

ORDINANCE NO. 2883

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA (“ALLIANCE”), AMENDING THE ALLIANCE MUNICIPAL CODE, CHAPTER 24 – RIGHTS OF WAY AND EASEMENT; REPEALING OTHER ORDINANCES, RESOLUTIONS, AND POLICIES OF THE ALLIANCE MUNICIPAL CODE IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF ALLIANCE, NEBRASKA:

SECTION 1. Alliance’s Community Development Department has reviewed Chapter 24 of the Alliance Municipal Code. The Alliance Community Development Department has recommended wholesale revisions and amendments to Chapter 24 of the Alliance Municipal Code as follows:

CHAPTER 24 – RIGHTS OF WAY AND EASEMENT

ARTICLE I. – GENERALLY

Sec. 24-1. – Administration.

The codes here within this Chapter delegate the administration and enforcement thereof to municipal authorities with a variety of titles. It is hereby declared that the administration and enforcement of said codes of the City shall be the duty and responsibility of the City Manager by and through such designees as appointed for that purpose.

Sec. 24-2. – Prohibited Activities.

- A. Defacement: It shall be unlawful for any person to willfully, maliciously, or carelessly injure, change, deface, or destroy any street, sidewalk, building, ditch, drain, curb, curb and gutter, or grade in any public right-of-way or easement.
- B. Encroachment: No person shall place, erect, construct or maintain any sign, sign post, telegraph or other posts or poles, racks, advertisements, or any other device, building, or structure, upon or across any City rights-of-way or easement, except as provided for in Code.
- C. Auctions: It shall be unlawful for any person to sell at public auction on any street, alley, highway or any public grounds, any domestic animal, any goods, wares, and merchandise.

Sec. 24-3. - Vaults, Cavities, or Tunnels in Right of Way.

Existing underground vault space, cavities, or tunnels under public rights of way as part of buildings located within the City are maintained solely at the sufferance of the City. The City

reserves the authority to require structural upgrades or removal at the owner's cost, if determined to be in the interest of public safety.
(Ord. No. 2794, § 1, 1-5-2016)

Sec. 24-4. – Definitions.

The following words, terms, and phrases, when used in this Chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alley: A minor way which is used primarily for utility services and vehicular service access to the back or side of properties otherwise abutting on or adjacent to a street; affording only a secondary means of access to abutting property.

Commercial sidewalk: A pedestrian sidewalk which extends from the street right-of-way line to the curb line.

Cul-de-sac: A street having one end open to traffic and the other being terminated by a vehicle turnaround.

Curb level: The mean level of the curb in front of the lot, or in case of a corner lot, along abutting streets where the mean curb level is the highest.

Curb strip: The area between the property line and the back of the curb and gutter.

Curb sidewalk: A pedestrian sidewalk constructed adjacent to existing curb.

Curb line: The back of, or back face of constructed curbing or combination curb and gutter, designed to delineate the edge of the traveled portion of a roadway surface and to serve as a channel for storm water. Curb lines shall be determined by street right-of-way and roadway paving width standards of the city.

Driveway: An access drive or entrance way to property from a roadway and situated within right of way.

Right-of-way: Any dedicated street or alley of the City, including that portion which lies between the roadway proper and the platted lot line of private parcels of property, regardless of the location of public sidewalks.

Roadway: That portion of the street right of way used for vehicular traffic between established curb lines, or where no curbs are installed it shall mean that portion of the street which is, or has been, normally and regularly used for vehicular traffic. Where opposing traffic is separated by a median, wall, or other divider totally within the street right-of-way, it shall mean that portion of the right-of-way between curb lines and such dividers.

Sight vision triangle: The triangle created at the intersection of the front property line and the side street property line. It is created by measuring 25 feet from the intersection along each property line and drawing the hypotenuse between these two points.

Standard sidewalk: The pedestrian sidewalk installed in the curb strip and located parallel to and eight inches inside the street right-of-way line.

Street or avenue: The entire width between property lines of every thoroughfare or right of way dedicated to the use of the public as a matter of right for purposes of primary access, travel, and transportation.

(Ord. No. 2794, § 1, 1-5-2016)

Secs. 24-5 – 24-20. – Reserved.

ARTICLE II. – SIDEWALKS

Sec. 24-21. – Required to Construct.

