

ORDINANCE NO. 711

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

SECTION I:

- (A) No individual person, entity, board, or organization shall, except in the case of an emergency, perform any work on, make any cutting into, or otherwise alter the surface, curbs, gutters, or the finish of any road or highway in the city limits of the City of Roanoke, Alabama, without first giving notification to the Mayor or his/her street superintendent twenty-four (24) hours prior to the starting of each and every phase of such construction. In the event any such work is begun, but is then delayed for any reason, an additional twenty-four (24) hour notice must be given prior to resuming said work.
- (B) In the event of an emergency necessitating a utility cut into the road or any other action to prevent imminent and severe damage to property, person or to prevent the endangerment of life and safety, then the person, entity, board, or organization needing to make said cut or otherwise alter the surface of a road or highway in the city limits of the City of Roanoke, Alabama, shall not be required to notify the Mayor or his/her street superintendent 24 hours prior to starting any phase of said construction; however, in such event it shall be the duty and responsibility of any such person, entity, board or organization making any such cut or otherwise making any type alteration to notify the Mayor or his/her street superintendent within 24 hours of taking any such action.


SECTION II:

All cuts or other alterations to the surface of any road or highway in the city limits of the City of Roanoke, Alabama, shall be repaired within ten (10) days of the said cut or other alterations being made. In the event the cut or alteration cannot be repaired within ten (10) days of the same being made, then the person, entity, board, developer, contractor or organization making the said cut or alteration shall apply to the City Council of the City of Roanoke for an extension of time to repair the said cut or alteration. The Council may, for good cause, extend the time for fully repairing any said cut or alteration for a reasonable time that the Council may determine. If, however, any repair will not be made within ten (10) days of the cut or alteration the Council shall require a performance bond prior to granting any extension to adequately repair a said cut or alteration.

SECTION III:

- (A) All utility cuts or other cuts into the roads or streets must be compacted according to the Alabama Highway Department specifications and built up within three (3) inches to the top of the pavement. The said cut or alteration then must be covered with concrete to the level of the pavement.
- (B) All other repairs must be done so the portion of the street, curb or gutter having been altered is returned back to good or better condition than the same was prior to the subject alteration having been performed.
- (C) It shall be the duty and responsibility of the person, entity, board, or organization making the said cut, alteration and/or repair to notify the Mayor, or his/her street superintendent, within seventy-two (72) hours of completing any such repair. The Mayor, or his/her street superintendent, shall inspect the repair and advise the person, entity, board, or organization making the said cut or alteration as to whether the said repair is acceptable. If the said work is deemed to not be acceptable, the reasons for not being deemed acceptable shall be also stated and the person, entity, board, or organization making the said repair who must correct the problem and make the repair to the satisfaction of the Mayor and/or his/her street superintendent within two working days of being notified of the unacceptability. If, however, the person, entity, board, or organization making the said repair to the cut or alteration disagrees with the decision of the Mayor and/or his/her street superintendent, said persons may appeal the decision to the City Council of the City of Roanoke. Said appeal may be done by filing a notice of the appeal with the City Clerk of the City of Roanoke within twenty-four (24) hours of the decision of the Mayor and/or his/her street superintendent. Failure to timely file an appeal shall constitute a forfeiture of the right to appeal.

Adopted and Approved this the 11th day of OCTOBER, 1999.


Betty S. Ziglar, Mayor

ATTEST:


Ellen Farmer, City Clerk