ORDINANCE NO. 40

AN ORDINANCE REQUIRING PERMIT, BOND, REPLACEMENT AND RESTORATION OF STREETS, ALLEYS, PARKS AND OTHER PUBLIC PROPERTY AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BASEHOR, KANSAS:

SECTION 1. Any person, firm or corporation being authorized under the Ordinances of the City of Basehor to make an excavation or opening in any of the streets, alleys or public grounds of the City, is hereby required to apply to the City Inspector for a permit to make such an excavation or opening, the City Inspector being satisfied that the proposed excavation or opening is authorized under an Ordinance of the City the same is necessary and that the applicant has complied with the Ordinance of the City governing the making of such proposed excavation or opening, shall issue to such applicant, a permit in writing signed by him, designating the location, number of openings, purpose for which the same is to be make, and the time within which the undertaking is to be completed.

S.L. SECTION 2. The applicant for such permit shall pay City Inspector the sum of $ 4.00 for each permit so issued.

SECTION 3. Every person, firm or corporation before obtaining any permit to make any excavation as aforesaid, shall file with the City Clerk a bond in the sum of $500.00 with good and sufficient sureties, to be approved by the Mayor and City Council conditioned that all their work shall be well and properly executed and they they and their servants shall take all reasonable precautions to prevent accidents or injury to persons or property by reason of negligence or carelessness in doing said work and shall save the City of Basehor harmless from loss or claim of damages by reason of making such excavation. They shall at all times during the progress of the work, maintain barriers and display warning lights. Said bond shall be further conditioned that the street or opening and any other property disturbed in the course of the opening, shall be restored to its former condition in a manner satisfactory to the City.

SECTION 4. Penalties for violation. Any firm or person or corporation failing to obtain a permit for any excavation or opening in streets, alleys or other public property and for failure to furnish bond as required herein and failure to replace streets, alleys or other property in its original condition, shall be deemed guilty of a misdemeanor and shall be fined not less then $25.00 but no more than $200.00 for such offense

SECTION 5. This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed and adopted this 1st day of December, 1970.

Approved this 15th day of December, 1970.

Bernard R. Eberth
Acting Mayor

Attest:

Charles G. Newman
City Clerk