

ORDINANCE NUMBER 195

AN ORDINANCE REGULATING CONNECTIONS WITH  
THE UTILITIES SERVICE OF THE CITY OF  
RIO VISTA AND THE OPENING, CLOSING AND  
ALTERATION OF PUBLIC STREETS, PAVEMENTS,  
SURFACES AND CURBS

THE CITY COUNCIL OF THE CITY OF RIO VISTA DOES ORDAIN

AS FOLLOWS:

Section 1. It shall be unlawful for any person, firm or corporation, either public or private,

a. To break into, dig, open, or cause to be dug, opened, any hole, ditch or trench in any public street, alley, or right of way within the City of Rio Vista, for the purpose of connecting, and to connect, with the sewer system, storm drain system or water system of the City of Rio Vista, or for any other purpose, or

b. To break into street pavement, or remove or break curb in any street or alley, within the said City for the purpose of constructing and paving an exit from private property onto a street or alley of the City, or for any other purpose; except as authorized and provided for by this Ordinance and without first having procured a permit so to do, and first having furnished a bond or cash deposit, as hereinafter provided.

Section 2. It shall be the duty of the Director of Public Works and ex-officio Street Superintendent of the City to enforce the provisions of this Ordinance, to issue all permits required thereby and inspect and approve or disapprove all work performed pursuant to such permits and regulated by the provisions hereof.

Section 3. Before any permit is issued by the Street Superintendent pursuant hereto, any person, firm or corporation desiring such permit or to do any work requiring the same under the provisions hereof, shall file with the Superintendent an

application for such permit in writing, on a form by him provided, and setting forth the following:

- a. The type of the proposed work.
- b. The location of such work.
- c. The dimensions of the proposed opening or excavation.
- d. The name and address of applicant and of the owner of the private property served by the proposed work.
- e. An agreement that applicant will at all times maintain barricades and warning signs and lights for the protection of the public around all excavations and obstructions incidental to such work, all in accordance with law and subject to the approval of the Superintendent of Streets, and the applicant will be responsible for all damage to persons and/ or property suffered by reason of said proposed work.
- f. An agreement that applicant will perform the work of refilling, resurfacing any excavation and/or pavement opened under the permit within such time as the Superintendent of Streets shall specify, from and after the date of the permit, which period shall be a reasonable one, under all the conditions, for doing the proposed work, and for restoring conditions of pavement or surface to those existing at the time of the issuance of such permit and guaranty that the same shall conform to grade and not subside, for one year after acceptance.

Section 4. Cash Deposits and Bonds. The Street Superintendent upon receiving such application in proper form, shall prescribe and fix the amount of the cash deposit or bond to be furnished by applicant, in the amount and manner herein-after provided for, and when such cash or bond shall have been received and approved by him, if it be a bond, he shall there-upon issue a Permit for such work, which Permit shall contain the data hereinabove prescribed for applications, with the time limit within which the street surface or curb removed shall be replaced. The amount of such bond or cash deposit shall be fixed in the following manner:

The principal shall be in an amount equal to the cost of the refilling and packing of the excavation and subgrade and

the replacement of the pavement and wearing surface in accordance with specifications for such work approved and adopted by the City Council from time to time, but in no event less than Ten Dollars (\$10.00) cash, which is hereby prescribed as the minimum for such deposit.

Should the estimated cost of such work exceed \$50.00 the applicant may at his option furnish a bond with two good and sufficient personal sureties, or with corporate surety, approved by the Street Superintendent, conditioned that the applicant will faithfully do and perform all such filling, paving and surfacing and pay the Permit Fee required in accordance with the provisions of this Ordinance and the specifications prescribed by the City, for the same. If such estimate is \$50.00 or less, cash must be deposited, and no bond shall be accepted. Upon the expiration of one year after, the completion of the work to the satisfaction of the Street Superintendent any cash deposit shall be returned excepting the inspection fee, hereinafter provided, in the sum of \$5.00 should the same not have been paid, and any bond furnished shall be exonerated.

In the event applicant shall have failed, refused or neglected to complete such work of filling and repaving and resurfacing within the time specified by Permit or by which such time may have been extended, the City may do the same and apply all cash deposited to pay the cost thereof, or recover such cost from the sureties on applicant's bond.

In lieu of the bond or cash deposit hereby required for each Permit issued hereunder, any public utility corporation with facilities in the streets and public places of the City, operating under the jurisdiction of the Public Utilities Commission of the State of California, may, at its option, furnish a bond in a sum to be fixed by the City Council, to cover all excavations made in the City streets and public places in any year by it, conditioned that the applicant will faithfully do and per-

form all filling, surfacing, paving and other things required hereby, and the specifications of the City for such work, and guaranty the same for one year thereafter, against depressions or defects under any and all permits issued to it upon its application, in any fiscal year of the City. Such bond shall be renewed annually for each such fiscal year. If such bond be given the Street Superintendent shall issue each permit applied for hereunder by such utility, on the security thereof, and the giving of such bond shall not relieve the applicant from compliance with any other provision of this Ordinance.

Section 5. Inspection Fee. In all cases there shall be paid to the Street Superintendent with the application hereinabove provided for, an inspection fee of \$3.00 which shall be deposited in the City Treasury, to cover the cost of inspecting such work.

Section 6. It shall be a misdemeanor to violate any of the provisions of this Ordinance and any person, firm or corporation convicted thereof shall be punished by a fine not to exceed \$250.00 or by imprisonment in the County Jail of Solano County for a period not to exceed one hundred twenty-five days or by both such fine and imprisonment, and each successive day that such violation continues it shall be deemed to constitute a separate offense.

Any person, firm or corporation who shall fail, or refuse to place barricades and warning signs and lights around excavations as required and described by the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction shall be punished as herein provided.

Section 7. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 8. This ordinance shall be in full force and effect thirty days after its passage, and shall be published once within fifteen days after its passage in the River News, a

newspaper of general circulation printed, published and circulated in the City of Rio Vista.

Ed Hamilton  
Mayor

Attest: H. Valente  
City Clerk

(SEAL)

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I, H. VALENTE, City Clerk of the City of Rio Vista, and ex-officio Clerk of the City Council of said City, do hereby certify that the above and foregoing Ordinance was regularly introduced at a regular meeting of said City Council held on Thursday, September 1, 1955, and regularly passed and adopted by the said City Council at a regular meeting thereof held on Thursday, the 22nd day of September, 1955, by the following vote:

AYES: Councilmen SPURRY BLACKWELDER - VIEIRA

HAMILTON JR - SIMMER

NOES: Councilmen NONE

ABSENT: Councilmen NONE

WITNESS my hand and the Seal of said City this 22ND day of September, 1955.

H. Valente  
Clerk

(SEAL)