

**TITLE 9**

**STREETS AND SIDEWALKS**

Chapters:

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- 9.08 Excavations and Alterations
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**CHAPTER 9.04**

**STREETS, ALLEYS, GUTTERS OR DITCHES**

Sections:

- 9.04.01 Streets and alleys
- 9.04.02 Gutters or ditches

9.04.01 Streets and alleys. It shall be the duty of every owner or occupant of any lot or premises in the city of Mountain Home, Arkansas, along which any street or alleys runs, to keep said street or alley from the middle line thereof to the side next to him or her, free from all manner and kind of filth, garbage, trash, debris or decaying animal and vegetable substance of every kind.

9.04.02 Gutters or ditches. No person shall allow any dirt, filth or obstruction of any kind to accumulate in the gutter or ditch in front of an owner's or occupant's premises, and all owners or occupants of property are required to keep the gutter or ditch in front of their premises clean, open and free from trash and weeds, and all obstructions to the easy and rapid flow of water.

## CHAPTER 9.08

### EXCAVATIONS AND ALTERATIONS

Sections:

9.08.01	Definitions
9.08.02	Street cuts and boring prohibited
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9.08.01 Definitions.

- A. Person: Any individual, firm or corporation, including public utility companies and departments of the city of Mountain Home, Arkansas, and the State of Arkansas.
- B. Cut: Any breaking of the street or ground surface and the removal of material from said break.
- C. Boring: The act of excavating material from beneath the surface without breaking the surface of the ground or street immediately above the excavation. (Ord. No. 88-022, Sec. 1)

9.08.02 Street cuts and boring prohibited. No person shall cut or bore within the right-of-way of any street or alley within the corporate limits of the city of Mountain Home, Arkansas, for any purpose whatsoever without first obtaining a permit therefor from the City Building Inspector. Persons obtaining said permit shall contact the Mountain Home Street Superintendent before any work is begun. The Street Superintendent will make the decision at that time if said person must bore or may be permitted to cut the street or alley and will specify the limits of said cut or bore. At the finish of said job, the City Street Superintendent must make a final inspection of all work. (Ord. No. 88-022, Sec.2)

9.08.03 Bond required. Any person desiring a permit as hereinbefore set out shall first execute and deliver to the City Clerk of the city of Mountain Home, Arkansas, a corporate surety bond in the sum of Five Hundred Dollars (\$500.00) to indemnify the City or any citizen for any damage caused by the failure of such person to comply strictly with the provisions of this chapter. Said bond shall be in full force and effect for the full time that work is in progress. Persons duly licensed and bonded to the City shall be deemed to be bonded for the work planned. In addition, all utilities operating within the city of Mountain Home, Arkansas, are exempt from the bond requirements set out herein. (Ord. No. 88-022, Sec. 3)

9.08.04 Fee. The fee for the permit for each cut or bore made by a person other than a department of the city of Mountain Home, Arkansas, shall be Twenty-Five Dollars (\$25.00) payable at the time of acquiring said permit and shall be in addition to any connection fees or any other fees applicable to the project for which the cut or bore is required, and shall be allocated to the City Street Department provided that public utility companies shall be exempt from the payment of said fee, but shall adhere to all other provisions of this chapter. (Ord. No. 90-031, Sec. 1)

9.08.05 Safety. All work performed pursuant to said permit shall meet all safety standards and the person undertaking such work shall protect the safety of the traveling public by erection of barricades, signs and lights. (Ord. No. 88-022, Sec. 5)

9.08.06 Removal of material. All excavated material shall be removed from the job site prior to commencing backfilling operations. No backfill shall be placed in any cut prior to inspection by the City Street Superintendent. (Ord. No. 88-022, Sec. 6)

9.08.07 Inspection. The City Street Superintendent shall, upon notice, inspect such boring or cuts to determine whether the provisions of this chapter are being observed. One inspection shall be provided for excavation, one for backfill and one for the final paving inspection. Any additional inspections required due to improper construction, cancellation, changes in scheduling or any other conditions requiring additional inspections shall be at the rate of Twenty-Five Dollars (\$25.00) per trip. (Ord. No. 88-022, Sec. 7)

9.08.08 Backfill and pavement restoration.

- A. Upon approval of the excavation by the City Street Superintendent, the excavation shall be backfilled with wet sand, crushed stone dust, crushed stone size #12, crushed limestone base SB-2 or equal, to an elevation twelve (12) inches below the pavement or ground surface. The remainder of the excavation shall be backfilled with crushed stone base SB-2 complying with Section 306.02 of the Arkansas State Highway Commission Standard Specifications except that the top twelve (12) inches may be an approved earth material when the excavation is not under the pavement proper. The backfill shall be compacted to ninety percent (90%) of maximum density as determined by the Standard Proctor Test. In no case shall pea gravel, a bank run or the like be used to backfill any excavation within the right-of-way of any street.

