

Sec. 32-25. - Procedure.

- (a) Permit required. It shall be unlawful for any person to do any construction or repair work involving the tearing up and relaying of any street, part of street, sidewalk or other part of any right-of-way or other public places to obstruct, dig up or into or in any way disturb any street, part of street, sidewalk or other part of any right-of-way or public places including, but not limited to, removal of earth from ditches, construction of utility infrastructure, construction of driveways or construction of drainage culverts in the City without first procuring from the City Manager or designee a written permit therefor. The permit herein provided shall be issued under such conditions as may be prescribed by the City Manager or designee and shall accurately describe the portion of the right-of-way or other public place to be affected and the nature of the work to be performed and shall make provision for the replacement of that part of the right-of-way or public places which is disturbed by the work to the same condition as before disturbed and shall state a definite time within which the permit shall be operative. An application for the permit shall be obtained from the City Manager or designee. A fee of \$55.00 shall accompany each permit application. All communication service providers will be exempt from the aforementioned \$55.00 permit fee.
- (b) Erection and lighting of barricades. Any person carrying on or doing any construction, excavation or repair work in the City pursuant to a permit from the City Manager or designee as provided in subsection (a) of this section, shall erect and maintain proper, safe and sufficient barricades, and during that period of time between one-half hour after sunset and one-half hour before sunrise, shall maintain sufficient lights or flares around such barricades, work or excavations to warn persons of the presence of such excavations and work and to prevent injury to persons and property.
- (c) Post work repair. Upon the expiration of any permit granted pursuant to the provisions of subsection (a) of this section, the permit holder shall repair that area upon which such construction, excavation or repair work has been performed to the same condition as existed prior to the construction, excavation or repair work. Failure to do so shall constitute a second degree misdemeanor by the permit holder.

(Code 1960, §§ 20-1—20-3; Code 1976, §§ 22-1—22-3; Ord. No. 05-16, § 1, 7-5-2005; Ord. No. 07-19, § 1, 8-20-2007; Ord. No. 13-05, § 1, 2-11-2013)