

ORDINANCE NO: 65

AN ORDINANCE REGULATING THE MAINTENANCE OF SEWER SUPPLY LINES AND SEWER PIPES AS THE SAME ARE NOW OR HEREAFTER MAY BE CONSTRUCTED OR MAINTAINED BELOW THE SURFACE OF ANY STREET; PROVIDING PENALTIES AND DECLARING AN EMERGENCY.

The City of Brookings does ordain as follows:

1. All sewer mains, pipe lines for the disposal of sewage, and all connections therewith or thereto and all shutoffs thereon and manholes erected thereon, as each and all thereof are presently constructed and exist upon or below the surface of any street in the City of Brookings, are hereby declared to be and exist in the best interest of the public health, safety, sanitation and welfare of the City of Brookings .
2. No person, firm or corporation, for the purpose of altering, changing, adding to or removing any sewer supply line, sewer pipe, connection thereto, valve, shutoff, manhole or manhole cover attached thereto, or for the purpose of attempting so to do, shall go upon the surface of any city street, or excavate upon said city street or dig into the said street, or attempt so to do, or interfere with the operation of said sewage disposal system or pipe line, or attempt so to do, without first having applied to the City Council and received permission therefore from the City Council.
3. A city street as named in Section 2, hereinabove, shall mean and include and cover each and all of the streets of the City of Brookings named, set forth and located and contained in the provisions of Ordinance No. 56 of the City of Brookings, as said ordinance No. 56 sets forth and names the streets contained in the system of city streets established by said ordinance.
4. Any person, firm or corporation desiring to change, alter, add to, or remove any sewage supply line or any pipe or feeder line connected thereto or therewith, shut off or disconnect any such sewage supply line or any pipe or feeder line connected thereto or therewith, or enter any man hole or remove the cover therefrom, as each and all thereof may exist and be constructed upon or below the surface of any city street shall first, before so doing, apply to the City Council of Brookings for its permission so to do.
5. The application required first to be made, as set forth in section 4 hereinabove, shall be in writing and shall substantially conform to the following provisions:

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1. The true and full name of the applicant making said application shall be set forth.
2. The true reason or reasons for making said application shall be fully set forth in said application.
3. The kind and character of the work proposed to be performed, the plans and specifications of the proposed work and construction, and the time in which said work and construction shall be completed, shall all be set forth in said application in reasonable detail.
4. A filing fee in the sum of not less than ~~\$25.00~~^{10.00} shall accompany said application and shall be retained by the City as its cost in considering the said application and no part thereof shall be returned to the applicant in the event the application is accepted and granted by the City Council.
5. After the application has been presented to the City Council and before the approval of said application by the Council, the Council may, at its discretion, require the applicant to post a performance bond in such sum as the Council may deem reasonable with the City Recorder.

6. Upon its approval of the application, after the same has been filed as provided in Section 5, hereinabove, the City Council shall issue a permit to the applicant to perform the work and construction set forth and applied for in said application, under such rules, regulations and restrictions as the Council may set forth as being reasonably necessary to protect the public health, safety, sanitation and welfare of the City of Brookings.

7. The provisions of any ordinance of the City of Brookings, insofar as they conflict with this ordinance or any provision hereof, are hereby repealed, it here being the intention of the City Council to create an original ordinance, without being limited in any manner or degree by any other ordinance or provision of any other ordinance, for the purposes of regulating and maintaining a sewer system constructed within the streets of the City of Brookings, as said sewage disposal system serves the residents and property owners of this City.

8. Any person, firm or corporation violating any of the provisions of this ordinance shall upon conviction thereof be punished by a fine not exceeding Five Hundred (\$500.00) Dollars or by imprisonment in the City Jail for not exceeding six (6) months, or by both such fine and imprisonment.

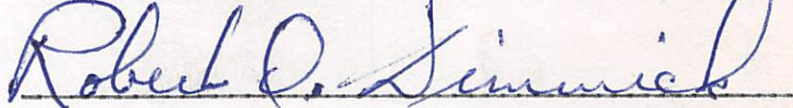
9. It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health and safety of the City of Brookings, and an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect from and after its passage.

Read by title and in full this 26th. day of October, 1954.

Read a second time by title this 26th. day of October, 1954.

Read a third time by title and passed by the council this 26th. day of October, 1954.

Authenticated this 26th. day of October, 1954.



Robert O. Dimmick, Mayor.

Passed by the Council October 26th, 1954.



Recorder.

