

ORDINANCE NO. 12

An ordinance relative to the construction and maintenance of side-walks in the Village of Grand Beach.

The Village of GRAND BEACH ordains:

SECTION 1. That all sidewalks hereafter constructed in said village shall be of cement. Cement sidewalks shall be constructed of a good quality Portland cement, properly mixed with sand and gravel the grouting to be one part cement and five parts of clean sand and gravel, and shall be not less than three inches in thickness, the top dressing shall be one part cement to two parts clean sharp sand, it shall be not less than one inch in thickness and shall be compactly, evenly and firmly laid. Such sidewalk shall be not less than three feet wide and shall conform to the established grade of the street upon which it is built.

SECTION 2. The owner of any lot or premises now or hereafter within said village shall build, rebuild, keep, repair and maintain sidewalks in the public streets adjacent to and abutting on such lots and premises, in accordance with the provisions of this ordinance and all such sidewalks shall, by the owner of such lot or premises, be at all times kept in condition for safe travel upon resolution of village council.

SECTION 3. Whenever the village council shall determine it is necessary to build, rebuild or repair any sidewalk in said village, they shall so declare the resolution and shall order the same to be built, rebuilt or repaired.

Such resolution shall be substantially as follows, to-wit:

Resolved that it is necessary for the public welfare and benefit, that a sidewalk on the _____ side of _____ Street in the village of Grand Beach, adjacent to and abutting lot _____ be built (or rebuilt or repaired) and it is hereby ordered that the owner (or owners) of said premises build (or rebuild or repair) said premises, within _____ days after service of notice therefor, in conformity with the provisions of this ordinance.

SECTION 4. When the village council shall order any sidewalk to be built or rebuilt or

repaired, the superintendent shall give notice thereof, as hereinafter provided, to the owner or owners or occupant of the lot or premises adjacent to and abutting on such sidewalk to build or rebuild the same within twenty days or to repair same within ten days from the date of service of such notice. Such notice shall give the date of the resolution requiring such sidewalk to be built or rebuilt or repaired, the time within which same is to be built rebuilt or repaired and shall in addition notify such owner or owners that if such sidewalk is not constructed within the time specified the superintendent will cause the same to be built, rebuilt or repaired at the expense of the owner or occupant of such lot or premises, such expense with a penalty of ten per cent to be a lien against said premises and to be levied and collected as a special assessment.

SECTION 5. Such notice shall be written or printed or partly written or partly printed, shall be signed by the superintendent and may be served by the superintendent or village marshal within five days by delivering same personally to the owner or occupant of such lot or premises if known or found within said village and if such lot or premises are unoccupied and the owner thereof is a non-resident of said village or is known and cannot be found therein within such time, then such service shall be made by posting such notice in some conspicuous place upon such lot or premises, and if the post office address of such non-resident owner is known then by also mailing, by registered mail, to such non-resident owner at such address a true copy of such notice.

The officer making such service shall make proof by affidavit of the date and method of such service and a copy of such notice with such proof attached thereto shall be filed in the office of the clerk of said village and a record made thereof.

SECTION 6. If the owner or occupant of any lot or premises shall neglect or fail, after notice as herein provided, to build, rebuild or repair or cause to be built, rebuilt or repaired, any sidewalk as required, within the time herein and in such notice provided and prescribed, it shall be the duty of the superintendent and the superintendent shall cause such sidewalk to be built, rebuilt or repaired as the ease may be and shall upon completion of the same make written report of his doings to the village council, describe the premises along which such sidewalk has been built, rebuilt or repaired, the nature and amount of work done, the cost thereof including all fees incident thereto, and the name of the person or owner chargeable therewith, if known.

SECTION 7. The council shall then determine what amount of such expense shall be charged, the person or persons if known, against whom it shall be charged and the premises upon which the same shall be levied as a special assessment and the council shall order the amounts so reported and determined, together with the penalty of ten per cent in addition thereto, and the premises and persons, if known, chargeable therewith to be reported by the clerk of the village to the board of assessors for special assessment as in the case of any special assessment and such special assessment when duly confirmed, shall be a lien upon such lot or premises and the council shall

order the village assessor to spread such amount, together with such penalty, upon his roll as a special assessment upon such lot or premises and the same shall be collected in the same manner as other village taxes; or the village may collect such amount, together with the said penalty, from the owner or occupant of said premises in an action of assumpsit, together with the costs of suit.

SECTION 8. No person shall construct any sidewalk from cement that shows deterioration or depreciation from moisture or other cause.

SECTION 9. NO person shall chip out or break down the surface of any cement walk or in any way damage or destroy such walk.

SECTION 10. Any person who shall in any matter or thing violate or fail to comply with any of the provisions of this ordinance, shall upon conviction thereof, be punished by a fine of not more than one hundred dollars or by imprisonment for not more than ninety days or by both such fine and imprisonment in the discretion of the court, together with the costs of the prosecution and the court may provide that the offender on failing to pay such fine and cost may be imprisoned for not more than ninety days..

This ordinance shall take effect from and after the first day of November A. D., 1934.

Enacted by the village council this 29th day of September A. D., 1934.

HARRY M. SMITH, President.

HELEN C. BROWN, Clerk.