

TITLE 9

STREETS AND SIDEWALKS

Chapters:

- 9.04 Master Street Plan
- 9.08 Street Improvement
- 9.12 Excavation of Streets and Sidewalks
- 9.16 Driveways
- 9.20 Numbering
- 9.24 Removal of Structure
- 9.28 Railroad Crossing
- 9.32 Sidewalks
- 9.36 Street Lights

CHAPTER 9.04

MASTER STREET PLAN

Section:

- 9.04.01 Adoption by reference

9.04.01 Adoption by reference The city hereby approves and adopts by reference the Master Plans for Land Use and Streets for Helena and West Helena, as they were in full force and effect as of December 31, 2005. No less than three (3) copies of said plans are to be transferred to the office of the City Clerk, in which office not less than three (3) copies of the Master Plans shall be maintained. From the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of said city.

REFERENCE: West Helena Ord. No. 735.

CHAPTER 9.08

STREET IMPROVEMENT

Sections:

- 9.08.01 Expense
- 9.08.02 Specifications

9.08.01 Expense Any subdivider shall at his own expense pave all streets, install sidewalks, sanitary sewers, street signs, and storm drainage improvements, and any other improvements as required by these regulations. The city may either (a) require installation of water lines, and/or (b) install water lines at the developer's expense.

REFERENCE: West Helena Ord. No. 913.

9.08.02 Specification As a result of street improvements in residential sections all roadways shall be paved and curbs and gutters installed according to the following specifications:

- A. Street grades
 - 1. Where a subdivision abuts an existing or proposed street that is designated as a major street in the Helena-West Helena Street Plan and a paving width or standard cross-section has been established for such street the subdivider shall:
 - a. install paving, including curb and gutter in accordance with such established width or cross-section except as provided in subparagraph 2 below, or;
 - b. contribute the equivalent in case to a fund established by the city or county depending upon the location of the subdivision; said fund shall be used only for installation of street improvements on said major street abutting the subdivision.
 - 2. Where a frontage road is required on a major street abutting a subdivision, the subdivider shall be required to install paving, including curbs and gutters, on the frontage road, in accordance with the established width or cross-section for such frontage road.
 - 3. Where a street is not shown as a thoroughfare on the Helena-West Helena Major Street Plan, but is designated as a collector street by the Planning Commission, the minimum width of paving shall be thirty-six (36) feet, face-to-face of curb.

4. On local streets in single-family residential areas, the minimum width of paving shall be twenty-seven (27) feet, face-to-face of curb.
5. On all other streets, including local streets in multi-family residential areas, commercial areas, and industrial areas, the required width of paving shall be established by the Planning Commission.

B. Curb radii

1. Street intersections involving major streets and highways shall have a minimum street corner radius of twenty (20) feet at the curb line, or edge of pavement, if there is not curb.
2. Radius of the outer curb in a cul-de-sac turn-around shall not be less than forty-five (45) feet at the curb line. Radius of the inner curb shall be such that the width of pavement from back of curb to back of curb shall not be less than twenty-seven (27) feet.
3. Radii or curbs at street corner, other than major streets and highways shall not be less than twenty (20) feet.
4. All street corner radii shall be shown on street improvement plans.

C. Curb height

All curbs shall be a minimum height of at least four (4) inches measured from the gutter to the top of the curb.

D. Pavement types shall be either:

1. Portland cement concrete pavement five (5) inches thick laid on two (2) inches and a cushion with a subgrade compacted to 95% Standard Proctor. Concrete to be 3500 psi. 5.5 sack mix or;
2. Asphaltic concrete (hot mix-hot laid) pavement two (2) inches thick wearing surface Type B or C on a six (6) inch stabilized aggregate base course with a six (6) inch compacted subgrade. The above asphaltic concrete street shall have a Portland Cement concrete curb and eighteen (18) inch high concrete gutter.
3. Where a street in a proposed subdivision is part of the Helena-West Helena Major Street Plan Thoroughfare Plan, the street shall be constructed as determined by the City Planning Commission with the advice of the City Engineer.

