

ORDINANCE NO. 209

AN ORDINANCE OF THE VILLAGE OF CRAIG, NEBRASKA, PROVIDING FOR AND REGULATING THE CONSTRUCTION OF CONCRETE SIDEWALKS AND THE MAINTENANCE AND REPAIR THEREOF BY THE RESPECTIVE OWNERS OF THE ABUTTING LOTS OR PARCELS OF LAND, AND THE ASSESSMENT OF THE COSTS THEREOF TO SUCH OWNERS, AND PROVIDING THAT THE OWNERS OF THE ABUTTING LOTS OR PARCELS OF LAND SHALL BE LIABLE FOR ANY DAMAGES CAUSED BY ANY DEFECTS IN SUCH SIDEWALKS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT.

BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF CRAIG, NEBRASKA:

SECTION 1 CONSTRUCTION AND REPAIR BY OWNERS

It shall be the duty of the owner of any lot or parcel of land within the Village of Craig, Nebraska, to construct and at all times keep and maintain in good repair concrete public sidewalks along and contiguous to said lot or parcel of land.

SECTION 2 NOTICE TO OWNERS

Whenever the Village Board shall deem it necessary that a sidewalk be constructed or an existing sidewalk repaired along any lot or parcel of land in said village, the Street Commissioner shall notify the owner of such lot or parcel of land in writing, and it shall be the duty of such owner to construct said sidewalk within fifteen days or to repair any existing sidewalk within five days, said time to be computed from the date said notice is served personally upon or mailed to said owner.

SECTION 3 VILLAGE TO CONSTRUCT OR REPAIR ON FAILURE OF OWNER TO DO SO; ASSESSMENT OF COSTS TO OWNER

If the owner of any lot or parcel of land fails to construct or repair a sidewalk as provided above, the village may construct or repair the same after giving notice of its intention to do so by publication in one issue of a legal newspaper of general circulation in said village, and by either causing a written notice to be served upon the occupant in possession of the property involved or to be posted upon said premises ten days prior to the commencement of such construction

or repair, and the cost thereof shall be assessed against said property.

SECTION 4 SPECIFICATIONS FOR NEW WALKS

No person shall construct a sidewalk on any street of said village until after the Street Commissioner shall have set the lines therefor, and the same shall be constructed strictly in accordance therewith, and with his directions as to material specifications. Said sidewalk shall be of such width as may be determined by the Street Commissioner, and shall be at least four inches in depth, and shall conform as nearly as possible to existing sidewalks along said street. It shall be constructed of concrete.

SECTION 5 STREET COMMISSIONER MAY ORDER CHANGES

If any person shall construct or repair a sidewalk in violation of the provisions hereof, the Street Commissioner shall order the same to be done in accordance with the provisions of this ordinance, and on failure of such persons to comply with such order, the Street Commissioner shall forthwith change such work and the expense of the same shall be assessed to the lot or parcel of land.

SECTION 6 PROPERTY OWNERS LIABLE FOR DAMAGES CAUSED BY DEFECTIVE SIDEWALKS

In case of neglect of any owner of the lot or parcel of land to keep the sidewalk adjacent thereto in good repair and free from defects, such owner shall be liable to the village for all damages caused by any defect in such sidewalk which shall have been recovered by any persons against said village, including all costs and expenses incurred by it in the defense of such suit.

SECTION 7 REPEAL OF PRIOR ORDINANCES

All ordinances and parts of ordinances passed and approved prior to the passage and approval of this ordinance and in conflict therewith are hereby repealed.

SECTION 8 WHEN OPERATIVE

This ordinance shall take effect and be in force from
and after its passage, approval and publication.

Passed and approved the 14th day of September, 1971.

Chairman
VIVIAN E. CARLSON

Attest:
CLIFFORD A. NELSON
Village Clerk
(SEAL)

