

EXHIBIT "A"

§ 130.03 ROAD SPILLS.

(A) No vehicle shall be used to haul rubbish, trash, loose material, including rock or dirt, or any loose material of a similar nature upon the public streets of the city without being equipped with the proper equipment to prevent the load, or any part thereof, from falling, dropping or being blow from the vehicle while the vehicle is in motion.

(B) No vehicle shall be driven or moved on any street, roadway, or highway unless such vehicle is so loaded as to prevent any of its load from dropping, sifting, leaking, or otherwise escaping therefrom; provided sand, or other abrasive substances that are appropriate for roads, may be utilized during inclement weather for the purpose of securing traction and that water or other appropriate cleaning substances may be applied to a street, roadway, sidewalk, trail or highway for cleaning or maintenance purposes.

(C) No person shall throw or deposit upon any street, roadway, highway, sidewalk or trail any destructive or injurious material which would likely to cause damage to a vehicle or injury to a person or animal.

(D) No property owner, lessee, business, or operation shall permit or allow the deposit or tracking of excessive dirt, gravel, mud, sand, or similar material from the property upon any street, roadway, sidewalk, trail or highway.

(E) (1) Any person who spills dirt, gravel, mud, sand, offal, or any other similar material, or any person, property owner, business or operation who tracks, or allows for the tracking of mud, dirt or other debris, from their property onto any public street, roadway, highway, sidewalk or trail in the City of Tontitown, shall be responsible for the prompt and thorough clearance and cleaning thereof.

(2) The Mayor or duly authorized representative is hereby authorized to order the responsible party to clear and clean any affected street, sidewalk or trail within three (3) days of notice. The city shall promptly give the responsible party written notice (which can be by hand delivery, mail, email or posting the property) of the Mayor's Order to clean or clear the street, sidewalk or trail. If the responsible party fails to clear and clean the affected street, sidewalk or trail within three (3) days of receipt of notice, the city may undertake the street, sidewalk or trail cleaning, and bill the responsible party for the costs thereof, at the overtime rate for said staff.

(3) The responsible party may request that the Mayor or duly authorized representative conduct an administrative review of such an order, or the appropriateness of the amount assessed for the cleaning. The decision of the Mayor or duly authorized representative shall constitute final administrative action in the matter.

(F) A person or entity violating this section shall be punishable as a misdemeanor as set forth in § 10.99 of the Tontitown Municipal Code.