ORDINANCE NO. 6

AN ORDINANCE TO PROVIDE FOR PERMITS BEFORE MAKING AN EXCAVATION IN A STREET OR PUBLIC PLACE: THE MANNER OF REFILLING EXCAVATIONS: FEES FOR THE PRIVILEGE OF EXCAVATING: AND PENALTIES FOR VIOLATION.

BE IT ORDAINED BY THE CITY OF DUPONTONIA:

SECTION I. It shall be unlawful for any person to make any excavation of any kind in any street, road, or public way of the city without having applied for and obtained from the City Manager permission so to do.

SECTION II. No person shall make, dig or throw up any ditch, drain, trench, gutter or canal in, through or across any of the streets, roads, or lanes of the city, without a special license for that purpose first had and obtained from the City Manager, specifying the time when and the place where the same is to be done ,and the areas of the proposed excavation.

FURTHER no permit shall be issued for the purposes of traversing any road or street by a pipe or conduit where it is practicable to project said pipe or conduit under and without disturbing said road surface.

SECTION III. Every person excavating in the streets or roads of the city as aforesaid, shall carefully refill the excavation and, in doing so, shall strictly pursue the following method: The dirt shall be put back and thoroughly compacted by mechanical means, such as air tamping, until the excavation is filled to within 10 inches from the top of the excavation; the remainder of the excavation shall be filled with compacted crushed stone in a layer not exceeding 8 inches in thickness, and to within 2 inches of the street surface in accordance with State of Tennessee Highway Department specifications 330, said compacted base to be coated and a layer of plant or cold mix applied to correspond with the original wearing surface.

SECTION IV. Prior to obtaining a permit as aforesaid, any party desiring to make an excavation shall make a good and sufficent bond to cover the cost of repairing said street surface in a like manner with said surface as it existed prior to said excavation, and no permit shall be issued until said repair cost shall have been secured.

SECTION V. If any excavation is not restored to a condition similar to that of the surrounding surface, and said defect appears within one year from date of said repair work, and if satisfactory repairs are not made within a period of thirty days subsequent to written notice and order to repair

by the City Manager, the city may cause the necessary repairs to be made, and shall proceed against said party for the recovery of said costs. Each day's failure to comply with said order shall be a separate offense as hereinafter provided.

SECTION VI. For the privilege of excavating in highways, streets or alleys the following fees shall be charged:

Wearing surface	Minimum charge for first sq. yard or less	Rate per sq. yard for all over first sq. yard
Unimproved.....	$3.00	$1.00
Macadam.....	$5.00	$1.50
Penetration or inverted penetration.....	$5.00	$2.00
All others.....	$20.00	$12.00

SECTION VII. Any person making such excavation without first having obtained a permit shall be subject to a fine of $50.00, and a like sum daily until compliance has been made with the provisions of this ordinance.

This ordinance shall take effect on the day and date of its final passage.

C. L. Farrell
MAYOR

W. Bryan Jones, Jr.
COMMISSIONER

E. R. Corley
COMMISSIONER

Passed 1st Reading June 16, 1959
Passed 2nd Reading July 2, 1959
Passed 3rd Reading July 16, 1959

ATTEST: H. Philip Sadler
RECORDER