

1 Author: Quorum Court Staff
2 Sponsors: Honorable(s) Stowers, *Blackwood, Denton,*
3 *Elliott, J. Green, R. Green, Lewison,*
4 *Massey, McCoy & McMullen*

Item No.: 16-I-40A
Ordinance No.: 16-OR-24

5 FILE/1 06/01/16 09:53:12
6 Larry Crane Pulaski Circuit Clerk

7 **EMERGENCY ORDINANCE**

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9 **BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF**
10 **PULASKI, STATE OF ARKANSAS, AN ORDINANCE TO BE**
11 **ENTITLED:**

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14 **AN ORDINANCE AUTHORIZING THE PULASKI COUNTY ROAD AND**
15 **BRIDGE DEPARTMENT TO COLLECT CERTAIN PERMIT FEES AND**
16 **ESTABLISH PENALTIES AND VIOLATIONS.**

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19 **Article 1. Permit Fees.**

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21 (a) A permit must be granted before any excavation, construction and street curb
22 work on public streets within the unincorporated county limits, including any necessary
23 for a single connection, a single driveway and adjoining sidewalk, or a cut for installing
24 facilities can be commenced. Additionally, a permit is required before utility
25 construction, maintenance or related work on a Pulaski County right-of-way property can
26 be commenced.

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28 (b) Any private owner, operator, utility, contractor, or other entity seeking to make a
29 road cut on a roadway governed by Executive Order No. 2016-0097, shall obtain a
30 permit, as required by (a), and pay a permit fee of \$25.00 for each cut made or bore under
31 the paved surface base course.

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33 (c) Any private owner, operator, utility, contractor, or other entity seeking to make a
34 driveway connection, as governed by Executive Order No. 2016-0097, shall obtain a
35 permit, as required by (a), and pay a permit fee of \$40.00 for each driveway connection
36 installed by the Pulaski County Road and Bridge Department, or a private landowner on
37 residential property, or \$100.00 for any driveway connection for a commercial property.

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39 (d) Minor repairs, routine maintenance and initial installation of public improvements
40 within new subdivisions shall be exempted from the fee set forth in sections (b) & (c).

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Article 2. Violations and Penalties.

(a) Any private owner, operator, utility, contractor, or any other entity engaged in the accommodation, installation, repair and replacement over, upon, or beneath public roads within the unincorporated county limits of Pulaski County, of driveways, sidewalks, public utilities, other utilities or other projects involving construction activities, who violate any provision of Executive Order No. 2016-0097, or the provisions contained in Article 1. of this ordinance, shall be guilty of a misdemeanor and be subject to punishment as provided in sections 1-9 and 1-10 of this Code, upon conviction.

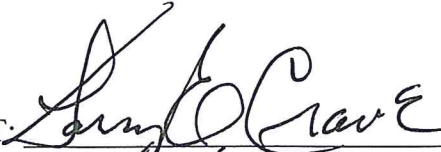

(b) If the contractor and the owner are not one and the same, the owner shall be responsible for said fine as authorized in section 1-9

(c) All fines and penalties imposed for violations of this chapter shall be paid into the county general fund.

Article 3. SEVERABILITY: If any part of this ordinance is held invalid, such invalidity shall not affect any other portion of this ordinance.

Article 4. REPEALER: All laws and parts of laws in conflict with this ordinance are hereby repealed.

Article 5. EMERGENCY CLAUSE: This ordinance, being necessary for the preservation of public peace, health & safety, shall be in full effect immediately upon adoption and signing.

ATTEST:  APPROVED: 
DATE: 5/20/16 DATE: 5/26/16