

Chapter 510

STREETS, SIDEWALKS AND GUTTERS

ARTICLE I

General Provisions

Section 510.010. Constructing Wooden Sidewalks. [R.O. 2012 §510.010; CC 1979 §27-2; Ord. No. 773 §33, 12-2-1924]

Any person who shall construct or cause to be constructed any wooden sidewalk within the City shall be deemed guilty of an ordinance violation.

Section 510.020. Erecting Awnings Upon or Across Sidewalks. [R.O. 2012 §510.020; CC 1979 §27-3; Ord. No. 773 §31, 12-2-1924]

Any person who shall erect or cause to be erected any awnings upon or across any sidewalk in the City shall be deemed guilty of an ordinance violation; provided, that this Section shall not be so construed as to forbid or prevent the erection of canopy awnings upon or across such sidewalks, when the arms of the same are not less than seven and one-half (7½) feet above the sidewalk.

Section 510.030. Erecting Signs Across Sidewalks. [R.O. 2012 §510.030; CC 1979 §27-4; Ord. No. 773 §32, 12-2-1924]

Any person who shall erect or cause to be erected or maintained any business sign across any sidewalk in the City shall be deemed guilty of an ordinance violation; provided, that signs may be erected and maintained that shall extend not to exceed two (2) feet from the building to which the same may be attached and not less than eight (8) feet from the walk.

Section 510.040. Permitting Curb Boxes, Drip Pipes, Etc., To Extend Above Established Grade of Sidewalks. [R.O. 2012 §510.040; CC 1979 §27-7; Ord. No. 773 §95, 12-2-1924]

Any person owning or controlling any property on which are located curb boxes, drip pipes, gas or water pipes on the sidewalk or parkway portion of the street, who permits them to extend above the established grade of such sidewalk, shall be deemed guilty of an ordinance violation.

Section 510.050. Abutting Property Owners To Keep Sidewalks in Good Repair. [R.O. 2012 §510.050; CC 1979 §27-8]

It shall be the duty of the property owners, owning property along and in front of which sidewalks have been constructed, to keep such sidewalks in good repair at all times.

Section 510.060. Moving Buildings or Houses. ¹ [R.O. 2012 §510.060; CC 1979 §27-11; Ord. No. 240 §§1 — 2, 4-14-1917]

- A. It shall be unlawful for any person to obstruct any of the streets or alleys of the City in any manner or to move any building or house along or across any of the streets or alleys of the City, unless or without a permit first had and obtained in writing so to do from the Mayor or City Council; provided, that the party desiring to move any building or house along or across any street or alley of the City shall first file a written application therefor with the City Clerk, specifying the street or alley and the distance along or across which it is proposed to move any such building or house, and shall also deposit with the City Clerk a sufficient amount of money to pay for all damages to the streets and to wires or the cutting or removing of the same to allow such building or house to pass along such street or alley.
- B. If the Mayor or Council shall be of the opinion that it is proper to move any building or house as specified in this Section and the party desiring to move such building or house has deposited a sufficient amount of money with the City Clerk to pay all damages, the Mayor or City Council may grant a permit therefor in writing so to do; provided, that it shall be the duty of the party moving such building or house to keep moving the same continuously both day and night, until such building or house is removed off of the streets or alleys of the City; provided further, that in no event shall any such building or house remain on the streets or alleys longer than the time which may be specified in the permit to be granted therefor.

Section 510.070. Lowering of Water or Gas Mains, Etc., To Conform To Changes in Street Grades. [R.O. 2012 §510.070; CC 1979 §27-14]

- A. Whenever the grade shall be established by ordinance on any street, avenue, lane or highway in the City by the City Council, or whenever the Council shall in due and legal manner, by ordinance, change the grade on any street, it shall be the duty of every person, being the owner or lessee of any water or gas company doing business in the City, to within thirty (30) days from the date of the publication of such ordinance making such change in grade or establishing the same or lower the water mains, if they are not already so lowered, to a depth of not less than two and one-half (2½) feet below the surface of the street as it will be when brought to grade, water service pipes to a depth of thirty (30) inches below the gutter line, gas mains to a depth of eighteen (18) inches below the established grade and gas service pipes to a depth of not less than eighteen (18) inches below the surface of the street at gutter line.
- B. Any person being the president, vice president, secretary, director or agent for any water or gas corporation or company or any person being the owner or lessee of such water or gas works or the duly accredited agent therefor, who shall neglect, refuse or fail to comply with the provisions of this Section shall be deemed guilty of an ordinance violation.