- A. **New Construction:** All improvements including but not limited to houses, businesses, structures, and accessory buildings, \$2,500.00 or more in value, shall construct and maintain a sidewalk within the street or streets right-of-way bordering the owner's lot or land, except as provided hereafter.
- B. **Renovation:** All lots or land currently without sidewalks where said lot or land abuts any street, avenue, or part thereof and doing renovation, rehabilitation, or additions to the building or buildings on said lot or land costing \$2,500.00 or more, as shown on the application for a building permit, verified by an estimate of costs, shall construct and maintain a sidewalk within the street right-of-way bordering the owner's lot or land, except as provided hereafter.
- C. **City Council:** The City Council may adopt a resolution requiring a sidewalk to be built on any lot, lots, or land currently without buildings, structures, or uses, where the lot, lots, or land are a connector between existing sidewalks on either side of said lot, lots, or land; or on lots that were previously developed with no sidewalk. The property owner of record shall be notified as provided for in this Chapter.

Sec. 24-22. - Exceptions:

- A. **Sidewalk Exemption Boundary:** Within the following boundaries where the streets and sidewalks were platted in a grid pattern, there shall be contiguous sidewalk on the north side of the east-west streets, except when construction, traffic pattern or public safety dictate construction on both sides of the street and/or the south side. The boundary of such exception shall begin at First Street and Cody Avenue, north to Third Street, east to Black Hills Avenue, north on Black Hills Avenue to Eighth Street, west on Eighth Street to Dakota Avenue, north on Dakota Avenue to Tenth Street, east on Tenth Street to the alley between Black Hills Avenue and Platte Avenue, north to Sixteenth Street, east on Sixteenth Street to Box Butte Avenue, south on Box Butte Avenue to Twelfth Street, east on Twelfth Street to Flack Avenue, south on Flack Avenue to First Street, west on First Street to Cody Avenue. Property owners along the south side of the east-west streets may construct a standard sidewalk if they choose to do so. If a property owner constructs a sidewalk along

the south side of an east-west street within this boundary, it must remain in place and be maintained in good repair.

- B. Cul-de-sacs previously developed without sidewalks shall not be required to install sidewalks.
- C. Undue Hardship: Building permits will not be issued without the sidewalk construction as part of the project unless in the judgment of the City Manager or designee the construction of a sidewalk would place an undue hardship on the requesting property owner. An undue hardship is an adversity not experienced by other property owners within the City. The lack of connecting sidewalks is not a hardship.

Sec. 24-23. – Types of Sidewalk.

A. Commercial Sidewalks.

- (1) Commercial walks may be installed upon any street or avenue within the C-0, C-2, C-3, M-1, M-2, or M-3 zoning districts.
- (2) Commercial Walks must be installed and maintained along the following streets or portions thereof:
 - a) West and east sides of Laramie Avenue between Second and Fourth Streets.
 - b) West and east sides of Box Butte Avenue between First and Sixth Streets.
 - c) North side of First Street between Laramie Avenue and Niobrara Avenue.
 - d) South side of Second Street from the west line of Lot 1, Block 28, Original Town, to the east line of Lot 17, Block 27, Original Town.
 - e) North side of Second Street from Laramie Avenue to the east boundary line of Lot 18, Block 22, Original Town.
 - f) South side of Third Street from Toluca Avenue to Niobrara Avenue.
 - g) North side of Third Street from Big Horn Avenue to Niobrara Avenue.
 - h) South side of Fourth Street from the west line of Lot 1, Block 17, Original Town, to Niobrara Avenue.
 - i) North side of Fourth Street from Laramie Avenue to Niobrara Avenue.
 - j) North side of Fifth Street from the west line of Lot 21, County Addition to Niobrara Avenue.
- (3) Where curbs are already installed, commercial walks shall be constructed only with the approval of the City Manager or designee.

B. Curb Sidewalks.

Curb sidewalks shall not be permitted except in the following circumstances:

- (1) If it is replacing an existing curb sidewalk.
- (2) If the property adjacent to the lot already has curb sidewalk.
- (3) In case an area has both standard and curb sidewalk, or some other unusual circumstance, the City Manager or designee shall determine the type of sidewalk to be installed.

C. Standard Sidewalks.

Standard sidewalks shall be considered the minimum required sidewalk type. Portions of this Code may allow or require other types of sidewalks.
(Ord. No. 2794, § 1, 1-5-2016)

Sec 24-24. – Construction Requirements.