- B. After completion of backfill as set out above, the existing pavement shall be saw cut to a straight, square edge at a point providing a minimum of eighteen (18) inches from the edge of the backfill. This area shall be excavated to a depth of four (4) inches below the surface of the existing pavement. The cut shall be filled with hot asphalt cement surface material complying with Section 408 of the Arkansas Highway and Transportation Department (AHTD) Standard Specification and shall provide a smooth riding surface. If Hot Asphalt Cement (HAC) is not available, cold mix asphalt shall be used as a temporary pavement until such time as Hot Asphalt Cement (HAC) becomes available. (Ord. No. 88-022, Sec. 8)

9.08.09 Boring.

- A. Boring will be commenced a minimum of two (2) feet from the edge of existing pavement or proposed pavement and the bore will be at a minimum depth of two (2) feet.
- B. All voids between the conduit or liner and the bore wall shall be pressure grouted with concrete having a twenty-eight (28) day compressive strength of two thousand pounds per square inch (2,000 PSI). (Ord. No. 88-022, Sec. 9)

9.08.10 Emergency cuts. In the event of an emergency including, but not limited to, a leak in a line, the person shall contact the Building Inspector and pay the permit fee, said person shall then contact the City Street Superintendent and follow the provisions of this chapter as set out hereinabove as soon as practical after such boring or cutting. In no event shall any backfill be put into a cut until all excavated material has been taken from the site. (Ord. No. 88-022, Sec. 10)

9.08.11 Municipality cuts. If said cut is made by the City's Water and Sewer Department for a new tie-on, a Seventy-Five Dollar (\$75.00) fee shall be collected from the property owner by said Department in addition to any other tie-on fees and said fee shall be paid to the City Building Inspector. Fifty Dollars (\$50.00) of said fee shall be allocated to the City Street Department. (Ord. No. 88-022, Sec. 11)

9.08.12 Notification. The contractor will notify the Mountain Home Police and Fire Departments of the date and time that any street cuts will be commenced. (Ord. No. 88-022, Sec. 12)

9.08.13 Penalty. Any person convicted of failure to obtain a permit or pay the fees provided for in Sections 9.08.02, Section 9.08.03 and Section 9.08.12 hereof, or to comply with any sections hereof, shall be fined not more than Two Hundred Fifty Dollars (\$250.00) and each day such failure occurs, or which a violation continues, shall constitute a separate offense. In

addition to said fine, and at the option of the city of Mountain Home, Arkansas, the City may remedy the work done by said person which is in violation of this chapter and charge the costs of remedying said work to said person. (Ord. No. 90-031, Sec. 2)

## **CHAPTER 9.12**

### **STREET ACCESS**

**Sections:**

9.12.01	Title
9.12.02	Definitions
9.12.03	Procedure for obtaining permit
9.12.04	Construction and location of access
9.12.05	City prerogatives and procedure for appeal therefrom
9.12.06	Penalty

9.12.01 Title. This chapter shall be known as the "Street Access Chapter". (Ord. No. 88-018, Sec. 1)

9.12.02 Definitions.

- A. The term "City" as used herein, refers to the Street Superintendent.
- B. For the purposes of this chapter, "driveway approach" shall be defined as follows:
  - 1. Residential (Class I) - A residential driveway approach is one providing access to a single family residence, a duplex or an apartment building with four (4) or fewer units. Driveways within this classification are generally limited to a maximum of twenty (20) feet in width. However, the maximum width of such a driveway may be increased upon approval of the City but, in no event, shall the maximum width exceed forty (40) feet.
  - 2. Small Commercial and Industrial (Class II) - A small commercial and industrial driveway approach is one providing access to property not used for one of the residential uses as defined above and which has less than two hundred (200) vehicular movements per day.
  - 3. Large Commercial and Industrial (Class III) - A large commercial and industrial driveway approach is one providing access to property not used for one of the residential uses as defined above and which has more than two hundred (200) vehicular movements per day. (Ord. No. 90-014, Sec. 2)