¹. Cross Reference — As to buildings generally, ch. 500.

ARTICLE II
Construction Specifications — Generally

Section 510.080. Grading and Excavating Included in Contract — Cost of Grading and Excavating Included in Special Tax Bills. [R.O. 2012 §510.080; CC 1979 §27-32]

All grading and excavating necessary in the construction of sidewalks, curbing or guttering, unless the grading of that portion of the roadway has been done previously, may be included in the same contract with the sidewalks, curbing or guttering, as required by law, and the cost thereof, if included in the contract, may be included in the special tax bills issued for the payment of the improvement.

Section 510.090. Contractor To Remove Rocks, Litter, Etc., From Construction Site. [R.O. 2012 §510.090; CC 1979 §27-33]

The contractor shall, before the work of constructing sidewalks, curbing or guttering is accepted, remove therefrom all rocks, broken stone, litter or trash of any kind and leave the street and work in good condition and ready for use.

Section 510.100. Construction To Be On True Grade, Curb and Cross Section Lines — Supervision of Construction. [R.O. 2012 §510.100; CC 1979 §27-34]

All curbs, gutters and private driveways shall be constructed on the true grade, curb and cross section lines of the streets along and upon which they may be ordered and shall be done under the supervision of the Superintendent of the Department of Streets and Public Improvements.

Section 510.110. Compliance With Specifications Required — Exception. [R.O. 2012 §510.110; CC 1979 §27-35]

No sidewalk, curb, gutter or other improvement mentioned in this Article, which does not meet the specifications herein prescribed, shall be accepted; provided, that on sidewalk, curb or gutter construction, where opposite curbs differ in elevation or vary from the true grade or where improvements already built do not conform to the established grade, or where necessary for drainage, the Superintendent of the Department of Streets and Public Improvements may order or allow a variation from the established grade, not to exceed six (6) inches.

ARTICLE III
Construction Specifications For Streets

Section 510.120. Specifications Enumerated. [R.O. 2012 §510.120; CC 1979 §27-36; Ord. No. 3978 §1, 8-18-1978; Ord. No. 5631 §1, 12-29-1992; Ord. No. A-6347 §§1 — 2, 8-19-1996; Ord. No. 7291, 3-7-2003]

- A. The City shall refuse to accept final dedication or maintenance responsibility for new streets within the City limits, until they shall meet the following specifications:
 - 1. Streets shall be cut to grade, and the subgrade shall be compacted to ninety percent (90%) proctor density.

2. There shall be a four (4) inch or more layer of base rock (not gravel), compacted to ninety-five percent (95%) proctor density.
3. The final surface shall be rolled.
4. All streets shall be paved with hot-mix asphalt and have an asphalt surface of not less than three (3) inches, and any such asphalt surface shall comply with specifications established by the City of Monett.
5. Any street paved with concrete shall have a concrete surface of not less than five (5) inches of concrete containing a minimum of five and one-half (5½) sacks of Portland Cement per cubic yard with a water content not to exceed a four and one-half (4½) inch slump. All joints on any concrete street shall be sawed to one-half (½) the depth of the concrete slab and be properly sealed with an asphalt expansion joint. Any such concrete surface shall comply with specifications established by the City of Monett, and all sawing configurations and asphalt expansion joints shall be approved by the City.

Section 510.130. Non-Paved Streets. [R.O. 2012 §510.130; CC 1979 §27-37; Ord. No. 3978 §2, 8-18-1978]

The City shall not be responsible for any street not having an asphalt or concrete surface. At such time as the street is upgraded to the specifications enumerated in this Article, the City shall assume maintenance at the improved level of surfacing. Resurfacing of non-paved streets is the responsibility of property owners and/or developers.

Section 510.140. Applicability of Article. [R.O. 2012 §510.140; CC 1979 §27-38; Ord. No. 3978 §4, 8-18-1978]

The specifications enumerated in this Article will hold true in any area except new subdivisions, with the exception that the property owner must get a construction permit from the City Clerk and that provisions must be made to assure that the curb line will be in conformity with the existing curb line and level of the street. All curbs and gutters installed are the property of the property owners, and it is their responsibility to install and maintain the same.

