

ORDINANCE NO. 19-4712

AN ORDINANCE AMENDING CHAPTER XIII, ARTICLE 2, OF THE CODE OF THE CITY OF CHERRYVALE, KANSAS; TO REVISE SECTION 13-201 EXCAVATION PERMIT.

WHEREAS, the Governing Body of the City of Cherryvale, Kansas desires to revise Section 13-201 of Chapter XIII – Streets and Sidewalks, Article 2 - Streets, of the City Code of the City of Cherryvale, Kansas; and,

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CHERRYVALE, KANSAS:

SECTION ONE: That Chapter XIII – Street and Sidewalks, Article 2 - Streets, of the Code of the City of Cherryvale, Kansas, is hereby revised as follows:

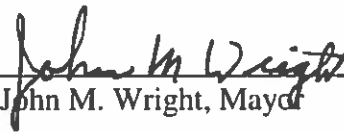
13-201. EXCAVATION PERMIT.

Within the City limits of Cherryvale, Kansas, no person shall cut, bore, disturb, dig in or excavate any hole, ditch, trench or tunnel in, through or under, or otherwise disturb the surface of, any portion of any street, highway, alley, sidewalk or sidewall thereof (or in or under any berm, ditch or street sidewall adjoining a street, highway or alley), or in or under any portion of any park, ball diamond, athletic field, school ground or other public property, or in or under a public easement on which any of the foregoing may be located, or in or under any public easement through private property, without first having secured a permit for such excavation, and all such digging or excavation shall be in accordance with all terms, conditions, and requirements of any permit so issued; provided, no such permit shall be required from persons or their contractor(s) performing environmental remediation work under the supervision of the Kansas Department of Health and Environment (“KDHE”). Applications for such permit shall be made to the City Clerk. All excavations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, right-of-ways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.

REPEAL. All other ordinances in conflict herewith are hereby repealed.


EFFECTIVE DATE: This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

PASSED AND APPROVED by the Governing Body of the City of Cherryvale, Kansas
this 6th day of May, 2019.



John M. Wright, Mayor

ATTEST:



Karen Davis, City Clerk

