



STATE OF ARKANSAS
City of Brookland

ORDINANCE 2025-12

AN ORDINANCE TO REPEAL ORDINANCE 1969-1, ORDINANCE 2021-09 AND TO ESTABLISH AND REGULATE THE OPENING AND CUTTING OF PUBLIC STREETS, ALLEYS AND SIDEWALKS; THE REQUIREMENT FOR PERMIT BEFORE WORK IS TO BEGIN; REGULATING RESTORATION MATERIALS FOR COMPLETION; REQUIRING BARRIERS AND LIGHTS IN CONNECTION WITH SUCH EXCAVATION; PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND FOR RELATED PURPOSES.

WHEREAS: The City of Brookland continues to grow and improve city streets. With continued growth developers will need the ability to connect to the COB water and sewer, and utilities supplied by electric, phone, cable, and internet suppliers will cause a need for street openings to be requested.

NOW THEREFORE BE IT ORDAINED BY THE BROOKLAND CITY COUNCIL OF BROOKLAND, ARKANSAS:

Section 1. It shall be unlawful for any person to cut into, or tunnel under or disturb in any manner a street, avenue, ally, street curb, sidewalk, or public way without first obtaining a written permit to do so from the Brookland Inspection Department.

Section 2. Such permit shall describe specifically the part or portion of the street to be disturbed and how same street shall be repaired. All repairs shall be done as set for in the street cut procedure guidelines and inspected by the Brookland Engineer, Brookland Inspector, or Street Supervisor for approval.

NOTE: See CITY OF BROOKLAND STREET CUT SPECIFICATIONS 2025 for detailed instructions.

Section 3. In addition, at the time a permit is secured, there shall be deposited with the COB a sum to be determined depending upon where the cut/opening will occur in a hard surface street and not less than \$500.00 upon all other streets. In addition, thereto, there shall be deposited any additional sum of money as may be determined necessary expense incurred by the city in excess of deposit.

Section 4. The person, firm, or corporation to whom the permit is issued shall be responsible for restoring the street, walk or curb to as near its original condition as possible and the refilling of such excavation shall be done according to the 2025 Brookland Street Cut Specifications as provided by the COB.

Section 5. The person, firm, or corporation in charge of any work where the street or any part of same being disturbed must place sufficient lights on or near the work site and must keep them burning from sunset to sunrise and shall erect suitable barriers or steel plates on or around such work as to ensure public safety by day or night.

Section 6. It shall be unlawful for any person to remove or take down or disregard any steel plates, barriers, or lights placed upon the streets, alley, or sidewalk in order to protect paving, walks, construction excavation, or other improvements.

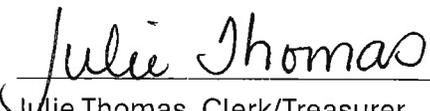
Section 7. Any person, firm, or corporation violating the provisions of this ordinance shall be guilty and subject to a fine of not less than two hundred dollars (\$200.00) and each day the violation shall continue and shall be considered a separate offense.

Section 8. Emergency Clause. It is found and declared by the City Council of the City of Brookland, Arkansas that there is considerable construction in and around streets, alleys, and sidewalks of Brookland involving excavations, wherein the persons or corporations undertaking such construction have not adequately provided for the repair and placement of street surfaces or adequately protected the public from the dangers of these excavations. The lack of these instructions and procedures to cover these issues could endanger vehicles, bicyclist, pedestrians, and therefore an emergency exists, and this ordinance shall take affect from and after its passage and approval.

PASSED AND ADOPTED THIS 20TH DAY OF MAY 2025

ATTEST:


Kenneth D. Jones, Mayor


Julie Thomas, Clerk/Treasurer





Street Cut Specifications 2025

NOTE: Streets less than (5) five years of age from the most recent placement of overlay SHALL not be cut unless specific approval in writing is obtained from Brookland Street Department Supervisor, Inspection Department, or Mayor.

NO street cut permit SHALL be issued without prior approval from the City Street Supervisor, Utility Supervisor, or Mayor. A (24) twenty-four-hour advance notice to the Brookland Street Department is required. Permit cost is (\$200.00) Two Hundred Dollars.

A Cashier's check must be posted with the City of Brookland at 613 N. Holman Brookland, Arkansas 72417 before any street SHALL be cut. The size of the street cut shall determine bond/Cashiers Check amount approved by City Street Supervisor, Utility Supervisor, Inspection Department, or Mayor.

The contractor is responsible for all work signage. All work zones must meet (Manual On Uniform Traffic Control Devices(MUTCD) standards and be set in place before work begins. **A traffic plan must be submitted and approved by the City Street Supervisor, Inspection Department, or Police Chief before any closure is approved. A minimum of 24-hour notice will be needed before road closure is allowed.**

No overnight opened street cuts are allowed unless approved by the City. If approved, the cut to be left opened overnight -must be plated by the contractor and work zone marked with approved devices as noted in the MUTCD book for nighttime closure.