ARTICLE IV Construction Specifications For Sidewalks

Section 510.150. Materials Generally — Compliance With Article. [R.O. 2012 §510.150; CC 1979 §27-39]

All sidewalks constructed within the City limits shall be of sawed limestone or concrete and constructed in accordance with the specifications set forth in this Article.

Section 510.160. Width. [R.O. 2012 §510.160; CC 1979 §27-40]

All sidewalks constructed in the City shall be not less than thirty (30) inches nor more than twelve (12) feet in width.

Section 510.170. Stone Sidewalks — Generally. [R.O. 2012 §510.170; CC 1979 §27-41]

All stone sidewalks shall be constructed of stone not less than three (3) inches in thickness and having an area of not less than eighteen (18) feet, and the stone to be used therein shall be of a quality equal to that of the best grade of Carthage sawed limestone or first (1st) class sidewalk stone, free from cracks or inconsistencies of any nature and having a true and clear face, free from cross seams. All stones which do not meet these specifications shall be removed and replaced by good and sufficient stones before the job shall be received.

Section 510.180. Stone Sidewalks — Surface of Walk To Be True Plane — Joints. [R.O. 2012 §510.180; CC 1979 §27-42]

The surface of the stone walk, when completed, shall be a true plane throughout its entire length and breadth between grade points, and all stone shall be jointed evenly and well to a quarter ($\frac{1}{4}$) inch joint between the stone or against the curb stone or other object and for the full depth of the stone; and if required by the Superintendent of the Department of Streets and Public Improvements, all joints shall be pointed with Portland cement mortar, proportioned one (1) to three (3).

Section 510.190. Stone Sidewalks — Gravel Bed Under Stone — Fill For Support. [R.O. 2012 §510.190; CC 1979 §27-43]

An excavation shall be made, where necessary, to provide for a bed of three (3) inches of tailings or cinders or gravel under the stone, when placed. After the excavation is made, a bed of clean mine tailings or cinders shall be deposited therein and thoroughly rammed and tamped to a uniform surface throughout and a depth of not less than three (3) inches. When it is necessary to make any fill for the support of the sidewalk, the fill shall consist of cinders, tailings or coarse river gravel, well tamped and consolidated and covered with a layer of three (3) inches of tailings or cinders or gravel which have been rammed or tamped thoroughly to a true and uniform surface; provided, that if the fill exceeds eighteen (18) inches in depth, it shall consist of rock mixed with cinders or river gravel or other hard excavated material, thoroughly rammed and tamped in six (6) inch layers and covered with a layer of three (3) inches of mining tailings or river gravel, also thoroughly tamped and rammed to a uniform surface; and in no case shall a fill of soft earth or loamy soil be allowed.

Section 510.200. Concrete Sidewalks. [R.O. 2012 §510.200; CC 1979 §27-44]

A. The specifications for the construction of concrete sidewalks in the City, whether constructed by the City or by other persons as hereinafter provided, shall be as follows:

1. *Materials.*

- a. *Cement.* All cement used in concrete sidewalks shall be of a good grade of standard Portland cement, which will pass the standard test specified by the State Highway Department. Any cement failing to meet such test shall be removed from the work and not used in any part thereof. The

cement shall be delivered at the location of the work in the original packages and protected so as not to be damaged in any way before mixing with other materials.

- b. *Sand.* The sand shall be a good grade of river sand or clean, sharp flint sand, free from sludge, mud, soapstone or other impurities, and shall be subject to the approval of the Superintendent of the Department of Streets and Public Improvements.
- c. *Crushed stone.* Crushed stone shall be any good flint or limestone, crushed so as to pass a one (1) inch screen and rejected over a quarter ($\frac{1}{4}$) inch screen. All crushed stone must be free from sand, dirt, sludge or other material which might be harmful to the concrete.
- d. *Tailings.* If mine tailings are used in the sidewalks, they shall be of a good grade, free from sludge, mud or soapstone, and shall be subject to the approval of the Superintendent of the Department of Streets and Public Improvements.

