

Ordinance No. [ 2024-028 ]

**An Ordinance Requiring Utility Companies and Subcontractors to Obtain Permits for Boring or Excavating within the Corporate City Limits of Tuckerman, Arkansas**

WHEREAS, the City of Tuckerman seeks to protect its infrastructure and ensure the safety of its residents and

WHEREAS, utility work, including boring and excavation, can pose risks to public safety, property, and existing utility lines;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Tuckerman as follows:

**Section 1: Permit Requirement**

1. Any utility company or subcontractor thereof intending to engage in boring or excavating activities within the corporate limits of Tuckerman must obtain a permit from the Mayor's Office prior to commencing any work.

**Section 2: Scope of Work**

1. A detailed scope of work must be submitted to the Mayor's Office and the City Inspector for review prior to permit issuance. The scope must include:
  - o The nature and purpose of the work.
  - o The specific location of the proposed boring or excavation.
  - o An estimated timeline for the completion of the work.

**Section 3: Utility Marking**

1. The utility company must file a request with the One Call service to have all existing utilities marked prior to commencing work. All work must be performed within the parameters of applicable laws and regulations pertaining to utility excavation and boring.

**Section 4: Proof of Liability Insurance**

1. The utility company must provide proof of liability insurance to cover any damages incurred during the boring or excavation process. The insurance must have coverage limits that are satisfactory to the City of Tuckerman.

**Section 5: Penalties for Non-Compliance**

1. Any utility company or subcontractor found to be non-compliant with this ordinance shall be subject to a fine of no less than \$100 and no more than \$500. The city Inspector, the Mayor, or the Tuckerman Code Enforcement Office may enforce this provision.

**Section 6: Effective Date**

1. This ordinance shall take effect immediately upon its passage and approval.

**Section 7: Severability**

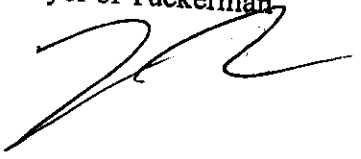
1. If any section, clause, or provision of this ordinance is found to be unconstitutional or invalid, the remainder of the ordinance shall continue in full force and effect.

**Section 8: Emergency**

This ordinance is necessary to protect the health, welfare, and safety of the citizens and residents of the City of Tuckerman, Arkansas, and also due to the necessity for preserving and maintaining the operation of the city's water and sewer infrastructure, an emergency is hereby declared. This ordinance shall be in full force and effect from and after the date of passage.

ADOPTED this 15<sup>th</sup> day of October, 2024.

Zack Graham  
Mayor of Tuckerman



Vickie Adams  
City Clerk



[Seal of the City of Tuckerman]

