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FILED FOR RECORD  
At 11:44 O'clock A.M

APR 16 1990

ORDINANCE NO. 24

SUE HODGES  
Clerk and Recorder  
BENTON COUNTY, ARK.

AN ORDINANCE ADOPTING AND ESTABLISHING MINIMUM SPECIFICATIONS AND REQUIREMENTS RELATING TO THE CONSTRUCTION, IMPROVEMENT, AND REPAIR OF STREETS IN THE TOWN OF BETHEL HEIGHTS ARKANSAS, AND DECLARING AN EMERGENCY.

WHEREAS, the Town Council of the Town of Bethel Heights has determined that it is in the best interests of the town of Bethel Heights, and its inhabitants that minimum specifications and requirements relating to the construction, improvement, and repair of streets within the corporate limits of the Town of Bethel Heights, Arkansas, be adopted.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the Town of Bethel Heights, Arkansas:

SECTION 1: The specifications and requirements relating to the construction, improvement, and repair of streets within the Town of Bethel Heights, Arkansas, or to streets to be constructed in subdivisions or platted additions coming within the Town of Bethel Heights, Arkansas, as hereinafter set forth, be, and the same are, hereby adopted as minimum requirements for the Town of Bethel Heights, Arkansas.

SECTION 2: The following standards shall apply:

A. Right-of-Way. Rights-of-way for all existing roads shall be thirty-five (35) feet, to be measured from the center of the existing road or right-of-way.

B. Right-of-Way for new roads shall be thirty-five (35) feet before any new construction or improvements shall begin.

C. Unless curbed and guttered, all roads and streets shall be adequately ditched to keep roads from breaking through when freezing and thawing. Ditches must be kept open, as well as culverts and bridges.

D. Bridges and culverts shall be four (4) feet wider than the traveling surface, and shall have a minimum capacity of twenty (20) tons. Bridge approaches shall have guard rails designed according to the standard road engineering practices.

City of Bethel Heights  
P.O. - Box 222 Springdale Ark. 72765

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SECTION 3: The typical cross section, attached as a part of this Ordinance, and the following specifications shall govern the construction of new roads (gravel or blacktop) and the upgrading of existing roads to meet the standards as set forth herein.

SECTION 4. BASE:

A. Roadway Excavation -- Roadway excavation shall include the removal and satisfactory disposal of all material taken from within the limits of the typical cross section in excavation. All suitable material removed from the excavation for roadways shall be used as far as practicable in the formation of embankments and subgrades. Excavated material in excess of the quantity that can be placed in the embankment section shall be hauled away and disposed in an acceptable manner. In construction of embankments, grading operations shall be conducted so that the most suitable soil is placed in the top layer of the embankment in order to form an acceptable subgrade. When detached boulders or rock is placed in an embankment, all voids shall be filled with embankment material. No rock greater than six (6) inches in size will be permitted higher than one (1) foot below finished subgrade or one (1) foot from a drainage structure.

B. Drainage -- Ditches shall be constructed to the sides of the roadbed as required to handle storm water runoff and should be sized according to good engineering practices. Normal ditch shall be a V-bottom with eight (8) inches minimum depth below the base course. Maximum side slopes shall be 2.1, ditch bottom slope shall be 1.0 percent minimum to prevent ponding of water. Drainage structures such as culverts and bridges shall be sized and located according to good engineering practices to divert water under roads and drives. Minimum cover over culverts shall be twelve (12) inches.

C. Embankment Material -- Embankment material shall consist of a satisfactory soil, or in mixture of soil and stone or gravel, or other acceptable material free from sod, stumps, logs, roots or other perishable or deleterious matter and capable of forming a stable embankment when compacted.

D. Subgrade -- The base course and surfacing shall be placed on a firm foundation that is thoroughly stable. The top six (6) inches of the subgrade shall be compacted to a density not less than ninety-five percent (95%) of the maximum density obtained by the Standard Method of Test for the Compaction and Density of Soils, AASHTO Designation T-99. Areas of soft unsuitable material shall be completely excavated and replaced with good embankment material.

E. Base Course -- The base course shall be either gravel or crushed stone. The base course may be deleted for portions of a road where the subgrade meets the requirements as outlined below for compaction, gradation, and shaping.

1) Gravel. This material shall consist of a natural or artificial mixture of gravel and soil mortar uniformly well graded from coarse to fine. The gravel shall consist of crushed or uncrushed hard pebbles or crushed boulders, and the material shall be reasonably free from objectionable or injurious matter. The grading of the material shall conform as closely as is deemed feasible to GB-2 or GB-3 "Standard Specifications for Highway Construction", Arkansas State Highway Commission, Edition of 1978.