2. *Construction.*

- a. *Subgrade.* That portion of the street to be occupied by the sidewalk shall be brought to a subgrade by excavation or embankment, which subgrade shall be a true plane, parallel with, eight (8) inches below and in true conformity with the sidewalk grade.
- b. *Foundation.* The foundation shall consist of a bed of clean tailings, cinders, broken stone, river or bank gravel, three (3) inches in thickness and deposited on the subgrade.
- c. *Lower course.* The lower course of the sidewalk, excepting portions occupied by driveways, shall consist of a layer of Class B concrete, four (4) inches in thickness after being tamped thoroughly. The surface of the lower course shall be a true plane, one (1) inch below and parallel with the finished grade of the sidewalk.
- d. *Finish course.* The finish course of the sidewalk shall consist of a layer of Class A concrete, one (1) inch thick after being floated and neatly troweled to a true plane and smooth surface conforming with the finished grade of the sidewalk, and deposited on the lower course before the lower course has taken an initial set. A perfect bond must be formed between the lower and the finished course.
- e. *Dimensions.* Walks shall be of the width stated in this Chapter or other City ordinances or specified in the plans and specifications. The concrete in the finish and lower courses shall be laid in sections, each section to be approximately six (6) feet long.
- f. *Artificial joints.* Each section shall be separated from the adjoining section by an artificial joint, made with a grover, for the width of a section at right angles with the linear dimensions of the walk, to the

depth of the finished course, and by a sand joint extending through the entire depth of the lower course. These joints shall have a clear width of not less than one-eighth (1/8) of an inch and be placed at intervals of not more than fifty (50) feet. A joint having a minimum opening of one-half (1/2) inch in width shall be provided and made in the manner above described.

- g. *Driveways.* Where driveways are necessary across portions of the park space, the driveway shall be built, in all respects, in the manner above described for sidewalks; except, that the thickness of the lower course shall be six (6) inches instead of four (4).
- h. *Class B concrete.* Class B concrete used in the lower portion of the sidewalks, as described above, shall be composed of approximately one (1) part cement, four (4) parts mine tailings or crushed stone and one (1) to two (2) parts sand. The governing clause of this specification shall be as follows: Every cubic yard of Class B concrete shall contain seven (7) sacks of cement, the proportions of sand, crushed stone or mine tailings being varied according to the direction of the Superintendent of the Department of Streets and Public Improvements, so as to produce a concrete of the maximum density or strength.
- i. *Class A concrete.* Class A concrete, as used in the finish course of the sidewalks as described above, shall be composed of a good grade of sand mixed with cement in the proportion of one (1) part cement to one and one-half (1½) parts of sand.
- j. *Protection and curing.* After the construction of the sidewalk as specified above, the contractor or other person building such sidewalk shall protect the work from damage by vehicles, pedestrians, animals or anything which might damage the surface of the concrete, and the sidewalk shall be kept thoroughly wet and protected from the sun during hot weather for not less than six (6) days. The barricades or railings provided to keep traffic off the sidewalk shall not be removed without the permission of the Superintendent of the Department of Streets and Public Improvements.
- k. *Weather conditions.* No concrete sidewalk shall be constructed by the City during weather which, in the opinion of the Superintendent of the Department of Streets and Public Improvements, is unsuitable.
- l. *Removal of damaged or imperfect work.* Upon the completion of the work, should any of the sidewalk constructed as above specified be found to be imperfect in any way, or to have been damaged by rain, frost or any other cause, the contractor shall remove and reconstruct any such damaged portion of the sidewalk, as directed by the Superintendent of the Department of Streets and Public Improvements.

Section 510.210. Quality of Stone Gutters. [R.O. 2012 §510.210; CC 1979 §27-45]

The stone used in gutters shall be of a good quality, free from cracks, shelly places or damaging blotches and not less than three (3) inches thick and three (3) feet long. The edges of the stone shall be dressed to lay to a quarter ($\frac{1}{4}$) inch joint for the full length and thickness of the stone.

Section 510.220. Slope. [R.O. 2012 §510.220; CC 1979 §27-46]

All sidewalks shall be laid to conform to a slope of one-half ($\frac{1}{2}$) of an inch to the foot, rising from the curb line back to the property line, except where there is a difference in the location of the curb and the property line or where the intersecting grades make it necessary to combine or change the same. These points shall be set by the Superintendent of the Department of Streets and Public Improvements and worked to by the contractor, according to the instructions of the Superintendent of the Department of Streets and Public Improvements.

