

Chapter 58 – STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

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DIVISION 1 – IN GENERAL

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Sec. 58-90 – Definitions

Collector - provide for traffic movement between arterials and local streets. They carry moderate traffic volumes over moderate distances and have a higher degree of property access than arterials.

Emergency – a serious, unexpected and often dangerous situation requiring immediate action.

Flagman – a person who directs traffic through a construction zone or other temporary traffic control zone area using gestures, signs, or flags.

Local Street – serve the lowest traffic volumes. Low traffic volumes combined with slow travel speeds help to create a good residential or commercial setting. Collector and arterial streets, identified on the Master Street Plan, are not local streets.

MUTCD – Manual on Uniform Traffic Control Devices

Minor Arterial - function similarly to principal arterials, but operate under lower traffic volumes, serve trips of shorter distances, and provide a higher degree of property access than principal arterials.

Principal Arterial - provide both long distance connections through the urban area and to major traffic generators within the community. Roadways are designated principal arterials to imply the need to focus more on moving traffic rather than providing direct access to adjacent land. Traffic management techniques used to maintain a high level of traffic capacity on these roadways include the use of medians, restricting curb cuts per some spacing policy, and limiting the use of traffic signals in regard to their spacing with other significant roadways.

Traffic Control Plan – a plan showing proposed locations of temporary traffic control measures for street or lane closures.

Work Zone Signage – road construction signs used to alert traffic of upcoming work zone projects and safety hazards.

Sec. 58-91 – Violations and penalties

Any person, firm, corporation, or other legal entity who fails to comply with or violates these regulations shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$100.00 per day and not more than \$500.00 per day for so long as the violation exists. Each day shall constitute a separate offense.

Sec. 58-92 – Purpose

These regulations intend to provide for the safe and efficient movement of traffic through or around temporary work zones while reasonably protecting workers and equipment through the use of a traffic control plan.

Sec. 58-93. – Applicability

The provisions of this regulation are applicable to all persons, firms, corporations, business, or other legal entity providing maintenance or construction on or near a public roadway where traffic flow is impacted.

Sec. 58-94. – Disclaimer of Liability

The performance standards and design criteria set forth herein establish minimum requirements. Use of these requirements shall not constitute a representation, guarantee, or warranty of any kind by the City, or its officers and employees of the adequacy or safety of any traffic control plan. The degree of protection required by these regulations is considered reasonable for regulatory purposes. These regulations, therefore, shall not create liability on the part of the City or any officer or employee with respect to any legislative or administrative decision lawfully made hereunder.

Sec. 58-95 – Permit Required

Any person, firm, corporation, business, or legal entity providing maintenance or construction on or near a public roadway where traffic flow is impacted shall submit an application and traffic control plan to the City Engineer for review and be issued a Temporary Street and Lane Closure Permit prior to the commencement of the work, except:

- (1) On Local streets where flagmen and work zone signage is provided, or a minimum of 20 feet of road width is maintained during the lane closure;
- (2) Individuals that are pre-qualified to prepare traffic control plans in accordance with these regulations; or,
- (3) Emergency street and lane closures creating a genuine concern to the health, safety, and welfare of the public. Notification must be submitted to the City Engineer within 24 hours of the emergency closure.

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DIVISION 2 – ADMINISTRATION AND ENFORCEMENT

Sec. 58-96 – Amendments

Sec. 58-97 - Duty of City Engineer

Sec. 58-98 – Inspections

Sec. 58-99 – Revocations; stop work orders

Sec. 58-96 - Amendments.

For public health, safety and general welfare, the governing body may amend the provisions of these regulations as needed.

Sec. 58-97 - Duty of City Engineer.

It shall be the duty of the City Engineer to review the application and supporting documentation to determine compliance or lack of compliance of these regulations.

Sec. 58-98 – Inspections.

(a) The City Engineer may make or cause to be made the inspection of any temporary traffic control zone for compliance with the approved traffic control plan.

Sec. 58-99 - Revocation; stop work orders.

(a) The City Engineer may revoke any permit issued under the provisions of these regulations when informed of any false statement or misrepresentation of facts in the application or plans.

(b) When it is found that any provisions of these regulations are being violated or the plan is ineffective, the City Engineer may issue a stop work order. The stop work order shall be served upon the applicant for the project or jobsite superintendent, and no work shall continue at the site until the appropriate corrections are made to the traffic control plan.

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DIVISION 3. Permit Application and Conditions

Sec. 58-100 – Permit Application

Sec. 58-101 – Pre-qualification

58-100 – Permit Application

This article establishes plan preparation and submittal requirements for a Temporary Street and Lane Closure Permit.

(a) Preparation

- (1) The Application shall be prepared in accordance with the provisions set forth in these regulations.