2) Crushed Stone. This material shall consist of crusher run stone or a mixture of crushed stone and soil mortar uniformly mixed. The stone shall be hard and durable and the moisture shall be free from objectionable, injurious matter. The grading of the material shall conform as closely as is deemed feasible to Class SB-2 "Standard Specifications for Highway Construction", Arkansas State Highway Commission, Edition of 1978.

3) Construction Methods. The base course material shall be placed on a completed and approved subgrade that has been bladed smooth and uniform, and conforming to the typical section shown. Base course material shall not be placed on a frozen subgrade. The base course shall be placed on the subgrade and spread uniformly to such depth and lines that when compacted, it will have the thickness, width, and cross section shown on the plans. When the compacted depth of the base course as shown on the typical section exceeds six (6) inches, the material shall be placed in two or more courses of approximately equal depths. No course shall exceed six (6) inches in compacted thickness. Each course shall be compacted by any satisfactory method that will obtain a density of ninety-five percent (95%) of a laboratory run Proctor Density Test on the material.

#### SECTION 5. BLACKTOP SPECIFICATIONS:

A. Prime Coat -- A single application of bituminous material, generally a medium curing cut back asphalt, shall be applied to the approved base course prior to the surfacing. Immediately preceding the prime coat application, the surface to be treated shall be swept free of foreign material. After the surface to be treated has been prepared, the prime coat shall be sprayed uniformly over the surface by means of an approved mechanical pressure

distributor at a rate of application between 0.25 and 0.30 gallons per square yard. Following the application of the prime coat, where practical, the road shall be closed to traffic for a period of time sufficient to allow the proper curing of the bituminous material. Prime coat shall not be applied when the air temperature is below 50 degrees F., nor shall it be applied to a surface having excess moisture. The distributor shall be so adjusted and operated at all times as to distribute the bituminous material evenly.

B. Asphaltic Concrete Hot Mix Surface Course -- This item shall consist of an asphaltic concrete wearing surface composed of a compacted mixture of mineral aggregate and asphalt cement, constructed on the completed and accepted base course. The wearing surface shall be composed of a mixture of mineral aggregate and asphalt cement as shown for Type II, "Standard Specifications for Highway Construction", Arkansas State Highway Commission, Edition of 1978. The mineral aggregate for asphaltic concrete hot mix surface course shall consist of a combination of coarse aggregate, fine aggregate and mineral filler. The coarse aggregate shall be crushed gravel or crushed stone. The coarse aggregate is that fraction retained on the number 10 sieve. Crushed stone shall consist of hard, tough, durable fragments of rock of uniform quality, free from an excess of soft particles. Gravel shall consist of hard, durable pebbles free from an excess of soft particles. Crushed gravel is that gravel of which one hundred percent (100%) of the particles have been produced from larger particles. Asphalt cement shall be prepared from petroleum, shall be homogeneous, free from water, shall not foam when heated to 347 degrees F., and shall comply with specifications shown in "Standard Specifications for Highway Construction", Arkansas State Highway Commission, Edition of 1978. The mixture shall be compacted while in a plastic condition and as soon after being spread as it will bear the weight of the rollers without undue displacement. No roller shall be operated at a speed greater than three (3) miles per hour. The finished surface course shall be compacted to not less than ninety-two percent (92%) of the theoretical density. Hot mix bituminous material shall not be mixed or placed when the air temperature is below 40 degrees F., or when there is frost on the base or subgrade.

C. Double Bituminous Surface Treatment -- Prime Coat: See "Prime Coat" above. Seal Coat: This item shall consist of two applications of a rapid curing but back asphalt, each application being covered with aggregate conforming as closely as feasible to a Class 8 or Class 9 mineral aggregate, in the "Standard Specifications for Highway Construction", Arkansas State Highway Commission, Edition of 1978. The rate of application of the bituminous material shall be 0.3 gallons per square yard for the first application and 0.4 gallons per square yard for the second

application. Aggregate application rate shall be between thirty (30) and forty (40) pounds per square yard. Immediately following the placing of aggregate, the surface shall be rolled until the aggregate is thoroughly imbedded. After the second coat is rolled, surface should be swept. After roadway has been subjected to traffic for a period of one (1) to two (2) weeks, all excess cover material shall be removed from the roadway and properly disposed of.

