

AN ORDINANCE PROHIBITING EXCAVATING UPON PAVED OR
HARD-SURFACED STREETS OF ROLLA WITHOUT A PERMIT,
PROVIDING FOR A BOND GUARANTEEING PROPER PAVEMENT
REPLACEMENT, AND PROVIDING PENALTIES FOR VIOLATION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA,
NORTH DAKOTA:

Section 1. Excavating. No person, partnership or corpor-
ation, or agent thereof, whether or not licensed as a contractor,
shall do any excavating upon the paved or hard-surfaced streets of
the City of Rolla, until he shall have first obtained a permit
therefor, issued under the authority of the City Council.

Section 2. Bond. A permit to excavate upon the paved or
hard-surfaced streets of the City of Rolla shall not be issued
until the applicant therefor has furnished a cash bond, or a
surety company bond, or a bond with two personal sureties approved
as to sufficiency by the street committee of the City Council,
which bond in any case shall be in a sum equal to \$3.00 per
lineal foot of excavation authorized, not over three feet wide
at any point, and which bond shall run to the City of Rolla and
be conditioned that said applicant will properly refill such
excavation, properly tamped, and resurfaced with six inches of
concrete, (1 part cement to 5 parts aggregate and of such
character as to reach 3,500 pounds per square inch of compressive
strength) in such a manner that the same will not settle below the
surface street level for a period of 18 months, and that in event
of such settling said applicant will remove the settled concrete,
re-tamp, and re-pour the same within said time, in which case such
bond shall be cancelled and returned, otherwise the amount of such
bond shall be forthwith paid over into the general funds of the
City of Rolla as liquidated damages for such defective refilling
of such excavation.

Section 3. Penalty. A contractor, person, partnership or
corporation, or agent thereof, violating the provisions of this
Ordinance, shall upon conviction thereof be punished by a fine of
\$100.00, or by imprisonment in the City Jail for not more than
ninety days, or by both such fine and imprisonment; imposition of such
penalty shall not relieve them from civil liability for damages caused

Section 4. All provisions of other ordinances in conflict
with the provisions of this ordinance, are hereby repealed.

Section 5. This ordinance shall take effect and be in full
force and effect from and after the publication of its title and
penalty clause.


First reading: September 1st, 1959

Second reading and passage: September 8, 1959

Approved: September 8, 1959


R. T. FOLEY

Mayor, City of Rolla

Attest: 
VICTOR C. JACKSON
City Auditor.

Publication: September 10, 1959