

**Sec. 46-40. Bridge specifications.**

All major bridges constructed in the county on county roads will be constructed in accordance with state highway and transportation department specifications pertaining to H-15 loading specifications before they will be considered for inclusion into the county road system. The developer shall provide to the county judge or his designated agent certification by a registered engineer that the bridge meets referenced specifications.

(Code 1987, § 17-20)

**Sec. 46-41. Coordination with other government agencies.**

The county recognizes the authority of municipalities to exercise planning jurisdiction in unincorporated areas lying within certain distances from the city limits. Legal authority results from A.C.A. § 14-56-413 and/or any amendments thereto enacted by the state general assembly. For development within these areas, consult with the respective city hall or city planning department. If the municipality chooses not to exercise its authority within its planning area outside of the corporate limits, the construction standards as set forth in section 46-39 will apply for the acceptance of a road into the county system.

(Code 1987, § 17-21)

**Secs. 46-42—46-70. Reserved.****ARTICLE III. PAVING CUTS****Sec. 46-71. Permit required.**

Any person, firm or corporation desiring to make a cut or perform construction work diagonally or parallel within the right-of-way of any county road located in Garland County, Arkansas, shall first obtain a permit from the Garland County Road Department for said cut. Any paving cuts or work performed in the right-of-way which are made in an emergency situation shall be reported to the Garland County Road Department on the morning of the next regular workday. For purposes of this ordinance construction work in the county's right-of-ways shall include but not be limited to paving cuts, trenching, burying, or otherwise depositing cable and pipe as well as other construction or destruction type activity on county right-of-ways.

(Ord. No. O-98-17, § 1, 3-9-1998; Ord. No. O-03-8, Art. I(1), 2-10-2003)

**Sec. 46-72. Backfill and pavement repairs.**

After the work for which the cut was made has been completed, the backfill and pavement repairs shall be made in accordance with specifications provided in exhibit A to the ordinance from which this section is derived.

(Ord. No. O-98-17, § 2, 3-9-1998)

**Sec. 46-73. Approval required for road closing; warning signs; lights.**

The road where the cut is being made shall be left open while work is in progress. Blocking or barricading of the road will not be permitted without the prior approval of the county road department, which will then notify the county sheriff's department and fire department in the area of the temporary closing of such road. When work concerned is a public hazard, signs signifying the hazard shall be exhibited and amber lights or flares shall be maintained on the excavation from dusk to daybreak. Such equipment shall be located at each end and along the entire length of the excavation. Lights shall be maintained on machinery or other equipment left on the road where cut is being made.

(Ord. No. O-98-17, § 3, 3-9-1998)

**Sec. 46-74. Inspection of backfill by road superintendent or designee.**

The county road superintendent or his designee shall be notified when backfill is completed or anticipated to be completed. It will be the duty of the road superintendent or his designee to supervise the inspection of the backfill and approve it prior to replacement. The contractor will then complete the repairs on the cut within five working days or less.

(Ord. No. O-98-17, § 4, 3-9-1998)

**Sec. 46-75. Posting of bond; denial of permit.**

Where appropriate, contractors who are engaged in the business of the repair of paving cuts or construction in road right-of-way may be required to post a reasonable performance bond with surety to ensure compliance with the requirements of this Ordinance. This performance bond shall be not less than \$1,000.00 bond with surety to ensure compliance with the requirements of this section. Any contractor may be refused permits by the county judge or the road superintendent where just cause can be shown for such action and where such action is in the best interest of the county.

(Ord. No. O-98-17, § 5, 3-9-1998; Ord. No. O-03-8, Art. II(5), 2-10-2003)

**Sec. 46-76. Permit fees; bond cost calculation.**

All road cut permits shall be a minimum of \$25.00 for each cut made. In the case of water or sewer improvement districts where multiple cuts will occur, the district will be required to post a bond with surety in lieu of a charge per paving cut to ensure compliance with this section. The road superintendent shall determine the amount of the bond required based upon the scope of the project including the number of paving cuts or amount of work performed in the road right-of-way. In connection with parallel cuts, if in the opinion of the road superintendent, said cuts substantially reduce the anticipated life of the road surface, he may require that the contractor, or the owner and employer of the contractor, if not one and the same, resurface the entire section or sections of the road so that the entire surface shall be restored to substantially the same condition it was in prior to the time said cuts were made. In making this determination, the road superintendent shall take into consideration the age of the existing surface, the space between the cuts involved, and the type of paving surface

involved. Boring underneath hard-surface (hot mix asphalt or concrete) roadways shall be required instead of paving cuts unless the road superintendent determines that boring underneath the roadway would not be feasible.

(Ord. No. O-98-17, § 6, 3-9-1998; Ord. No. O-03-8, Art. III(6), 2-10-2003)

**Sec. 46-77. County road department to complete unsatisfactory work at contractor's or owner's expense.**

If, in the opinion of the road superintendent or his designee, a contractor fails to proceed promptly in a workmanlike manner to complete road repairs, the county road department or

the county judge's office shall notify the contractor and the owner and employer of the contractor, if not one and the same, of such failure to satisfactorily perform work. If no response to such notification is made within five working days, the county road department will take over such work and complete the work, or will contract the repair at the expense of the contractor or the owner and employer of the contractor, if not one and the same. The contractor and the owner and employer of the contractor, if not one and the same, shall be billed for such costs of repairs as may be performed by the county road department or its designated contractor, and documentation of such incurred costs shall be furnished to the contractor and the owner and employer of the contractor, if not one and the same, for payment.

(Ord. No. O-98-17, § 7, 3-9-1998)

**Sec. 46-78. Violations and penalties.**

Any person who shall violate any of the provisions of this article shall be guilty of a misdemeanor and shall be punished as provided in section 1-14. If the contractor and the owner are not one and the same, the owner shall be responsible for such fine. All fines and penalties imposed for violation of this article shall be paid into the county general fund.

(Ord. No. O-98-17, § 8, 3-9-1998)

**Sec. 46-79. County judge authorized to set additional requirements; road cuts to be perpendicular to centerline.**

The county judge is hereby authorized to place such additional requirements upon any permit issued as he may deem reasonable to ensure that free passage of traffic upon the county roads is not unduly interrupted by such work and the road surfaces damaged thereby are promptly and adequately restored. The county judge shall designate certain roads that shall not be cut, but shall be bored under the road's surface. The only cutting of the road's surface or road bed that shall be allowed for any of the work permitted under this article shall be perpendicular to the centerline of such road for the purpose of reaching existing lines. Any installation parallel to the centerline of any county road shall be accomplished wholly off the improved and traveled surface of the road.

(Ord. No. O-98-17, § 9, 3-9-1998)

**Secs. 46-80—46-110. Reserved.**

**ARTICLE IV. BUILDING NUMBERING AND STREET NAMING**

**DIVISION 1. GENERALLY**

**Sec. 46-111. Enforcement of article.**

The enforcement of this article shall be delegated to any law enforcement officer that is authorized to issue citations in the county.

(Ord. No. O-95-32, § 2, 11-27-1995)