SECTION 6: All new private driveways connected to a city street shall have installed their own an eighteen (18) inch minimum drainage tile with a minimum length of twenty (20) feet. All landowners are required to keep tile installed across their private drives open and free of obstruction. Any person who fills in a ditch with dirt or gravel to gain access to a city street or road shall be subject to a fine of fifty Dollars (\$50.00) for each offense and each day shall constitute a new offense.

SECTION 7: Any individual, organization, business, corporation, or public utility desiring to cut a ditch, a trench, or cross any city street for any purpose must notify the Mayor in advance and post a bond in the amount of Three Hundred Dollars (\$300.00). This bond will be returned upon the proper restoration of the road bed as determined by the Mayor. Violation of this provision shall result in a fine of Two Hundred Fifty Dollars (\$250.00) for each offense and each day shall constitute a new offense.

SECTION 8: Any individual, organization, business, corporation, or public utility desiring to cut trenches, ditches, lay cable or pipe or other device, or otherwise disturb the existing right-of-way surfaces along any city street must first notify the Mayor and post a bond in the amount of Two Thousand Dollars (\$2,000.00) for each mile. The bond will be returned upon the proper restoration of said right-of-way as determined by the Mayor or his agent. Violation of this provision shall result in a Two Hundred Fifty Dollar (\$250.00) fine for each offense and each day shall constitute a new offense.

SECTION 9: The City Council shall determine the load limit of all hard surface roads built or maintained by the City and post said limits. Limits may vary according to conditions. Violations of the Load Limits shall result in a fine of Two Hundred Fifty Dollars (\$250.00) for each offense. The Mayor may issue an overweight permit if he determines there is sufficient justification. Said permit fee shall be One Hundred Dollars (\$100.00) per day.

SECTION 10: No property owners joining any street right-of-way in the Town of Bethel Heights shall plant or allow to grow any brush or trees in the right-of-way of any city street.


SECTION 11: Before beginning the construction of any street within the Town of Bethel Heights, Arkansas, for the construction or improvement of any street within any subdivision or platted addition to be brought within the Town of Bethel Heights, Arkansas, the developer or owner who proposes to construct said street improvements shall present to the Town Council a master plan of the overall street construction proposed, which plans shall show the general work to be done, paving with surfacing and drainage and other features for approval.

After approval of the overall plan and before construction work is actually started, the owner or developer shall present to the Town Council plans of construction, which shall show street grades, drainage, sizes, and the grades construction to be done and that construction is to be done in accordance with good engineering and construction practices. Violation of this provision shall result in a Two Hundred Fifty Dollar (\$250.00) fine for each offense and each day shall constitute a new offense.

SECTION 12: The Town Council hereby finds that the public has been and will be injured through improper street construction and street improvement, and that this Ordinance is necessary for the public health and safety, and an emergency is hereby declared to exist. This Ordinance shall be in full force and effect from and after its approval, passage, and publication.

PASSED AND APPROVED this 23<sup>rd</sup> day of January, 1990.

APPROVED:

  
MAYOR JOHN KENDRICK

ATTEST:

  
RECORDER

FILED

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MARY L. CLARK  
CO. & CLERK  
BENTON COUNTY, ARK.

ORDINANCE NO. 24

AN ORDINANCE ADOPTING AND ESTABLISHING  
MINIMUM SPECIFICATIONS AND REQUIREMENTS  
RELATING TO THE CONSTRUCTION, IMPROVE-  
MENT, AND REPAIR OF STREETS IN THE  
TOWN OF BETHEL HEIGHTS, ARKANSAS, AND  
DECLARING AN EMERGENCY.

WHEREAS, the Town Council of the Town of Bethel Heights, Arkansas has found that it is in the best interest of the Town of Bethel Heights, Arkansas, and of its inhabitants that minimum specifications and requirements relating to the construction, improvement, and repair of streets within the Town of Bethel Heights, Arkansas, or to streets to be constructed in subdivisions coming within the corporate limits of the Town of Bethel Heights, Arkansas, be adopted.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Bethel Heights, Arkansas:

SECTION 1: The specifications and requirements relating to the construction, improvement, and repair of streets within the Town of Bethel Heights, Arkansas, or to streets to be constructed in subdivisions or platted additions coming within the Town of Bethel Heights, Arkansas, as hereinafter set forth, be, and the same are, hereby adopted as minimum requirements for the Town of Bethel Heights, Arkansas.

SECTION 2: The following standards shall apply:

(a) Right-of-Way. Rights-of-way for all existing roads shall be ~~thirty~~ (35) feet, to be measured from the center of the existing road or right-of-way.