ARTICLE V

Construction Specification For Curbs and Gutters

Section 510.230. Materials and Dimensions Generally — Responsibility For Installation and Maintenance. [R.O. 2012 §510.230; CC 1979 §27-47; Ord. No. 3978 §§3 — 4, 8-18-1978]

- A. Curbs and gutters shall be combined construction of Class B concrete. The minimum width of curbs and gutters shall be twenty-four (24) inches, of which the curb shall be six (6) inches in width and the apron watercourse or gutter shall be eighteen (18) inches in width. The height of the back of the curb shall be twelve (12) inches. The top of the curb shall be six (6) inches in width and the height shall stand six (6) inches above the flow line of the gutter. This will leave six (6) inches in thickness for the gutter apron or watercourse. Any other type of guttering will not be permissible, unless recommended to the City Council by the City Engineer.
- B. These specifications will hold true in any area except new subdivisions, with the exception that the property owner must get a construction permit from the City Clerk and that provisions must be made to assure that the curb line will be in conformity with the existing curb line and level of the street. All curbs and gutters installed are the property of the property owners, and it is their responsibility to install and maintain the same.

Section 510.240. Additional Specifications. [R.O. 2012 §510.240; CC 1979 §27-48]

- A. Additional specifications for the construction of concrete curbs and gutters shall be as follows:
 - 1. *Cement.* All cement used in the concrete curbs and gutters shall be of a good grade of standard Portland cement which will pass the standard test specified by the State Highway Department for testing materials. Any cement failing to meet the above test shall be removed from the work and not used in any part thereof. The cement shall be delivered at the work in the original packages and be protected so as not to be damaged in any way before mixing.

2. *Sand.* The sand shall be a good grade of river sand or clean, sharp, flint sand. All sand shall be sampled by the Superintendent of the Department of Streets and Public Improvements, and only such sand as receives his/her approval may be used in the work.
3. *Chats.* If mine chats are used, they shall be of a good grade, free from sludge, mud or soapstone and subject to the approval of the Superintendent of the Department of Streets and Public Improvements.
4. *Crushed stone.* Crushed stone shall be any good flint or limestone, crushed so as to pass a one (1) inch screen and be rejected over a quarter inch screen. All crushed stone must be free from sand, dirt, sludge or other material which might be harmful to the concrete.
5. *Forms.* Forms shall be constructed of lumber two (2) inches thick or of steel of equal strength, except on curves, where flexible slips may be used. All surfaces coming in contact with the concrete shall be smooth and cleaned and oiled before concrete is placed against them. Faced boards for combination curb and gutter shall be beveled as shown on the plans and held in place with suitable clamps of sufficient number to prevent bulging.
6. *Division.* Division plates shall be one-eighth (1/8) inch steel or other material, approved by the Superintendent of the Department of Streets and Public Improvements, and shall conform exactly to the cross section of concrete as shown on plans; except, that a small lug, provided with a hole for a hook, shall project above the surface of the concrete to aid in removing the plate. Plates shall be cleaned and oiled prior to their use.
7. *Subgrade.* That portion of the ground surface directly beneath the concrete shall be called the "*subgrade.*" All soft and spongy material in the subgrade shall be removed and replaced with suitable material. Fills shall be compacted in layers not exceeding six (6) inches in thickness. Spots previously compacted by traffic shall be loosened to a depth of six (6) inches, and the whole subgrade shall be compacted to a firm surface having, as nearly as possible, uniform bearing power. The subgrade shall be damp, but not muddy, when the concrete is placed upon it.
8. *Drains.* In poorly drained ground, where, in the opinion of the Superintendent of the Department of Streets and Public Improvements, drains may be necessary to save the concrete from damage by frost action, drains of four (4) inch tile shall be laid in the lines and grades given by the Superintendent of the Department of Streets and Public Improvements.
9. *Subbase.* Where drains are impracticable and the soil is heavy colloidal clay or adobe, a five (5) inch subbase of cinders, gravel or other porous material approved by the Superintendent of the Department of Streets and Public Improvements shall be constructed. The subbase shall be tamped until the surface is firm and of uniform bearing power.

