

ORDINANCE NO. 2008 - 04

AN ORDINANCE REQUIRING ANY PERSON(S) BUILDING A PRIVATE OR PUBLIC DRIVEWAY OVER ANY PUBLIC DITCH TO PROVIDE ADEQUATE MEANS BY TILE OR OTHER CONSTRUCTION, TO BE APPROVED BY THE DIRECTOR OF PUBLIC WORKS, TO ALLOW THE CONTINUED FLOW OF WATER THROUGH SAID DITCH, PROVIDING A PENALTY FOR VIOLATION HEREOF, AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY OF BULL SHOALS, ARKANSAS:

SECTION 1. That every person, firm, association, company or corporation constructing a driveway over any public ditch within the City of Bull Shoals, Arkansas, shall provide some adequate means for the continued flow of water through said ditch, such opening shall be made by tile or other materials to be approved by the Director of Public Works of the City of Bull Shoals, Arkansas.

SECTION 2. 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 One Hundred Dollars (\$100 00) nor more than Five Hundred Dollars (\$500 00), and each day that said condition shall exist shall be considered a continuing offense subject to an additional fine of not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Fifty Dollars (\$250.00) per day

SECTION 3. The Mayor or his/her designee is hereby authorized to enforce the provisions of this ordinance.

SECTION 4. Ordinance 161 and all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. Severability

If any provision, clause, sentence, paragraph or section of this ordinance, or the application thereof shall be held invalid by a court of competent jurisdiction, such invalidity shall not effect the other provision of this ordinance which can be given effect without the invalid provision or application and to this end the provision of this ordinance are declared severable.

SECTION 6. This ordinance shall take effect 30 days after passing and posting.

PASSED AND ADOPTED by the City Council of the City of Bull Shoals, Arkansas, on this 27 day of March, 2008

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APPROVED: Ronald A. Richter
The Honorable Ronald Richter – Mayor

ATTESTED: Kimberly M. Williams
Kimberly M. Williams – Recorder/Treasurer

Pursuant to Ordinance 93-10 and permitted by Act 295 of 1993, I, Kimberly M. Williams, Recorder/Treasurer, certify that I have posted this Ordinance in five (5) of the most public places of the City (City Hall, Arvest Bank, First Security Bank, Harps Village Market Bulletin Board and the Meeting Place bulletin Board) of Bull Shoals, Arkansas.

Posted. 4/30/08, 2008

Posted By: Kimberly M. Williams
(Signature)