4. Where a proposed street shall be used for commercial or industrial traffic the street shall be constructed as determined by the City Planning Commission with the advice of the city engineer.

Detailed plans, specifications and mode of application shall be on file in the office of the City Clerk for inspection by, or use of any persons concerned with such types of pavement.

REFERENCE: West Helena Ord. No. 913.

CHAPTER 9.12

EXCAVATION OF STREETS AND SIDEWALKS

Sections:

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|---------|------------------------------|
| 9.12.01 | Permits and fees |
| 9.12.02 | Refilling and reconstruction |
| 9.12.03 | Penalty |

9.12.01 Permits and fees It shall be unlawful for any person or persons to make a cut in any street or alley within the corporate limits of said City without first obtaining a permit for such cutting from the City Engineer, which such permit shall bear upon its face the approval of the City Engineer of the City Said permit shall at all times while the work is being performed, be prominently displayed at the site of the work being performed. Prior to obtaining said permit, in proper for and acceptable by the City, a cash bond in the amount of One Thousand Dollars (\$1,000.00) shall be deposited with the City Engineer. The cost of each such permit shall be in the amount of One Hundred Dollars (\$100.00). When the refilling and reconstruction is satisfactorily completed by a paving contractor and in accordance with the requirements contained herein, Nine Hundred Dollars (\$900.00) of said cash bond is to be refunded to the contractor.

In the event the City has to complete the refilling and reconstruction, the actual cost thereof shall be deducted from the cash bond with any excess, after deducting the actual cost, being refunded to the contractor. In the event an emergency exists on a holiday or at night, necessitating a cut in any street or alley, permission may be granted by the Mayor, City Engineer, Director of Streets or Director of Public Works, to make such cut, provided said required permit be obtained on the next business or working day thereafter. All bonds shall be in the favor of the City and shall be kept in the office of the City Engineer.

REFERENCE: A.C.A. 14-301-101; West Helena Ord. No. 3509.

9.12.02 Refilling and reconstruction That any person or persons making such cut upon any street or alley in the City shall be required to fill or reconstruct any cuts or ditches resulting therefrom in a workman-like manner and in accordance with the standards hereby adopted by the city, a copy of which is attached hereto and made a part hereof and which is on file with the City Engineer. On the issuance of a permit, the Fire Department in and for the city, shall be notified by the office of the City Engineer as to all cross-street cuts. Upon completion of all excavations referred to herein, physical inspection shall be made by the Street Director.

At that point, the contractor will be released by the city. All excavation referred to herein shall be refilled and reconstructed within a period of seventy-two (72) hours, weather permitting. If, for any cause, said refilling and reconstruction is not completed according to specifications and standards within the seventy-two (72) hour period, the Director of Streets in and for the city shall be immediately contacted with proper explanation. Within the discretion of the Street Director, a maximum of five (5) days extension may be granted for the completion of said refilling and reconstruction.

REFERENCE: A.C.A. 14-301-101; West Helena Ord. No. 3509.

9.12.03 Penalty Any person violating the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction shall be fined the sum of not less than Twenty-Five Dollars (\$25.00) nor more than Two Hundred Dollars (\$200.00) per day.

REFERENCE: A.C.A. 14-301-101; West Helena Ord. No. 3509.

CHAPTER 9.16

DRIVEWAYS

Sections:

- 9.16.01 Continue flow of water
- 9.16.02 Penalty

9.16.01 Continue flow of water Every person, firm or corporation constructing a driveway over any public ditch within the city shall provide some adequate means for the continued flow of water through said ditch; such opening shall be made by tile or other materials to be approved by the street superintendent of the city.

REFERENCE: A.C.A. 14-31-101; West Helena Ord. No. 838.

9.16.02 Penalty Any person failing to comply with the provisions of this chapter shall be deemed guilty of a misdemeanor and shall be punished upon conviction in any sum of not less than One Dollar (\$1.00) nor more than Fifteen Dollars (\$15.00), and each day that said condition shall exist shall be considered a separate offense.

REFERENCE: A.C.A. 14-31-101; West Helena Ord. No. 838.

