

ORDINANCE NO. 344

AN ORDINANCE REQUIRING REPAIRS MADE TO ANY STREET OR PUBLIC WAY BE GUARANTEED FOR ONE YEAR AND REQUIRING THAT A BOND BE FURNISHED BY ANY PERSON, FIRM OR CORPORATION WHO DESIRES TO OPEN ANY STREET OR OTHER PUBLIC WAY WITHIN THE CITY LIMITS OF THE CITY OF POLSON, MONTANA, FOR ANY PURPOSE WHATSOEVER IN ORDER TO INSURE COMPLIANCE WITH SECTION 4-3-4(B) and SECTION 9-3-1 OF THE CITY CODE OF POLSON, 1965.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLSON, MONTANA:

Chapter 3 of Title 9 of the City Code of Polson, 1965, shall be amended by adding Section 9-3-2 thereto, which Section shall read as follows:

- 9-3-2: The repair required by the provisions of Section 4-3-4(B) of the City Code of Polson, 1965, shall be guaranteed for a period of one year following the date of completion of such repair work. In order to insure compliance with this Section, any person, firm or corporation desiring to open any street or other public way within the city limits of the City of Polson, Montana, shall furnish a performance bond, written by any surety company or corporation authorized to do business within the State of Montana, in a penal sum sufficient to insure performance of the said repair work. The said penal sum, to be determined by the Street Superintendent, shall be consistent with the extent of the opening to be made and the location and surface of the street or other public way to be opened. If, at the expiration of one year from the date the repair has been completed, the same passes the inspection of the Street Superintendent the performance bond will be exonerated. If the repair work, at the end of said one year period, is unsatisfactory the same shall be redone to the satisfaction of the said Street Superintendent or a demand will be made on the bonding company to effect such repair. The consent to open a street or other public way required by Section 4-3-4(A) and Section 9-3-1 of the City Code of Polson, 1965, shall be withheld until such time as the performance bond required by this Section shall have been furnished to the City of Polson, Montana.

REPEALING CLAUSE: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED this 1st day of October, 1973. This Ordinance shall become effective and be in full force and effect from and after the 1st day of October, 1973.

ATTEST: /s/ Norene Mosley
MAYOR

/s/ Ardath E. Morton
CITY CLERK