10. *Cross section.* The concrete shall conform to the cross section shown on the plans.
11. *Length of sections.* Curb, or combined curb and gutter, shall be divided into sections eight (8) feet long. Where necessary for closure, this length may be varied slightly, but no noticeably long or short sections shall be used. Sections shall be separated by the division plates specified herein, which plates shall be put in form before the concrete is placed and kept perpendicular to the face and top of the curb. Plates shall be withdrawn when the concrete has hardened sufficiently to keep the edges from joining. Edges shall be rounded to a radius of about one-half (½) inch.
12. *Expansion joints.* One-half (½) inch expansion joints shall be made at one hundred (100) foot intervals and at the ends of all curves, by placing the joint filler in the form before the concrete is placed or by leaving spaces to be filled with asphalt. Care shall be exercised to get expansion joints truly perpendicular to the top and face of the curb. The filler must effect a complete separation between adjacent sections of the curb.
13. *Proportions.* The concrete shall be mixed in the proportion of one (1) part of cement to two (2) parts of fine aggregate and not more than four (4) parts of coarse aggregate. Aggregates shall be measured accurately in a manner approved by the Superintendent of the Department of Streets and Public Improvements.
14. *Mixing.* The ingredients of the concrete shall be mixed until each particle of the fine aggregate is coated with cement and each particle of the coarse aggregate is coated with mortar. The mixer used shall be of an approved batch type. Each batch shall be mixed at least one (1) minute from the time all the materials, including water, are in the drum until the beginning of the discharge. The consistency of the concrete shall be such that no separation of the ingredients takes place. No combination of dry and wet mixture will be allowed.
15. *Placing.* When mixed, the concrete shall be placed at once in the forms, filling both the apron and curb with material of the same consistency. The concrete shall then be tamped and spaded, until a thin coat of mortar is against the forms in such a manner that no coarse aggregate will show when the forms are removed. Whole sections shall be constructed without interruption. Whenever mixing is suspended for forty-five (45) minutes or longer, material in excess of a complete section shall be wasted. No concrete shall be placed when the temperature is below, or likely in the next twenty-four (24) hours to go below, thirty-five degrees Fahrenheit (35°F).
16. *Finishing.* The concrete shall be struck off flush with the top of the forms and be given a true, even finish with a wooden float and brush, care being taken that none of the coarse aggregate is exposed. Corners and edges shall be rounded with suitable tools to the shape shown on the plans. When the concrete has hardened sufficiently, curb face boards shall be removed and the

curb face brushed with a calcimine brush dipped in water. Other forms shall remain in form at least twenty-four (24) hours.

17. *Curing.* Concrete shall be kept wet for seven (7) days, either by sprinkling or covering with earth and sprinkling.
18. *Protection.* The contractor shall protect the concrete from all damage by traffic or the elements by canvas covers, barricades, fences, red-lights at night or such other means as may be necessary and shall provide crossovers for pedestrians at all street crossings.

Section 510.250. Paving of Driveways Back From Curbing. [R.O. 2012 §510.250; CC 1979 §27-49]

Each private driveway shall be paved back from the curbing in the same manner as the gutters constructed in front of the property to be served by the driveway, rising to the sidewalk level not less than four (4) feet from the inside of the sidewalk. The upper surface of the driveway from thence to the outside street line shall be made to conform to the grade of the sidewalk and shall be paved with concrete.

Section 510.260. Slope of Curbing. [R.O. 2012 §510.260; CC 1979 §27-50]

Curbing shall be set to a true line and grade, with a slope of one (1) inch to the foot from the perpendicular towards the walk, the upper and outer edge thereof to be the true line and grade of the curb. The upper edge of the concrete shall be beveled so that the top of the curbing shall conform to the finished line of the walk. The ends of the curbstones shall be dressed to lay to a quarter of an inch joint for the full depth and thickness of the stone, and the back of the curbing shall be tamped solidly with small stone and mine tailings, so as to prevent the curb from settling from the true line and grade.