A. Width:

- (1) Curb sidewalks must be at least 4 feet wide but are limited to a maximum of 5 feet wide; or it must match the adjacent conforming existing curb sidewalk or standard sidewalk width.
- (2) Standard sidewalks shall be constructed at least 4 feet wide but are limited to a maximum of 5 feet wide unless otherwise allowed; or it must match the conforming standard sidewalk width on the same block.
 - a) Standard walks of six feet in width shall be maintained on the west side of Box Butte Avenue from Sixth Street to Twelfth Street and the east side of Box Butte Avenue from Sixth Street to Tenth Street.
 - b) Schools, museums, and churches may install commercial sidewalks.

B. Thickness: Sidewalks shall be a full 4 inches thick except they shall be thickened to a full 6 inches across driveway entrances.

C. Cross Slope: Cross slope shall be no less than 1:96 but no more than 1:48 upward from the curb side to the property line side. Sidewalk cross slope shall be maintained across driveway entrances.

D. Running Slope: The running slope of a sidewalk shall be no more than 1:20.

E. Exceptions: After receiving a written statement from the adjacent property owner, the City Manager or designee shall be permitted to allow minor variance from C and D of this Section in cases where there are topographic conditions that would prohibit the installation of the sidewalk to code. The written statement shall describe the present conditions in detail and how the exception will not be of detriment to the use of the sidewalk.

Sec. 24-25. – Maintenance.

Sidewalks shall be maintained in good repair by the adjacent property owner.

A. The following requirements shall be used as thresholds for initiating sidewalk repair or replacement. Exceeding any threshold listed below shall require replacement or repair of the sidewalk.

- (1) Vertical Faults: Vertical faults between panels or cracks in the sidewalk shall not exceed ½”.

- (2) Horizontal Faults: Horizontal gaps shall be filled or the sidewalk replaced when the gap exceeds ½” for those parallel to the direction of travel and ¾” for gaps perpendicular to the direction of travel.
 - (3) Spalling: Degradation of the sidewalk surface shall not exceed ½” depth on 50% or more of a 48” X 48” section of sidewalk.
 - (4) Sidewalk Material: All sidewalks shall be either Portland cement concrete or brick; all other materials shall be replaced.
 - (5) Obstructions: Items such as curb stops, valve boxes, etc., shall not extend more than ½” above or below the finished surface of the sidewalk.
 - (6) Cross Slope: Cross slope shall not be greater than 1:24 and the sidewalk shall not slope towards the property line side.
 - (7) Running Slope: The running slope of the sidewalk outside any intersection ramps shall be no greater than 1:12.
- B. Notification of Substandard Sidewalk: The property owner of record shall be sent a notice by certified mail or personally served. The notice shall include the total amount of sidewalk that is in violation of code, the code subsection being violated, and the time frame for sidewalk repair or replacement. If staff is unable to locate the property owner using certified mail or personally serve them the notice, the property shall be posted with a copy of the notice.
- C. Replacement Time: Property owners shall have 6 months per 75 linear feet of sidewalk identified as substandard to replace said portions of sidewalk. The replacement time shall begin after the property owner receives notification from the City or after the notice is posted on the property if necessary. The City Manager or designee may grant an extension not to exceed 3 months in case of inclement weather.

Sec. 24-26. - Failure to Construct or Maintain.

In the event that the owner of any lot, lots, or land, abutting on any street, avenue, or part thereof shall fail to construct, reconstruct, or repair any sidewalk abutting the owner's lot, lots, or land, within the time and in the manner as directed and required herein after receiving due notice to do so, the City Council may pass a resolution authorizing the City Manager or designee to cause such sidewalk to be constructed, reconstructed, or repaired, and the cost be paid entirely by the property owner of record.

- A. Notice of Construction: The property owner shall be personally served or notified by certified mail of the resolution authorizing the City Manager or designee to cause such sidewalk to be constructed, reconstructed, or repaired, and that the cost of said work shall be paid entirely by the owner. If staff is unable to notify the property owner using certified mail, the subject property shall be posted with a copy of the notice for no fewer than fourteen days.
- B. Construction: Fourteen days after the property owner's receipt of the notice or fourteen days after the property is posted, the City Manager or designee shall cause such sidewalk to be constructed or reconstructed to City standards and upon completion of the sidewalk shall issue an invoice to the property owner payable in two months.