### 9.12.03 Procedure for obtaining permit.

- A. It shall be unlawful for any person, firm or corporation to construct, reconstruct, alter, remove and/or replace any curb, curb and gutter, drainage structure or driveway approach on public property within the city of Mountain Home, Arkansas, without first having obtained a permit from the Building Inspection Department. All such construction, alteration, removal or replacement shall be under the supervision of the City and in accordance with the specifications hereinafter provided; except:
  - 1. Any addition or resurfacing of a residential driveway approach existing at the time of adoption of this chapter shall only be required to conform to the standards of the existing driveway.
- B. Before a permit required by subsection A shall be issued, the property owner or his duly authorized agent shall submit an application therefore in writing with a plan made a part of such application showing the location, design and layout of the proposed improvement and its relationship to the property lines. For residential and commercial driveway approaches, the application may be part of the plot plan required for a building permit.
- C. When such written application and plan conforming to such subsection B and the other provisions of this chapter have been duly submitted and the fee hereinafter required is paid, the Building Inspection Department shall issue a permit for such improvement.
- D. A fee of Ten Dollars (\$10.00) shall be charged by the Building Inspection Department at the time of application for a permit and such sum shall be paid into the General Fund of the city of Mountain Home, Arkansas. Provided, however, where a general contractor constructs his own driveway approaches as part of new building construction, there will be no additional fee for the driveway approach permit. (Ord. No. 88-018, Sec. 3)

### 9.12.04 Construction and location of access.

- A. The design, layout and plans for the construction, reconstruction, alteration and/or replacement of all curbs, gutters, drainage structures and driveway approaches of all classes shall conform to and be constructed according to the design and layout as prescribed in Exhibit "A" attached hereto and made a part hereof as if set out in full, hereat, verbatim, and shall be approved by the city.
- B. On those streets which have side ditches without curb and gutter, the driveway approaches shall be constructed as prescribed in Exhibit "A" and in a manner that does not alter or impede the drainage in the side ditch. When a drainage structure

is required, the opening size shall be determined by the Street Superintendent. All culverts shall be approved and installed according to the requirements of the city. Driveways constructed with swale type ditches for drainage will not be permitted without special review and approval from the Street Superintendent.

- C. Along streets having curb and gutter, all residential driveway approaches shall be constructed to a thickness of not less than four (4) inches of concrete and commercial driveway approaches shall have a minimum of six (6) inches concrete with six inch by six inch (6" x 6") six (6) gauge welded wire fabric. Concrete shall conform to the specifications of the Arkansas Highway and Transportation Department. Other materials for driveway approach construction may be used to conform with driveway and street standards as to base and surface specified in the City Subdivision Regulations. (Title 15)
- D. Along streets which have side ditches without curb and gutter, driveway approaches shall have, as a minimum, a thickness and surface course compatible with the existing street quality and type at the time of driveway construction; concrete driveway approaches shall be constructed in accordance with Section 9.12.04(C). Those items pertaining to drainage shall be in accordance with Section 9.12.04(B).
- E.
  - 1. Location of driveway approaches shall be approved to provide maximum safety for street traffic and users of the driveway approach. Property frontages of seventy-five (75) feet or less shall be limited to one (1) driveway approach. A second driveway approach may be allowed on property frontages in excess of seventy-five (75) feet. On properties with frontages in excess of six hundred sixty (660) feet, more than two (2) driveway approaches may be permitted upon written application to the city establishing that the additional driveway approaches will not adversely affect traffic flow on the streets. No more than two (2) additional driveway approaches shall be allowed for each six hundred sixty (660) feet of additional frontage. Each side of a property adjacent to a street shall be considered a separate frontage. Each separate frontage will be used in determining the number of driveway approaches.
  - 2. Where a residential property fronts on both a residential street and a collector or arterial street, access shall be granted from the residential street. Driveway approaches on arterial or collector streets shall be avoided whenever possible.
  - 3. On high volume driveway approaches, such as from shopping centers, special requirements ranging from turning lanes to control of access to the driveway within the property to signalization may be required where deemed necessary by the city. (Ord. No. 88-018, Sec. 4)