~~thirty-five~~ (b) Right-of-Way for new and/or upgraded roads shall be ~~thirty~~ (40) feet before any new construction or improvement shall begin.

(c) Unless curbed and guttered, all roads and streets shall be adequately ditched to keep roads from breaking through when freezing and thawing. Ditches must be kept open, as well as culverts and bridges.

(d) Bridges and culverts shall be four (4) feet wider than the traveling surface, and shall have a minimum capacity of twenty (20) tons. Bridge approaches shall have guard rails designed according to the standard road engineering practices.

SECTION 3: THE TYPICAL CROSS SECTION, attached as a part of this Ordinance, and the following specifications shall govern the construction of new roads (gravel or blacktop) and the upgrading of existing roads to meet the standards as set forth herein.

SECTION 4: BASE:

(a) Roadway Excavation: Roadway excavation shall include the removal and satisfactory disposal of all material taken from within the limits of the typical cross section in excavation. All suitable material removed from the excavation for

road-ways shall be used as far as practicable in the formation of embankments and subgrades. Excavated material in excess of the quantity that can be placed in the embankment section shall be hauled away and disposed in an acceptable manner. In construction of embankments, grading operations shall be conducted so that the most suitable soil is placed in the top layer of the embankment in order to form an acceptable subgrade. When detached boulders or rock is placed in an embankment, all voids shall be filled with embankment material. No rock greater than six (6) inches in size will be permitted higher than one (1) foot below finished subgrade or one (1) foot from a drainage structure.

(b) Drainage: Ditches shall be constructed to the sides of the roadbed as required to handle storm water runoff and should be sized according to good engineering practices. Normal ditch shall be a V-bottom with eight (8) inches minimum depth below the base course. Maximum side slopes shall be 2:1, ditch bottom slope shall be 1.0 percent minimum to prevent ponding of water. Drainage structures such as culverts and bridges shall be sized and located according to good engineering practices to divert water under roads and drives. Minimum cover over culverts shall be twelve (12) inches.

(c) Embankment Material: Embankment material shall consist of a satisfactory soil, or in mixture of soil and stone or gravel, or other acceptable material free from sod, stumps, logs, roots, or other perishable or deleterious matter and capable of forming a stable embankment when compacted.

(d) Subgrade: The base course and surfacing shall be placed on a firm foundation that is thoroughly stable. The top six (6) inches of the subgrade shall be compacted to a density not less than ninety-five percent (95%) of the maximum density obtained by the Standard Method of Test for the Compaction and Density of Soils, AASHTO Designation T-99. Areas of soft unsuitable material shall be completely excavated and replaced with good embankment material.

(e) Base Course: The base course shall be either gravel or crushed stone. The base course may be deleted for portions of a road where the subgrade meets the requirements as outlined below for compaction, gradation, and shaping.

1. Gravel: This material shall consist of a natural or artificial mixture of gravel and soil mortar uniformly well graded from coarse to fine. The gravel shall consist of crushed or uncrushed hard pebbles or crushed boulders, and the material shall be reasonably free from objectionable or injurious matter. The grading of the material shall conform as closely as is deemed feasible to GB-2 or GB-3 "Standard Specifications for Highway Construction", Arkansas State Highway Commission, Edition of 1978.

2. Crushed Stone: This material shall consist of crusher run stone or a mixture of crushed stone and soil mortar uniformly mixed. The stone shall be hard and durable and the mixture shall be free from objectionable, injurious matter. The grading of the material shall conform as closely as is deemed feasible to Class SB-2 "Standard Specifications for Highway Construction", Arkansas State Highway Commission, Edition of 1978.



3. Construction Methods: The base course material shall be placed on a completed and approved subgrade that has been bladed smooth and uniform, and conforming to the typical section shown. Base course material shall not be placed on a frozen subgrade. The base course shall be placed on the subgrade and spread uniformly to such depth and lines that when compacted, it will have the thickness, width, and cross section shown on the plans. When the compacted depth of the base course as shown on the typical section exceeds six (6) inches, the material shall be placed in two or more courses of approximately equal depths. No course shall exceed six (6) inches in compacted thickness. Each course shall be compacted by any satisfactory method that will obtain a density of ninety-five percent (95%) of a laboratory run Proctor Density Test on the material.

