for any loss or damage resulting from the work undertaken or the manner in which the work was done, each applicant shall file with the City Auditor a surety bond in the minimum amount of \$5,000.00. The bond may be posted in cash or certified check or by a commercial surety bond or, in the alternative, the applicant may file proof of insurance demonstrating, to the satisfaction of the councilman assigned to streets, adequate coverage for reimbursement to the city for any damage resulting from such work.

4. No street, curb or gutter may be cut for the purpose of burying any cable or pipeline which the councilman assigned to streets determines can be otherwise reasonably installed by boring under the street, curb, or gutter.

5. Any person denied a permit by the councilman assigned to streets may request a reconsideration of such request before the entire council at its next regularly scheduled meeting. The decision of the council shall then be final.

6. Saving Clause. If any portion of this ordinance shall be judged unconstitutional or contrary to the laws of the State of North Dakota, such section shall not invalidate the remaining portions of this ordinance, and it is hereby expressly declared that remaining portions of this ordinance would have been adopted notwithstanding the invalid portions thereof, and it is hereby expressly declared that all of the remaining portions of this ordinance would have been adopted notwithstanding the invalid portions thereof, and that such portions not declared unconstitutional or contrary to the laws of the State of North Dakota shall remain in full force and effect.

7. Repeal of Conflicting Ordinance. All ordinances or part of ordinances in conflict herewith are hereby repealed.

8. Effective Date of Ordinance. This ordinance shall be in force and take effect from and after its passage and publication as provided by law.

Dated: 11-6-89

Alvar Melin
Alvar Melin, Mayor
Hatton City Council

Attest:

Faye Duncan
Faye Duncan, City Auditor

First Reading: Oct 2, 1989
Second Reading: Nov. 6, 1989
Final Passage: Nov 6, 1989
Publication: _____

Persons Voting For: C Bye, E Thompson, L Hesterson, B Brown, J Kuestel, Bjk
Persons Voting Against: none
Persons Abstaining: none