All street cuts SHALL be visibly marked and must be saw-cut full depth on all sides to insure smooth straight edges before excavations can begin.

The City Street Supervisor or Inspection Department SHALL be notified before any base materials or back-fill is placed into the trench. **NO back-fill SHALL be place in trench without the presence of City Street Supervisor or Inspection Department.** Normal working hours are from 6:30 to 5:00 Monday thru Thursday. Any party needing to make an emergency street cut after those hours must call (870) 351-2837 for the on-call Street Department. A \$100.00 per hour charge will be assessed to all after hour call outs or additional time that occurs after normal work hours in addition to the normal charges.

Flowable back-fill is required for all backfilling

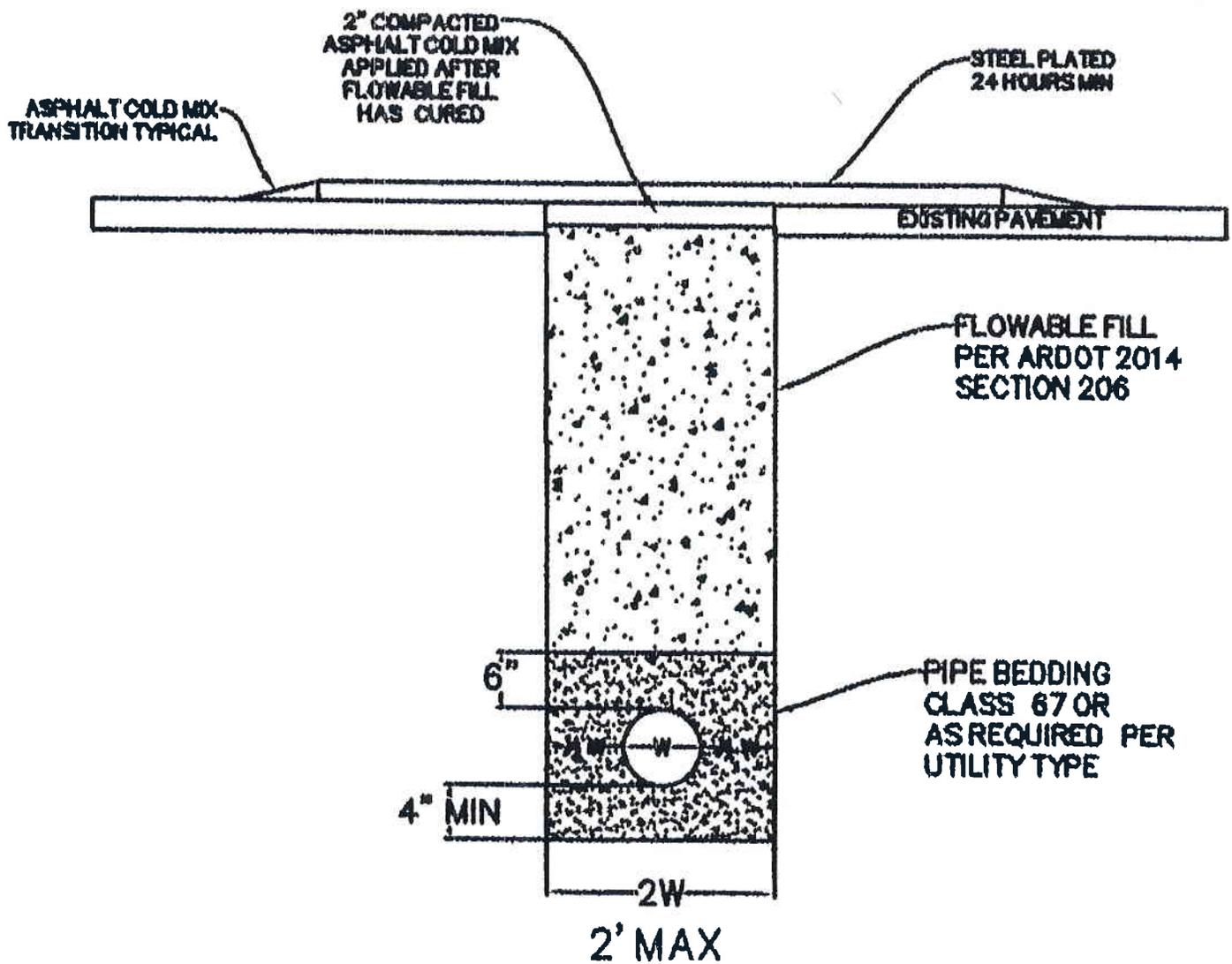
Patch of street SHALL be in accordance with diagram approved for street cut and agreed to by City and Contractor. Final lift of the backfill to match the existing grade (2 inch minimum).