CHAPTER 9.20

NUMBERING

Sections:

- 9.20.01 Numbering
- 9.20.02 Chart showing streets
- 9.20.03 Division of lots
- 9.20.04 Responsibility, penalty

9.20.01 Numbering All lots, buildings and structures in the city shall be numbered in accordance with the following plan:

- A. North and South numbers shall commence at Plaza Street
- B. East and west numbers shall commence at First Street
- C. Odd numbers shall be on the west and south side of the streets
- D. Even numbers shall be on the north and east side of the streets

REFERENCE: A.C.A. 14-301-101; West Helena Ord. No. 1125.

9.20.02 Chart showing streets The City Clerk shall keep a chart showing the proper street number of every lot in the city which shall be open to inspection by anyone interested.

REFERENCE: A.C.A. 14-301-101; West Helena Ord. No. 1125.

9.20.03 Division of lots All of the present lots in the city whose widths are between 48.17 feet and 66 feet, shall for the purpose of this numbering be considered as being divided into four (4) equal parts, and each fourth to be numbered as above set forth, and the lots whose side is on a street, it shall be considered as divided into eight (8) parts on that side and numbered accordingly. All other lots which are wider than 66 feet or narrower than 48.17 feet shall be

considered as so divided, for the purpose of this numbering of the houses into equal parts which are nearest to 13 feet.

REFERENCE: A.C.A. 14-301-101; West Helena Ord. No. 1125.

9.20.04 Responsibility, penalty It shall be the duty of the owners and occupants of every house in the city to have placed thereon, in a place visible from the street, figures at least two and one-half (2 ½) inches high, showing the number of the house. Any person, firm or corporation failing to so number any house, building or other structure occupied by him, or if after receiving notice to do so from the City Clerk shall continue in his failure to so number each house, building or structure shall be fined One Dollar (\$1.00) for each day during or on which a failure to so number continues.

REFERENCE: A.C.A. 14-301-101; West Helena Ord. No. 1125.

CHAPTER 9.24

REMOVAL OF STRUCTURE

Sections:

- 9.24.01 Removal of structure, notice required
- 9.24.02 Penalty

9.24.01 Removal of structure, notice required Every person, firm or corporation who owns a house or other structure located in any of the streets, avenues or alleys of the city be and they are hereby required to remove same, provided that a notice shall be served by the Chief of Police on such person, firm or corporation, said notice to be in writing, to be served fifteen (15) days before the removal is required and said notice to be substantially in the following form:

"You are hereby notified to remove the house (or other structure) which is located in Street (Avenue or alley) within fifteen (15) days after date, or you will be punished according to law."

REFERENCE: West Helena Ord. No. 101.

9.24.02 Penalty Any person, firm or corporation who fails or refuses to remove such house or other structure within fifteen (15) days after the expiration of the time fixed in the notice shall be deemed guilty of a misdemeanor and shall be fined not less than Five Dollars (\$5.00) nor more than Ten Dollars (\$10.00) for each day such owner permits the house or other structure to remain in the street, avenue or alley.

REFERENCE: West Helena Ord. No. 101.

CHAPTER 9.28

RAILROAD CROSSING

Sections:

- 9.28.01 Maintenance of crossings
- 9.28.02 Signal
- 9.28.03 Time of train on crossing
- 9.28.04 Penalty

9.28.01 Maintenance of crossings All railroad companies having and maintaining tracks through, on or upon any of the streets or alleys of the city shall at all times provide safe and convenient approaches (of the full width of the streets or alleys) to all streets or alleys crossed or occupied by any of the tracks of such companies, and at the crossing of any such street or alley the said tracks shall be planked to the space between the rails, thereof and to the ends of the cross ties the width of such street or alley, to the level of the top of rails.

REFERENCE: West Helena Ord. No. 17.

9.28.02 Signal It shall be the duty of all such railroad companies to provide a signal at any crossing on the line of its track where the public safety, in the judgment of the Mayor, may require it. And when the Mayor deems any such precaution necessary at any crossing he shall notify, in writing, the general manager of the company of the exact crossing to be guarded during the time of the passage of the trains.