9.12.05 City prerogatives and procedure for appeal therefrom.

- A. The city may order removal and/or replacement of any work and/or materials found to be in noncompliance with the permit or provisions of this chapter and may order completion of permitted work within a specified time.
- B. The city may suspend work on any job whenever such suspension shall be deemed necessary to insure good work or when the public interest otherwise requires such suspension.
- C. The city is authorized to give all notices and instructions with reference to the work either to the permittee, any agent of the permittee or to any person in charge of the permitted job.
- D. After all work is completed, the permittee shall remove all rubbish, waste and excess materials from the construction area.
- E. Upon completion and clean up of the permitted job, the permittee shall notify the designated agent of the city of completion and readiness for final inspection. The agent must sign the inspection card as job complete.
- F. Any applicant for permit may appeal any decision to the City Council by filing a written Notice of Appeal within ten (10) calendar days following the decision of the Street Superintendent with the City Clerk, to be placed on the Agenda of the next regularly scheduled Council meeting. Written notice of said decision shall be given to the applicant within ten (10) calendar days. (Ord. No. 88-018, Sec. 5)

9.12.06 Penalty.

- A. No certificate of occupancy shall be issued or granted or permitted unless and until such person obtains the permit required hereunder.
- B. Misdemeanor. Upon conviction hereunder, such person shall pay a fine of not less than Five Hundred Dollars (\$500.00) and each day such violation of this chapter shall exist, shall constitute a separate offense. (Ord. No. 88-018, Sec. 6)

## CHAPTER 9.16

### DRAINAGE

#### Sections:

9.16.01	Obligations of citizens
9.16.02	Penalty
9.16.03	Non-exclusivity
9.16.04	Erosion control

#### 9.16.01 Obligations of citizens.

- A. Each and every resident of the city of Mountain Home, Arkansas, is prohibited from depositing or placing leaves, grass, debris or any other article on the city's streets or on drainage right-of-ways. Residents are prohibited from burning leaves, grass, debris or any other article on the city's streets or in ditches which are a part of the city's drainage system. (Ord. No. 844, Sec. 1(1), as amended by Ord. No. 93-021, Sec. 1(1))
- B. Each resident of the city shall maintain the right-of-way which is adjacent to his/her place of residence by removing all leaves, grass, debris or any other article which obstructs proper drainage or in any way impairs the right-of-way. (Ord. No. 844, Sec. 1(2), as amended by Ord. No. 93-021, Sec. 1 (2))
- C. Where the property is not occupied, the owner of that property shall maintain the drainage right-of-way which is adjacent to his/her property by removing all leaves, grass, debris and/or any other article which obstructs proper drainage. (Ord. No. 844, Sec. 1(3), as amended by Ord. No. 93-21, Sec. 1(3))
- D. Each landowner of the city of Mountain Home, Arkansas, shall be responsible for mowing up to the curb on his/her property or, in cases where there are no curbs, the landowner shall be responsible for mowing up to the edge of the street. (Ord. No. 93-021, Sec. 1 (4))

9.16.02 Penalty. Any person who violates any provision of this chapter shall, upon conviction thereof, be guilty of a violation. The penalty for a conviction will be restitution to the city of Mountain Home, Arkansas, for its cost to clear the obstruction and/or a fine of a maximum of Fifty Dollars (\$50.00). (Ord. No. 844, Sec. 3, as amended by Ord. No. 93-021, Sec. 2)

9.16.03 Non-exclusivity. Exclusiveness of Chapter, Other Remedies Available. This chapter shall not be deemed exclusive to other remedies available to the city by ordinance or statute or otherwise. (Ord. No. 844, Sec. 4, as amended by Ord. No. 93-021, Sec. 3)

9.16.04 Erosion control.

- A. Temporary erosion control devices shall be provided during construction projects within the city of Mountain Home, Arkansas, to inhibit erosion on the construction site and subsequent siltation in lands and streets off the construction site. As used herein, the term "construction project" shall mean any type of construction for which a building permit is required by the city of Mountain Home, Arkansas. Such devices shall be as detailed on Arkansas Highway and Transportation Department (AHTD) standard drawing TEC-1 or as approved by the Mayor of the city of Mountain Home, Arkansas. (Ord. No. 93-022, Sec. 1)
- B. It shall be the responsibility of the person holding the building permit on each particular construction project to insure that all streets surrounding the construction site are kept free from mud tracking and other siltation. (Ord. No. 93-022, Sec. 2)
- C. Any person, firm, corporation or agent who violates any provision of this chapter shall be fined not less than Fifty Dollars (\$50.00) nor more than Seventy-Five Dollars (\$75.00) and each day such violation shall exist shall be deemed a separate offense. (Ord. No. 93-022, Sec. 3)

