

ORDINANCE NO. 1612

AN ORDINANCE AMENDING ORDINANCE NO. 1538, SECTION 1, REPEALING “THIS SECTION SHALL NOT APPLY TO UTILITY COMPANIES OR THE CITY WHEN ENGAGED IN WORK INVOLVING OVERHEAD SIGNALS, COMMUNICATIONS AND/OR ELECTRIC CIRCUITS; AMENDING SECTION 2 BY DEFINING EXCAVATIONS AND CUTS TO INCLUDE DRILLING, BORING, AND AUGUERING; AND FOR OTHER PURPOSES.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SHERWOOD, ARKANSAS, THAT:

SECTION 1: Above said Ordinance is further amended by deleting the last sentence in Section 1, “This section shall not apply to utility companies or the city when engaged in work involving overhead signals, communications and/or electric circuits.”

SECTION 2: Above said Ordinance is further amended by adding to Section 1, “This section shall not apply to the City of Sherwood when engaged in work involving overhead signals or communications. Public and private utility companies that do not have agreements (Franchise, Contract, Etc.) with the City of Sherwood are not authorized to utilize City of Sherwood easements, rights-of-way or real property. Failure to have such agreements with the City of Sherwood is immediate grounds for denial of permit.

SECTION 3: Said Ordinance is further amended by adding to Section 2 after the first sentence, “The terms discussed as excavations and cuts in public streets, alleys, and other properties shall include drilling, boring, and auguring within the City of Sherwood rights-of-way.

SECTION 4: Any parts of conflicting ordinances are repealed.

SECTION 5: If any part of this ordinance is declared void, it shall not affect the remaining parts.

ADOPTED this 28th day of **April**, 2003.

Bill Harmon, Mayor

ATTEST:

Virginia Hillman, City Clerk

APPROVED AS TO FORM:

Stephen Cobb, City Attorney