(b) Submission

The Applicant shall submit one copy of the Application, traffic control plan, and all supporting documentation to the City planning office along with the review fee as established by the City Council. Upon receipt, the planning office will forward the submittals to the City Engineer for review.

Closures within Arkansas Department of Transportation (ArDot) jurisdiction require separate approval prior to submittal of the application to the City of Jonesboro.

(c) Plan Review

- (1) The City Engineer or his designated representative shall review the submittals for conformance to the City minimum design standards as established in these regulations.
- (2) The City Engineer or his designated representative will review and comment or approve the project submittals within five (5) business days upon receipt. Failure of the City Engineer to meet this timeline shall not be considered approval of the proposed work.
- (3) Coordination with other agencies may be required prior to the final approval of the application. Additional time for review of applications may be required.

(d) Rejection.

- (1) If it is determined that the proposed development will not control traffic flow in accordance with these regulations, a comment letter listing the deficiencies shall be issued to the applicant for response. Re-submittals shall be made to the City Engineering office.
- (2) If needed, an informal meeting between the applicant and the City Engineer or his designated representative may be scheduled by either party to review the overall concepts included in the plan. The purpose of this meeting may vary, but generally

shall be to agree on an overall traffic management concept and to review criteria and design parameters that apply to the project.

(e) Acceptance.

(1) If it is determined that the proposed traffic plan will control traffic conditions in accordance with these regulations, a permit will be issued to the applicant based on the following conditions of approval:

- a. The Engineering department relied upon statements and representations made in the Engineer's report, plans, and specifications. In case any statement or representation in the aforementioned documents is found to be incorrect, then the approval may be revoked;
- b. There shall be no deviations from the approved traffic control plan unless a revised plan has been submitted for review and written consent given amending the permit;
- c. The review of the traffic control plan is for conformance to City minimum design standards;
- d. Coordination with other agencies is the responsibility of the applicant;
- e. If the proposed street or lane closure is delayed for any reason, permittee is to notify the City Engineering department as soon as practicable for rescheduling.
- f. Applicant shall notify the City Engineering department when the work is complete and the street or lane is open to traffic; and
- g. Inspection for the work related to the traffic management plan shall be the responsibility of the applicant.

(2) Other conditions of approval may be added by the City Engineer as needed, as long as the added conditions are consistent with these regulations.

58-101 – Pre-qualification

This article establishes the application process for an individual to be pre-qualified and exempt from the submission and permit requirement of Section 58-95. This exemption does not relieve the pre-qualified individual from the requirement of notifying the City Engineer at least two (2) days prior to a planned closure or from obtaining a permit from the Arkansas Department of Transportation (ArDOT) for temporary closure of their facilities, as applicable. Pre-qualification is valid for a period of one-year from the date of approval.

(a) Preparation

(1) The Application shall be prepared in accordance with the provisions set forth in these regulations.

(b) Submission

(1) The Applicant shall submit one copy of the application and all supporting documentation to the city planning office along with the review fee of ten (10) times the One Traffic Lane and Street Closure Permit fee established by the City Council. Upon receipt, the planning office will forward the submittals to the City Engineer for review.

(2) Supporting Documentation shall consist of:

- (i) Evidence of current Certification as a Traffic Control Supervisor through The American Traffic Safety Services Association (ATSSA); and,
- (ii) Five (5) examples of Traffic Control Plans that have been prepared and executed under the direction of the Applicant in the twelve (12) months prior to the date of the application.

(c) Plan Review

- (1) The City Engineer or his designated representative shall review the submittals for conformance to the City minimum design standards as established in these regulations.
- (2) The City Engineer or his designated representative will review and comment or approve the submittals within five (5) business days upon receipt. Failure of the City Engineer to meet this timeline shall not be considered approval of pre-qualification status.

(d) Rejection.

- (1) If it is determined that the Applicant does not meet the minimum requirements for pre-qualification status, the Applicant will be notified of the deficiencies and be allowed to make one (1) additional submittal. Re-submittals shall be made to the City Engineering office.
- (2) If upon re-submittal, the Applicant still does not meet the minimum requirements for pre-qualification status; the Applicant will be notified of the deficiencies and will be required to submit a new complete application with applicable fees before being reconsidered for pre-qualification status.

(e) Acceptance.

- (1) If it is determined that the Applicant does meet the minimum requirements for pre-qualification status, a pre-qualification certification letter will be provided to the Applicant for record.

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DESIGN 4. Design Criteria

It is the responsibility of Applicant to ensure these regulations are adhered to. Unless otherwise provided, the following rules shall govern temporary street and lane closures within the City of Jonesboro:

Traffic control plan must comply with Part 6 of the most recent edition of the Manual on Uniform Traffic Control Devices (MUTCD).