**CHAPTER 9.20**

**STREET CONSTRUCTION AND REPAIR**

Sections:

- 9.20.01 Prior approval
- 9.20.02 City Council consent
- 9.20.03 Project work defined
- 9.20.04 Comprehensive street program
- 9.20.05 Project changes

9.20.01 Prior approval. No project of street improvement, construction or reconstruction of any street within the city of Mountain Home, Arkansas, to be undertaken by the city of Mountain Home, Arkansas, not actually in progress upon the effective date of this chapter to be done by utilizing curbs and gutters and/or sidewalks shall be commenced without the prior approval of the City Council of the city of Mountain Home, Arkansas. (Ord. No. 91-012, Sec. 1)

9.20.02 City Council consent. No project of street improvement, construction or reconstruction of any street within the city of Mountain Home, Arkansas, which is reasonably expected to cost more than Twenty Thousand Dollars (\$20,000.00) shall be commenced without prior approval of the City Council of the city of Mountain Home, Arkansas. (Ord. No. 91-012, Sec. 2)

9.20.03 Project work defined. "Project", for the purposes of this chapter, means the resurfacing, repair, construction or reconstruction of a street or some number of contiguous blocks thereof (or contiguous blocks of several streets) which conveniently and normally would be undertaken at the same time or within the same street construction and repair season. (Ord. No. 91-012, Sec. 3)

9.20.04 Comprehensive street program. For all street projects hereafter, said projects shall be listed as part of a comprehensive program accepted by the majority of the Mountain Home City Council.

- A. Comprehensive program shall list locations, footage and estimated cost. Priority for projects shall be set by the Mayor and Street Superintendent unless otherwise specified by Council on the basis of need and use.
- B. A progress report shall be given to the City Council on a monthly basis at its second regularly scheduled meeting of the month. (Ord. No. 91-012, Sec. 4)

9.20.05 Project changes. It is recognized that, particularly where repair or reconstruction of streets are involved, unforeseen circumstances may force a change in the planned work. It is further recognized that inordinate delays would result if minor changes in plans for street projects were required to be brought before the entire City Council. Therefore, any minor changes shall be made by the Mayor and Street Superintendent as needed. Project changes substantial in nature shall be approved by the City Council. (Ord. No. 91-012, Sec. 5)

## **CHAPTER 9.24**

### **IDENTIFYING STREETS AND BUILDINGS**

Sections:

- 9.24.01 Uniform system and Street Numbering Committee
- 9.24.02 Base line
- 9.24.03 Block numbers
- 9.24.04 Even and odd numbers
- 9.24.05 Non-through streets
- 9.24.06 911 survey

9.24.07	Numbers with suffixes
9.24.08	Plat book
9.24.09	Notification
9.24.10	Assignment of numbers
9.24.11	Non-standard streets
9.24.12	Procedure for implementing system
9.24.13	Plats
9.24.14	Changes
9.24.15	Street signs
9.24.16	Adoption of State Road Map
9.24.17	Enforcement Officer appointment

9.24.01 Uniform system and Street Numbering Committee.

- A. Uniform Numbering System Established. There is hereby established a uniform system for numbering the property frontage on all streets, avenues and public and private ways in the city of Mountain Home. All houses, buildings and lots shall be numbered in accordance with the provisions of this chapter. (Ord. No. 94-015, Sec. 1)
  
- B. Street Numbering Committee. The Mayor is authorized to form a Committee of not more than three (3) people which Committee is to be known as the Street Numbering Committee. (Ord. No. 87-031, Sec. 1)
  
- C. Responsibilities and Authority. The Committee shall have the following responsibilities and is hereby given the authority to carry them out. It shall have the power to establish the rules and regulations under which the Committee functions.
  - 1. To assign or approve the name of presently unnamed streets, to assign or approve the name of any new street, to assign or approve the name of any new street brought into the city by annexation, and to change or approve the name of any existing street to prevent duplication or confusion caused by similarity.
  - 2. To numerically designate each block of each street.
  - 3. To assign to each building or combination of buildings if applicable, a number that is in keeping with the continuity of other numbers assigned that street.
  - 4. To approve a type or types of numeral(s), with a minimum height, that may be used for numbering.