C. Nonpayment: If the cost of the work is unpaid for two months after such work is completed, the City Council may assess the cost of sidewalk construction, reconstruction, or repair against the property by way of assessing it against the property.

D. Notice of Assessment: Fourteen days before levying any assessment against the subject property, the City Council shall:

(1) Publish in a newspaper of general circulation a notice of the intent to levy an assessment on the subject property; the notice shall state at a minimum the assessment amount, the purpose, the date of the completion of the work, the legal description, and the address of the subject property.

(2) Post a copy of the same notice on the subject property.

(3) Personally serve or send a copy of the notice by means of certified mail to the last known address of the property owner of record. The last known address shall be that address listed on the current tax rolls at the time such notice was first published.

E. Fourteen days after the notice is posted, the City shall file a lien at the Box Butte County Clerk's office against the property adjacent to which the sidewalk was installed.

(Ord. No. 2794, § 1, 1-5-2016)

Sec. 24-27. – Snow Removal.

A. Removal: It shall be the duty of the owner of every lot or parcel adjacent to a permanent sidewalk to clean off and remove all snow, slush, and ice therefrom within 24 hours after such snow, slush, or ice has fallen, drifted, or accumulated thereon.

B. Snow, slush, or ice shall not be moved from lots, driveways, or adjacent sidewalks into the City streets, alleys, or neighboring lots. Such an offense shall be considered a misdemeanor and punishable by a \$100 fine.

C. Failure to Remove: If, after 24 hours, the lot or parcel owner has failed to make the removal as set out herein, the City Manager or designee shall post the property adjacent to the sidewalk and serve the owner of record with a notice requiring removal within 24 hours of posting or receipt of said notice. The City Manager or designee may cause the sidewalk to be cleared by hiring a contractor or by City employees should the owner fail to comply with the notice.

D. Recovering Costs: The City Manager shall bill the property owner for all costs incurred in clearing the sidewalk. After nonpayment at the end of the two month period, the City Manager may:

(1) Levy an assessment against such property in accordance with Section 24-26 (D); or

(2) Recover such costs in a civil action.

Sec. 24-28. – Liability and Damages.

The owner of the lot, lots, or land shall be liable for all damages or injury occasioned by reason of the defective or dangerous condition of any sidewalk abutting said property.

Secs. 24-29 – 24-40. – Reserved.

ARTICLE III. – CURB STRIPS

Sec. 24-41. – Grading.

Grades shall result in a slope of between one-eighth inch and five-eighths inch per foot upward from the curb line to the side of the sidewalk nearest the street. In case of extreme grade changes the City Manager or designee may waive this requirement on an individual basis.

Sec. 24-42. – Obstruction.

No person shall allow any grass, weeds, decorative flowers, bushes, trees, or place any items violating Chapter 20 or items taller than 30 inches in the curb strip. Any bushes, shrubs, hedges, or items that are found by the City Manager or designee to be a nuisance by way of impeding vision adjacent to any driveway, sidewalk, or intersection, shall be removed regardless of height.

Sec. 24-43. – Paving.

To aid in the installation and maintenance of City utilities in the right-of-way, paving or the installation of any solid surface or solid subsurface material in the curb strip between a standard sidewalk and the back of the curb and gutter is not permitted. This Code does not restrict the paving of commercial sidewalks where allowed.

Sec. 24-44. – Sidewalk.

Sidewalk connecting the front walk of a structure to the curb and gutter shall be allowed in the curb strip with the following limitations:

- A. One per 50' of lot frontage; there shall be a separation of at least 10 feet between sidewalks in front of the same lot.
- B. Shall be no wider than the front walk on the property or ten feet, whichever is less.
- C. It must be placed directly in front of the front walk and function as an extension of the front walk to the curb and gutter.

(Ord. No. 2794, § 1, 1-5-2016)

Secs. 24-45 – 24-60. – Reserved.

ARTICLE IV. – DRIVEWAYS, CURBS, AND GUTTERS

Sec 24-61. – Driveways.

No driveway shall be constructed in the City right of way except those that meet the following minimum requirements.

- A. Sidewalk Cross Slope: The cross slope of a sidewalk shall not change where it crosses the driveway. Slope requirements for sidewalks shall be maintained. Sidewalk crossings that do not meet code requirements for cross slope shall be made to meet such requirements when replacing the driveway or sidewalk.
 - B. Material: All driveways located in the City Right of Way shall be paved with Portland cement concrete pavement.
 - C. Thickness: Driveways shall be a full six inches thick from the curb line to the property line including the portion of sidewalk where it crosses the driveway.
 - D. Width: Minimum and maximum widths of driveways and the location and spacing of driveways shall comply with the zoning regulations in which the adjacent property lies.
- (Ord. No. 2794, § 1, 1-5-2016)

Sec. 24-62. – Curb and Gutter.