REFERENCE: A.C.A. 23-12-1001, et seq.; West Helena Ord. No. 17.

9.28.03 Time of train on crossing It shall be unlawful for any such railroad company to allow any of its trains, cars or engines to remain at the crossing of any street or alley so as to obstruct free and safe passage across the same for longer than ten (10) minutes at any one time.

REFERENCE: A.C.A. 23-12-1001, et seq.; West Helena Ord. No. 17.

9.28.04 Penalty Any company or person who violates 9.28.01, 9.28.02 or 9.28.03 may be punished in any manner allowed by law.

REFERENCE: A.C.A. 23-12-1001, et seq.; West Helena Ord. No. 17.

CHAPTER 9.32

SIDEWALKS

Sections:

- 9.32.01 Restrictions on use of
- 9.32.02 Penalty

9.32.01 Restrictions on use of. It shall be unlawful for any person to ride any bicycle, roller skates, coasters, or such device, or drive any vehicle, wagon, buggy, cart, automobile, or any other such thing, upon, or over or across any of the sidewalks of the city except at known crossings at the intersections of streets and alleys of said city.

REFERENCE: A.C.A. 14-301-101; Ord. No. 7

9.32.02 Penalty. Any person violating any of the provisions of this chapter shall, upon conviction, be fined in any sum not exceeding Ten Dollars (\$10.00) for each such offense.

REFERENCE: A.C.A. 14-301-101; Ord. No. 7

CHAPTER 9.36

STREET LIGHTS

Sections:

- 9.36.01 Street lighting agreement
- 9.36.02 Further improvements
- 9.36.03 Non-company owned street lights
- 9.36.04 Entire agreement
- 9.36.05 Term of agreement, termination

9.36.01 Street lighting agreement. Arkansas Power and Light Company (hereinafter referred to as Company, or its heirs, successors, assigns, agents or representatives) making facilities available for street lighting purposes and/or the improvement of certain existing street lighting facilities and the benefits accruing to the parties hereto, the City agrees to purchase all street lighting service required by it from the Company in areas where Company may legally serve, and the Company agrees to supply and sell to the City, and City agrees to pay for, all such service under Company's applicable rate schedules and service regulations as now on file with the Arkansas Public Service Commission or as approved in said schedules and regulations as

they may be lawfully amended, altered or superseded in the future, with the approval of the Arkansas Public Service Commission or any other regulatory agency having jurisdiction.

REFERENCE: West Helena Ord. No. 850.

9.36.02 Further improvements. In order to provide for further improvement to the street lighting in the future serving the City, Company agrees to made additions or changes in its street lighting facilities when requested in writing by the Mayor, upon authorization of the City Council, provided, in Company's judgment, such changes do not constitute a major revision of the street lighting facilities. Such additional street lights or changes in existing street lights will be made at Company's expense and electric service for such lights will be supplied by the Company and will be paid for by the City in accordance with the provisions of the applicable rate schedule, and under the terms and conditions of this agreement.

REFERENCE: West Helena Ord. No. 850.

9.36.03 Non-company owned street lights. In addition to supplying street lighting service from company owned street lighting facilities, Company agrees to supply and sell to the City street lighting service from non-company owned street lighting facilities and the City agrees to purchase and pay for such service in accordance with the provisions of the applicable rate schedule, and the terms and conditions of this agreement.

REFERENCE: West Helena Ord. No. 850.

9.36.04 Entire agreement. This constitutes the entire agreement between the parties hereto with reference to the subject matter hereof and supersedes all previous understandings and agreements, written or oral, pertaining to the same subject matter.

REFERENCE: West Helena Ord. No. 850.

9.36.05 Term of agreement, termination. The term of the agreement shall be from August 16, 1966 to August 15, 1967, and shall be automatically extended for successive periods of five (5) years each until terminated by written notice given by one party to the other not more than six (6) months, nor less than three (3) months prior to the expiration of the original term or any extension thereof.

REFERENCE: West Helena Ord. No. 850.