5. Determine that numbers are visible from directly in front of the building for at least one hundred (100) feet. (Ord. No. 87-031, Sec. 2)
- D. **Building Numbers.** The owner of a new building at a location that did not have a designated number must request of the Committee, and the Committee must provide, a number by which that location can be identified. (Ord. No. 87-031, Sec. 3)
- E. **Numbering Not Affected by Transfer of Title.** Unless otherwise changed by the Committee's number previously authorized will remain in effect notwithstanding a transfer of title. (Ord. No. 87-031, Sec. 4)
- F. **City Council Has Final Authority.** The Committee may refer to the City Council any matter concerning its responsibility or action for direction or approval. The City Council has the final authority in all matters arising under this section. (Ord. No. 87-031, Sec. 5)
- G. **Penalty.** Failure of a property owner, or his estate, to comply with the instructions, orders, or rulings of this Committee will result in a fine of Five Dollars (\$5.00) per day for each day of noncompliance beginning on the 14th day following the date of notification from the Committee. (Ord. No. 87-031, Sec. 6)

9.24.02 Base line. Main Street shall constitute the base line for numbering along all streets running easterly and westerly and First Street shall constitute the base line for numbering along all streets running northerly and southerly. (Ord. No. 94-015, Sec. 2)

9.24.03 Block numbers. The numbering of buildings on each street shall be based on its block number. The block numbering for each street shall have begun at the base line. All numbers assigned to property and buildings shall be assigned on the basis of one for each twenty-five (25) feet of street frontage. Where a lot of record is in excess of twenty-five (25) feet of street frontage with single building occupancy, the building shall be the nearest number within the sequence of the twenty-five (25) foot assignment. (Ord. No. 94-015, Sec. 3)

9.24.04 Even and odd numbers. All buildings on the south and west sides of each street shall bear even numbers and all buildings on the north and east sides of each street shall bear odd numbers. When any building has more than one entrance serving separate occupants, a separate number shall be assigned to each entrance serving a separate occupant providing said building occupies a lot, parcel or tract having a frontage equal to twenty-five (25) feet for each such entrance. If the building is not located on a lot, parcel or tract which would permit the assignment of one number to each entrance, numerals shall be used as set forth in Section 9.24.07 herein. (Ord. No. 94-015, Sec. 4)

9.24.05 Non-through streets. All buildings facing streets not extending through to the base line shall be assigned the same relative block numbers derived from the block grid system as if the said street had extended to the said base line. (Ord. No. 94-015, Sec. 5)

9.24.06 911 survey.

- A. The City Council of the city of Mountain Home, Arkansas, shall cause a necessary survey to be made by the 911 Coordinator and completed within twelve (12) months from the date of the adoption of this chapter to determine the address of property, requiring the assignment of an address or requiring the change of an address or street name under the terms of this chapter. Thereafter, there shall be assigned to each house and other residential, commercial, industrial or public building located on or gaining access to any street, avenue or public way in said basing system, its respective number under the uniform system provided for in this chapter according to said survey. When the said survey shall have been completed and each house or building has been assigned its respective number or numbers, the 911 Coordinator shall notify by letter:
1. The owner, occupant or agent of affected house or building;
  2. The U.S. Postal Service, the major utilities serving the address and emergency services such as police, sheriff, fire and ambulance service.
- B. The 911 Coordinator shall make a record of the date of the letter sent and the address to which it was mailed. The owner, occupant or agent of the affected house or building shall place or cause to be placed upon each house or building the number or numbers assigned under the address system as provided in this chapter. Such numbers shall be placed on existing buildings within thirty (30) days from the date of the letter of notification. The cost of the numbers shall be paid for by the property owner. Replacement of numbers shall be procured and paid for by the owner. The numbers used shall not be less than three (3) inches in height for residential structures and shall not be less than six (6) inches in height for non-residential structures. The number shall be of a durable reflective material on a color contrasting background to promote visibility. If the proper number is not placed on an existing building within thirty (30) days from the date of the letter of notification, it shall be the duty of the Enforcement Officer to install the proper number or numbers on said premises as hereinafter set forth and to make a charge of Twenty-Five Dollars (\$25.00) plus prosecution cost for each building number. The numbers shall be conspicuously placed immediately above, on or at the side of the proper door of each building so that the number can be seen plainly from the street on which the number is based. Whenever any building is situated so that the number is not clearly discernible from the street line or vision of the building from the street is otherwise obscured, the number or numbers assigned shall be placed near the walk, driveway or

common entrance to such buildings, and affixed upon a gate post, fence, mailbox, post or other appropriate place so as to be easily discernible. Numbers painted or stenciled on the curb shall not be a lawful substitute for the display of address numbers prescribed by this chapter. (Ord. No. 94-015, Sec. 6)