The width and length of the permanent patch will be measured and the individual making the cut will be billed at a rate of (\$100.00) One Hundred Dollars per square yard for permanent repair.

The party making the repair SHALL be responsible for any settling of street cut for a period of (120) one hundred twenty days from the date that temporary patch is complete.

The cashier's check Shall be returned to the applicant only after the City has approved and (120) one hundred twenty day settling period has passed final inspection by City.

FLOWABLE FILL (APPROVAL REQUIRED)





**RIGHT-OF-WAY /
WORK ZONE PERMIT**

APPLICATION & CHECKLIST

APPLICATION FEE: \$100.00

Street Cut _____

Directional Bore _____

Infrastructure _____

Required for all improvements, work performed or street closures within the City of Brookland Right-of-Way not associated with an approved preliminary plat, large-scale development or building permit.

APPLICANT INFORMATION:

Company/Firm: _____

Contact: _____

Phone: _____

Address: _____

Fax: _____

City/ST/Zip: _____

Email: _____

PROJECT INFORMATION:

Site Location: _____

Nature of Work: _____

On Site Contact: _____

Phone: _____

Include a detailed description & drawing of the work for all permits, including the identification of any structures to be installed, the size and depth of proposed excavation, any changes to existing materials, and the proposed traffic control plan. Please indicate below the items to be disturbed and include this information on the drawings/plans of work. If other box is checked, please attach a description to this sheet.

| | | | | | | | |
|-------------------|-----------------------------------|---|-----------------------------------|--------------------------------------|---------------------------------|--------------------------------|--------------------------------|
| ROW Impact | <input type="checkbox"/> Alley | <input type="checkbox"/> Driveway | <input type="checkbox"/> Sidewalk | <input type="checkbox"/> Storm Sewer | <input type="checkbox"/> Street | | |
| | <input type="checkbox"/> Other: | | | | | | |
| Existing Surfaces | <input type="checkbox"/> Asphalt | <input type="checkbox"/> Brick Pavers | <input type="checkbox"/> Concrete | <input type="checkbox"/> Curb/Gutter | <input type="checkbox"/> Grass | | |
| | <input type="checkbox"/> Other: | | | | | | |
| Utilities | <input type="checkbox"/> Cable | <input type="checkbox"/> Drainage | <input type="checkbox"/> Electric | <input type="checkbox"/> Gas | <input type="checkbox"/> Phone | <input type="checkbox"/> Sewer | <input type="checkbox"/> Water |
| | <input type="checkbox"/> Other: | | | | | | |
| Installation | <input type="checkbox"/> Open Cut | <input type="checkbox"/> Directional Bore | <input type="checkbox"/> Other: | | | | |
| Traffic Plan | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Other: | | | | |

Application fee is due at the time of submission. Additional Fees will apply for Street/Sidewalk and Concrete repairs to be performed by the City. **A performance guarantee is required as determined by project.**

APPLICANT / AUTHORIZED AGENT: I certify that the foregoing statements and answers herein made all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval. I certify that I am the owner or authorized agent of the property that is the subject of this application.

Signature:-----

Date:-----

Right of Way Permit Checklist

Please note that a Right-of-Way permit application will not be accepted if any of the following items are not provided, unless approved by City Engineer.

Please use this checklist to ensure that all items have been submitted. Checklist will need to be turned in with application.

- Fee.** Payment of applicable application fee.
- Application.** Submit and accurate and complete application form with all required documents.
- Site Plan.** The submittal of a site plan for all work permits will be required including a detailed description of work, identification of any structures to be installed, size and depth of proposed excavation, changes to existing materials, dimensioning and labeling and a traffic control plan.
- Material Submittals.** Provide all information regarding the types of materials to used in construction; asphalt, base course, concrete including all proctors and design information.

Right of Way Permit Notes

Please use this area to describe the type of work. Include detailed and site specific information.

Staff Use Only:

| | | | | | | | |
|------------------------------------|---|--|---|--------------------|--|---------------------------------|-----------|
| Received Date: | | Review Date: | | Approval Date: | | Additional fees Due to the City | Yes No |
| Inspector Name: | | Final Date: | | Closed Date: | | \$ | |
| Performance Guarantee Amount \$ | Type Received: Circle One Below Cashier's Check Bond | Remitted By: Circle One Below Owner Developer Contractor | Date Received: Delivered By: Accepted By: City Staff | Received Sign Here | Date Returned: Returned By: City Staff | Returned Sign Here | |
| | | | | | Returned To: | | |