- A. Breaking Pavement: It is hereby declared to be unlawful for any person to break paving except by sawing to a depth of at least two inches; provided, however, sawing is not required if the paving is partially granite or if permission is obtained from the Public Works Director to break by means other than sawing.
- B. Curb Cuts: It is not permissible to break the back off of existing curb to create a driveway. Where curb and gutter is removed it shall be removed to the nearest joint from each side of the driveway if the remaining section of curb is less than three feet in length. The flow line of curb and gutter shall be maintained. Construction and expansion joints shall be placed as specified in the City standards.

Secs. 24-63 – 24-80. – Reserved.

ARTICLE V. – EXCAVATION AND OBSTRUCTION

Sec. 24-81. – Excavation Requirements:

- A. Exposed Excavations: No person shall excavate any part of the right of way, any lot or part of a lot and leave the same exposed and open in such manner as to endanger the safety of any person passing along, over, or upon any avenue, street, alley or sidewalk therein.
- B. Safety: Excavations and trenches shall meet the minimum requirements of OSHA 2226 or any other publication hereafter released by OSHA governing trenching and excavation safety.
- C. Lighting: The holder of each permit shall notify the City Manager or designee not later than 1:00 p.m. on each Friday of any excavations that need inspected and are ready to fill. The holder of each permit shall light and maintain, until the following Monday, all excavations not reported by 1:00 p.m. Friday.

- D. Barricades: Any person permitted to do construction or excavation work in any street, avenue, or alley shall provide, at their own expense, substantial barricades with their name clearly marked thereon. These barricades shall be Type 2 of the Manual on Uniform and Traffic Control Devices for streets and highways. In addition to the barricades, sufficient lights shall be used to protect the public.
- E. Tunneling: Tunneling or under cutting is not permitted and if such does occur, the holder of the permit shall be penalized on a square foot basis on all tunneling or under cutting.
- F. Filling: Where any permit is obtained for the excavating in any street, avenue, or alley, which includes the curb strip, all work of replacing paving, filling any trenches or holes, tamping, and reseeded, shall be done by the contractor holding the permit to excavate and shall be done to City standards.
- G. Site Restoration: Replacement of the fill dirt shall be done in a workmanlike manner, so that the area excavated shall be returned substantially to its previous condition. This shall include but not be limited to appropriate tamping, seeding, and the repaving or replacing of sidewalks, roadways, and driveways to City standards.
- H. Nonconforming Paving: Any nonconforming paving removed during excavation may not be replaced as such. All sidewalks and driveways must be constructed to adopted City standards and codes.
- I. Excavations in Curb Strips: Such curb strip area between curb line and lot line is the property of the City and the contractor or other excavator when working in such area shall comply with all applicable provisions of this Code and all appropriate ordinances, resolutions, and rules governing the use of streets, avenues, and alleys.

Sec. 24-82. – Obstructions.

It shall be unlawful for any person to place, leave, or permit to be placed or left, with his/her consent, on any avenue, street, alley, sidewalk, curbstone, gutter, crosswalk, or any public right of way or easement, any truck, trailer, automobile, barrow, hand cart, sleigh, or other vehicle, any fence, lumber, wood, benches, seats, chairs, rubbish, rock, gravel, sand, dirt, animals or any other article, device, or things whatsoever except as follows:

- A. Construction: Obstruction Permits may be issued if the adjacent property has a valid building, mechanical, or plumbing permit procured through the City and the City Manager or designee finds there is no practical way to perform such work without obstructing a portion of the right of way.
- B. Signs: Signs shall only be permitted in the C-2, Central Business District in accordance with the sign code for that specific district.

Secs. 24-83 – 24-100. – Reserved.

ARTICLE VI. – PERMITTING AND CONTRACTORS

Sec. 24-101. – Permitting.

