

ORDINANCE NO. 215

AN ORDINANCE AMENDING TITLE 9 OF THE CODIFIED ORDINANCES, STREETS AND SIDEWALKS, ADDING BONDING REQUIREMENTS FOR THE CITY OF BETHEL HEIGHTS, ARKANSAS.

WHEREAS, Title 9 of the codified ordinances has been previously enacted by the City of Bethel Heights, Arkansas,

NOW THEREFORE, be it ordained and enacted by the Mayor and City Council of the City of Bethel Heights, Arkansas,

Section 1: From and after the effective date of this ordinance title nine (9) shall be amended to include the following:

Section 2: Amending Title 9, 9.08.05 Blacktop specifications adding Section E. Licensing and bonding requirements.

E. (a) All corporations, firms or individuals engaged in construction of streets and/or storm drainage systems shall have a state contractor's license. Upon completion of the improvements and before acceptance by the city, a surety maintenance bond naming the city as the obligee shall be furnished by either the owner, developer or contractor. The developer shall also furnish an affidavit that all materials, supplies and labor bills have been paid.

(b) A surety maintenance bond shall be submitted on a form prepared by the city and shall be in the amount of fifty (50) percent of the amount of the contract price for the repair, replacement where required, or cost thereof, of all work performed under the terms of the contract, where such repair or replacement is required because of defective workmanship or material, or both which becomes apparent within a period of one (1) year from the date of acceptance by the city of such streets and/or storm drainage systems. Any suit under this bond must be instituted before the one-year term on the bond.

Section 3: THEREFORE, that the remainder of Title 9, shall remain in full force and effect.

Section 4: THEREFORE, an emergency does hereby exist to assure the quality and safety of the streets within the city and Ordinance No. 215 shall be in full force from and after council approval and publication.

Ordinance No. 215 Passed and approved this 21st day of March, 2006.

APPROVED: _____

Mayor

ATTEST: _____

Recorder/Treasurer