ARTICLE VI
Extension of Streets

Section 510.270. Application and Regulations For Extension of Existing Streets — Creation of Street Pro Rata Fund. [R.O. 2012 §510.270; Ord. No. A-7109 §1, 1-4-2002; Ord. No. 7593 §1, 8-22-2005]

- A. Any applicant desiring to extend any existing street shall make written indication therefor to the City. Such application shall state the name and address of the applicant and the proposed use of any such extension. Said application shall be accompanied by engineering plans and profiles of the street and an initial deposit of fifty dollars (\$50.00) which shall be held by the collection office pending final disposition of such application.
- B. Upon receipt of an application and initial deposit as provided for herein, the City's collection office shall forward the application to the Mayor and Superintendent of the Public Works Department. The Superintendent or his or her authorized representative shall forthwith make an estimate of the cost of the proposed extension in writing and, within fifteen (15) working days of the date of the application, notify such applicant stating the amount of such estimate. The applicant

shall, within fifteen (15) days of the receipt of such notice, pay to the City the full amount of such cost estimate, less the initial deposit in the pro rata street fund (agency fund). In the event such applicant shall fail to pay to the City the amount of the cost estimate, the application shall be denied by the Superintendent of Public Works Department, and the initial deposit shall be retained by the City.

- C. The cost estimate submitted by the Superintendent shall be computed on the basis of the following items:
1. City street specifications.
 2. The cost of engineering services, if any; materials; labor; equipment rental, if any; surveys and grading and all other costs reasonably included in the construction of said extension.
 3. The length of the proposed extension measured from the terminal point of the nearest usable existing street to the far end of the new street.

In addition to the items set out above, the Superintendent or his or her authorized representative may use any other information contained in bids submitted to the City.

- D. Upon receipt of the balance of payment due under the cost estimate provided in Subsection (B), the City Clerk shall deliver the application and the cost estimate to the City Council, and if the Council shall find that the proposed extension is not contrary to the public interest, it shall, by ordinance, direct that the application be granted. Such ordinance shall further state the manner in which the construction of the proposed street extension is to be done and approve a contract between the City and/or a private contractor (approved by the City) and the applicant for the construction of such extension.
- E. During the installation of the street, the work area shall be available for inspection at all reasonable hours by the Superintendent or any authorized City representative. Upon completion of the installation, and if approved, the Superintendent shall approve eighty percent (80%) of the total received for payment to the contractor or the City for installation of such street extension. The remaining twenty percent (20%) shall be retained a minimum of thirty (30) days until all miscellaneous work that is required is completed and approved by the Superintendent of Public Works. If the contractor does not complete the miscellaneous work in a reasonable length of time as required, the City retains the right to hire another contractor or to use City employees to complete the miscellaneous work and to pay such contractor or the City from the twenty percent (20%) retained fund.
- F. Should the actual cost of extending the street be more than the cost estimate, applicant shall pay such additional amount to the City before construction shall be commenced or, if the street is still under construction, before final approval be granted. If the actual cost of extending the street is less than the estimated cost, the applicant shall be refunded the amount of his or her payment, less the actual cost. In no event shall interest be paid on any refund made to any applicant.

G. The City Collector shall keep a ledger account book of all funds on deposit in the pro rata street fund, showing the amount paid into such fund by the Collector as a result of each street extension, the applicant making such payment, and all payments made therefrom.

H. When any street extension other than a single user extension shall be completed, for a period of twenty (20) years thereafter any user connecting to such extension shall pay into the pro rata street fund, in addition to any other charges required by the ordinance or law, the following amount:

The total cost of such extension shall be divided by the number of feet in said extension, and such user shall pay an amount equal to the total number of front feet in the property owned by said user which fronts on or abuts such street, times such per foot construction cost; provided, that if such extension is available for users on both sides thereof, such users shall pay one-half (½) of such charge.

I. When any street extension other than a single user extension shall be completed, for a period of twenty (20) years thereafter applicant shall be entitled to a refund from each user other than applicant who constructs any driveway, entrance, exit or any other use of the street. Such refund shall be in the amount of the charge paid by user as set forth in Subsection (H) above, less two percent (2%) collection fee for the processing performed by the City of Monett.

J. In no event shall refunds be made to the original applicant in excess of the amount paid into the pro rata street fund, and no interest shall be paid thereon.

K. At the expiration of twenty (20) years from the date on which any street extension is completed and approved and accepted by the City, all funds remaining in the pro rata street fund as a result of such extension shall become the sole property of the City and shall be transferred and paid into the General Revenue Fund of the City.

L. Additional street extensions may be connected onto any extension made hereunder, but such connection shall not entitle the original applicant for extension to a refund from the pro rata street fund.

M. Public works shall invoice user of such changes.