9.24.07 Numbers with suffixes. Where only one number can be assigned to any house or building, the owner, occupant or agent of such house or building, who shall desire distinctive numbers for the upper and lower portion of any house or building, or for any part of any such house or building fronting on any street, such owner, occupant or agent shall be assigned the suffix (1), (2), (3), etc. as may be required. Fractional numbers shall not be used as an alternative to numerical designations. Distinctive names such as 1st Place, Plaza One or the like may be used by owners to name business locations. However, businesses so named shall also display the correct assigned address number or numbers in accordance with this chapter. (Ord. No. 94-015, Sec. 7)

9.24.08 Plat book. For the purpose of facilitating correct numbering, a plat book of all streets, avenues and public ways within the city showing the proper number of all houses or other buildings fronting upon all streets, avenues, public or private ways shall be kept on file in the office of the Building Inspector. These plats shall be open to inspection of all persons during the normal office hours of the city. Duplicate copies of such plats shall be furnished to appropriate offices or persons of the city's staff. (Ord. No. 94-015, Sec. 8)

9.24.09 Notification. It shall be the duty of the E-911 office to inform any party applying for address numbers therefore of the number or numbers belonging to or embraced within the limits of any said lot or property as provided in this chapter. In case of conflict as to the proper number to be assigned to any building, the Mayor shall determine the number of such building. (Ord. No. 94-015, Sec. 9)

9.24.10 Assignment of numbers. The owner or agent proposing to locate any house, building or structure in need of an address in the address service area of the city of Mountain Home shall apply to the E-911 Office for the assignment of the correct number or numbers. In building permit issuing areas, no building permit shall be issued for structures in need of an address and no permanent electrical service shall be installed until the owner or agent has been assigned the correct address. The applicant shall post a temporary sign displaying the assigned address number at the construction site until such time as the permanent number can be displayed. In those parts of the address service area where the property is located outside the city but still part of the Planning Commission jurisdiction, the owner or agent shall apply to the E-911 Office for an assignment of address. The address should be known by the owner or agent before permanent electrical service is extended to the building. Upon occupancy of the structure, the temporary posted address will be permanently affixed to the structure in the manner prescribed in Section 9.24.06. (Ord. No. 94-015, Sec. 10)

9.24.11 Non-standard streets. There is hereby established a uniform system of street naming in the address service area of the city of Mountain Home, Arkansas, and all streets, avenues and other public and private ways shall be named in accordance with the provisions of this chapter. A street or other public way running in the same direction and having an angular deviation of not more than ninety (90) degrees for a distance of not more than three hundred fifteen (315) feet shall carry the same name unless special circumstances make such a plan impracticable or not feasible. Street names shall not be duplicated within the address service area. That part of any street ending in a permanent dead-end or cul-de-sac shall not carry the designation of street, avenue or road, but shall carry the designation of court. The City Council of the city of Mountain Home, Arkansas, may adopt further designations or any additional rules and regulations which may be required from time to time. (Ord. No. 94-015, Sec. 11)

9.24.12 Procedure for implementing system. For the purpose of clarifying and systematizing the present street naming pattern in the address service area and to implement the application of the matters set forth in Section 9.24.11 herein, there is hereby adopted the following plan:

- A. The city of Mountain Home, Arkansas, hereby authorizes the E-911 Coordinator to prepare and present to the City Council of the city of Mountain Home a recommendation for the naming of all unnamed streets, avenues and public and private ways within the address service area of the City and to propose new names to eliminate duplications and sound-alike street names. The proposals for new names to eliminate duplications and sound-alike street names that occur in the unincorporated parts of the address service area shall be reviewed by the E-911 office.
- B. Guidelines for renaming existing streets may be used as criteria when considering the changing of a duplicate or sound-alike street name:
  - 1. Does one street have any historical reason for its name?
  - 2. Which street has the least number of structures on it and thus would require the least number of address changes?
  - 3. Which street has had its name for the longest period of time?
  - 4. Is the name and thoroughfare designation suffix appropriate according to other street names in the neighborhood?
  - 5. Which street name is used for the longest distance or the most traveled section?
- C. Priorities can be established by numerically weighing the importance of these items. Streets with the highest total number would be given priority for name retention.

