

ORDINANCE NUMBER 96- 21-5

**AN ORDINANCE REQUIRING A PERMIT IN CONNECTION WITH
INSTALLATION OR REPAIRS OF UTILITIES UNDER CITY STREETS**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RAINSVILLE, ALABAMA,
AS FOLLOWS:**

SECTION I. No person, business, entity or utility company nor anyone acting on their behalf may install or repair utilities under a city street without first obtaining from the Clerk's office of the City of Rainsville a permit for this purpose.

SECTION II. A permit will be issued only following a deposit in such sum as established, from time to time, by the City Council for the City of Rainsville or the provision of an acceptable indemnity or surety bond guaranteeing performance by the person, business or entity seeking the permit. The deposit will be refunded if the street is repaired to as good or better condition as the same existed before the repairs or installation. If the street is not repaired to as good or better condition as the same existed before said repairs or installation of utilities within 30 days after the same are completed, then the City will proceed to repair the same. The expenses incurred by the City in restoring the street will be the responsibility of the one performing the repairs or installation under the street and the one for whom said person or entity was acting. The deposit will be applied toward these expenses.

SECTION III. The Clerk shall prepare a permit form which shall be approved by the Mayor. A permit will require the work under the street to be done by boring instead of cutting the street. Should the applicant insist that boring is not possible then the application shall be referred to the City Council who shall determine whether or not an exception will be made to cut the street instead of bore under the street.

SECTION IV. Any person, business or entity that performs repairs of or installation of utilities under a City street in the City of Rainsville without first obtaining the permit required herein shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine not in excess of \$500.00 or be confined in jail for a period not to exceed six (6) months, or both.

SECTION V. This Ordinance shall become effective following its adoption and publication.

Adopted this 21st day of May, 1996.

Russ Anderson
Mayor

Attest:
Judy Lewis
Clerk