SECTION 5: BLACKTOP SPECIFICATIONS

(a) Prime Coat: A single application of bituminous material, generally a medium curing cut back asphalt, shall be applied to the approved base course prior to surfacing. Immediately preceding the prime coat application, the surface to be treated shall be swept free of foreign material. After the surface to be treated has been prepared, the prime coat shall be sprayed uniformly over the surface by means of an approved mechanical pressure distributor at a rate of application between 0.25 and 0.30 gallons per square yard. Following the application of the prime coat, where practical, the road shall be closed to traffic for a period of time sufficient to allow the proper curing of the bituminous material. Prime coat shall not be applied when the air temperature is below 50°F., nor shall it be applied to a surface having excess moisture. The distributor shall be so adjusted and operated at all times as to distribute the bituminous material evenly.

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HARRY L. STEVENS AND  
CO., CLERK OF COURT,  
BENTON COUNTY, ARK.

theoretical density. Hot mix bituminous material shall not be mixed or placed when the air temperature is below 40° F. or when there is frost on the base or subgrade.

(c) Double Bituminous Surface Treatment Prime Coat: See "Prime Coat" above. Seal Coat: This item shall consist of two (2) applications of a rapid curing but back asphalt, each application being covered with aggregate conforming as closely as feasible to Class 8 or Class 9 mineral aggregate, in the "Standard Specifications for Highway Construction", Arkansas State Highway Commission, Edition of 1978. The rate of application of the bituminous material shall be 0.3 gallons per square yard for the first application and 0.4 gallons per square yard for the second application. Aggregate application rate shall be between thirty (30) and forty (40) pounds per square yard. Immediately following the placing of aggregate, the surface shall be rolled until the aggregate is thoroughly imbedded. After the second coat is rolled, surface should be swept. After roadway has been subjected to traffic for a period of one (1) to two (2) weeks, all excess cover material shall be removed from the roadway and properly disposed of.

SECTION 6: All new private driveways connected to a city street shall have installed their own an eighteen (18) inch minimum drainage tile with a minimum length of twenty (20) feet. All landowners are required to keep tile installed across their private drives open and free of obstruction. Any person who fills in a ditch with dirt or gravel to gain access to a city street or road shall be subject to a fine of Fifty Dollars (\$50.00) for each offense and each day shall constitute a new offense.

SECTION 7: Any individual, organization, business, corporation, or public utility desiring to cut a ditch, a trench, or cross any city street for any purpose must notify the Mayor in advance and post a bond in the amount of Three Hundred Dollars (\$300.00). This bond will be returned upon the proper restoration of the road bed as determined by the Mayor. Violation of this provision shall result in a fine of Two Hundred Fifty Dollars (\$250.00) for each offense and each day shall constitute a new offense.

SECTION 8: Any individual, organization, business, corporation, or public utility desiring to cut trenches, ditches, lay cable or pipe or other device, or otherwise disturb the existing right-of-way surfaces along any city street must first notify the Mayor and post a bond in the amount of Two Thousand Dollars (\$2,000.00) for each mile. The bond will be returned upon the proper restoration of said right-of-way as determined by the Mayor or his agent. Violation of this provision shall result in a Two Hundred Fifty Dollars (\$250.00) fine for each offense and each day shall constitute a new offense.

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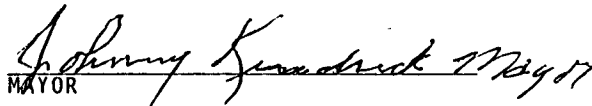
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SECTION 11: Before beginning the construction of any street within the Town of Bethel Heights, Arkansas, for the construction or improvement of any street within any subdivision or platted addition to be brought within the Town of Bethel Heights, Arkansas, the developer or owner who proposes to construct said street improvements shall present to the Town Council a master plan of the overall street construction proposed, which plans shall show the general work to be done, paving with surfacing and drainage and other features for approval.


After approval of the overall plan and before construction work is actually started, the owner or developer shall present to the Town Council plans of construction, which shall show street grades, drainage, sizes, and the grades construction to be done and that construction is to be done in accordance with good engineering and construction practices.

SECTION 12: The Town Council hereby finds that the public has been and will be injured through improper street construction and street improvement, and that this Ordinance is necessary for the public health and safety, and an emergency is hereby declared to exist. This Ordinance shall be in full force and effect from and after its approval, passage, and publication.

PASSED AND APPROVED this 13<sup>th</sup> day of JANUARY, 1986.

  
MAYOR

ATTEST:

  
TOWN CLERK

FILED  
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MARY L. ST. CLAIR  
CO. & DISTRICT CLERK  
BENTON COUNTY, ARK.