- D. Developers of property are encouraged to propose street names on plats containing new streets under the guidelines of this chapter. All such names are subject to review by the Planning Commission for compliance with this chapter. (Ord. No. 94-015, Sec. 12)

9.24.13 Plats. Every subdivision plat submitted to the City Council of the city of Mountain Home, Arkansas, for their approval after the effective date of this chapter shall bear upon its face the report of the Planning Commission of the proper names of any and all streets, avenues and public ways proposed for public use including private streets within the jurisdiction of the city of Mountain Home. (Ord. No. 94-015, Sec. 13)

9.24.14 Changes. The City Council of the city of Mountain Home, Arkansas, by resolution, may change, rename or name an existing or newly established street within the limits of said basing system at any time after the adoption of this chapter, upon recommendation of the 911 Coordinator. (Ord. No. 94-015, Sec. 14)

9.24.15 Street signs. Street name signs should be erected in urban areas at all street intersections regardless of other route markings that may be present, i.e., state and county route numbers. The developers of property, when said property development is required to undergo the subdivision review process, shall erect at the developer's expense all street name signs at the intersection of any new streets and at the intersection of new streets with existing streets. The signs shall be in conformance with the specifications as administered by the city of Mountain Home Street Department. (Ord. No. 94-015, Sec. 15)

9.24.16 Adoption of State Road Map. The city of Mountain Home, Arkansas, hereby adopts the updated version of the 1983 Arkansas State Highway Department Road Map as the official 911 map for naming streets, avenues, and public ways within the city of Mountain Home. (Ord. No. 94-015, Sec. 16)

9.24.17 Enforcement Officer appointment. For the purposes of this chapter, the term "Enforcement Officer" mentioned in Section 9.24.06 shall be appointed by the Mayor of the city of Mountain Home, Arkansas. (Ord. No. 94-015, Sec. 17)

## **CHAPTER 9.28**

### **PARKING LOTS**

Sections:

9.28.01	Permit required
9.28.02	Landscaped area
9.28.03	Site Plan
9.28.04	Permit fees
9.28.05	Fine

9.28.01 Permit required From and after the passage of this ordinance any contractor, business or person who desires to construct, make addition to, or surface a parking lot shall apply to the city of Mountain Home, Arkansas, for a permit. (Ord. No. 97-030, Sec. 1.)

9.28.02 Landscaped area Every parking area of five thousand (5,000) square feet or more shall have at least a landscaped area of not less than 5% of the total parking lot square footage with 50% of the total require landscaping being arranged so that all street frontages receive an equal amount of landscaping. Landscaping may consist of approved planter boxes placed on the surface of the parking area. All landscaping areas must be maintained regularly in order to present a well-kept appearance. No landscaping either in commercial or residential zoning shall be placed in the public right-of-way without prior approval from the city. Future construction may require landscaping to be removed by the property owner. (Ord. No. 97-030, Sec. 2.)

9.28.03 Site Plan Proposed parking lots of five thousand (5,000) square feet or larger and additions to an existing parking lot that will result in a total of five thousand (5,000) square feet or larger shall be accompanied by a "Site Plan" prepared by a professional engineer showing grades, drainage control, one-foot contours, ingress, egress, curbing on sides of lots abutting streets, and landscaping areas. Drainage control shall conform to the 1997 Subdivision Regulations Section 8.5. Parking lots of less than five thousand (5,000) square feet shall be investigated prior to issuance of a permit. The lots must comply with the Ingress, Egress Ordinance, with curbing on the sides of lots abutting streets, and may be required to conform to the regulations listed above. Certification of the design engineer that all planned improvements have been constructed in accordance with the approved plans. (Ord. No. 97-030, Sec. 3.)

9.28.04 Permit fees All permits shall be one (1) cent per square foot for the first five thousand (5,000) square feet and one-eighth (1/8) of one (1) cent per each additional square foot, with a minimum of Ten Dollars (\$10.00). Provided, however, where a general contractor constructs a parking lot as part of a new building and the construction is part of the estimated cost of the project, there will be no additional permit fees for the parking lot. (Ord. No. 97-030, Sec. 4.)

9.28.05 Fine Violation of this ordinance shall be deemed a misdemeanor punishable by not less than a Fifty Dollar (\$50.00) fine nor more than a Two Hundred Fifty Dollar (\$250.00) fine. Each day shall be deemed a separate violation. (Ord. No. 97-030, Sec. 5.)

\*Pages 276-286 have been intentionally left blank\*