It is hereby declared unlawful for any person, whether operating under a franchise agreement, contract, building, plumbing, or mechanical permit, or any other agreement with the City, to construct any sidewalk, driveway, curb or gutter, to excavate the ground surface or the ground beneath the surface of any street, avenue, or alley, or obstruct any street, avenue, or alley, within the City without a permit therefor from the City Manager or designee issued as follows:

- A. The applicant shall submit an application and a site plan detailing the location, extent, character of the work proposed, the time when it is to be done, and the location and number of barricades to be used, and shall pay an application fee to the City for each permit issued as established by the City Council.
- B. Every application shall be reviewed by or accompanied by the written consent of the Public Works Director before being issued.
- C. Permits issued pursuant to this Article shall be numbered consecutively and be valid for a period of 10 days from their respective issue date, and no work shall be done under any such permit after the expiration of such ten days. Each permit shall contain the name of the person or company authorized to use the same, the time limit within which the permit may be used, and the location and nature of the work to be done.
- D. Supervision: The construction, repair, or reconstruction of all sidewalks, driveways, curbs, and curb and gutter, and any excavations located on public right-of-way shall be under the supervision of the City Manager or some competent person designated by him for that purpose, who shall supervise and inspect all work and materials used therein.
- E. Inspections: The contractor or property owner shall be required to notify the City Manager or designee and request inspections of the work periodically and receive approval of fill and forms prior to placing any concrete. Any work not performed in compliance with this article may be ordered removed and replaced after inspection.

Sec. 24-102. – Contractors.

Except as provided for in code, no person shall hereafter construct, repair, or reconstruct any sidewalk, driveway, curb, or curb and gutter, or break out, remove, cut, or alter any sidewalk, driveway, curb, or curb and gutter, or excavate upon, within, or under any of the streets, avenues, or alleys of the City without first having obtained a contractor's license as issued in accordance with Part II of this Code. The City shall be privileged to perform such work without the necessity of becoming a licensed contractor.

Sec. 24-103. – Repair by Adjacent Property Owner.

Repair of existing sidewalks and driveways, may be performed by the abutting property owner providing that:

- A. An application for a permit is filed with the City Manager or designee and such permit is issued;
- B. Such work is performed in accordance with all provisions of this Article and adopted City standards;
- C. The repair would result in all of the sidewalk abutting upon any lot or parcel of real estate owned by one owner being placed in good repair;
- D. Driveway repair shall result in the entire driveway between the curb line and property line being placed in good repair.
- E. The person performing the work is the bona fide owner and occupant of the adjacent property.

(Ord. No. 2794, § 1, 1-5-2016)

Sec. 24-104. – Noncompliance.

- A. No Permit: Any person who shall fail or neglect to obtain any permit required by this Chapter, shall be charged a no permit fee for the permit.
- B. Suspension of Contractor License: If the same individual shall violate this Chapter twice within any six-month period they may be found guilty of a misdemeanor; if the individual is a licensed contractor, the contractor's license shall automatically be suspended for a period of 90 days regardless of any prosecution for violating this Code.
- C. Substandard Fill: When it is necessary for the City to remove material unfit for filling any excavation and substitute suitable material, there shall be a charge based on the time required for the removal and replacement of such material as well as a cost per ton of the new fill material.
- D. Back Charges: The charges for replacing any concrete, asphalt, or brick paving, for filling in excavations in any street, avenue, or alley, and tamping the same with a mechanical tamper, or performing any work as required by this Article to restore the right of way to its previous condition, shall be as established by the City and billed to the contractor or person failing to perform such work within the time allowed by the excavation permit.
- E. Nonpayment: Back charges shall be paid within two months and no permit shall be issued to anyone who has an unpaid charge hereunder. Upon nonpayment after a two month period, the City Manager shall suspend the contractor's license for 90 days and recover such costs in a civil action against said contractor or person.

Secs. 24-105 – 24-120. – Reserved.

SECTION 2. The City Council has considered the proposed amendments and revisions, and finds the revisions contained within this ordinance are appropriate, promote the general health, safety, morals, and general welfare of the community, and should be incorporated into the Alliance Municipal Code.

SECTION 3. In accordance with the new language contained in this ordinance, Chapter 24 of the current Alliance Municipal Code is hereby repealed.

SECTION 4. This ordinance shall be in full force and effect from and after its approval, passage, and publication in pamphlet form according to law.

PASSED AND APPROVED this 7th day of May, 2019.


Mike Dafney, Mayor

(SEAL)

Attest: 
Linda S. Jines, City Clerk

Approved as to Form and Legality:


Simmons Olsen Law Office, Legal Counsel