

ORDINANCE NO. 15

An ordinance relating to sidewalks.

Section 1. That all sidewalks hereafter constructed or rebuilt, shall be constructed or rebuilt in accordance with an ordinance of the city, which ordinance shall prescribe the material, the width and manner of construction or rebuilding the same.

Section 2. Whenever the city council shall order the building of any sidewalks, or the reconstructing or repairing of the same by ordinance as aforesaid, it shall be the duty of the city marshal to serve written notice upon each party owning or having control of any lot abutting thereon. Said notice shall state in substance the ordinance of the council ordering the sidewalks constructed, rebuilt or repaired, and direct the party to whom it is addressed to construct, rebuild or repair such sidewalks within thirty days after the service of the notice aforesaid.

Section 3. In case any person, owner or agent of any lot or lots shall refuse or fail to construct, repair or rebuild any sidewalk upon which his property may abut, when notified so to do by the marshal in accordance, it shall then be lawful for the city marshal, after the expiration of thirty days from the service of the notice provided for in section (2) of this ordinance, to proceed to construct, rebuild or repair such sidewalk in accordance with the city council.

Section 4. In case any sidewalk is to be rebuilt entirely, the same shall be condemned first by the city council by ordinance, ordering the same to be removed and rebuilt in accordance with the ordinance aforesaid. The marshal shall also serve notices of such condemnation and order to rebuild, as provided in section (2) of this ordinance, and if any party fail to comply with the notice within thirty days after service, the marshal may proceed to remove the sidewalk condemned and rebuild the same in accordance with the said ordinance.

Section 5. Whenever, in this city, there shall be on one in charge of any lot as agent or owner which may abut upon any sidewalk ordered to be constructed, removed and rebuilt or repaired, in whole or in part, the marshal, after due search for such party, within three days shall cause to be published in some newspaper in the city a notice to the party owning said lot, and shall also post up the notice shall recite in substance the ordinance of the council and, shall direct the party owning the lot to construct, repair, in whole or in part, such sidewalk within thirty days from the publication thereof, after the expiration of that time, if the owner fail to comply with the notice, it shall be lawful for the marshal to proceed to repair or construct or remove and rebuild such sidewalk in accordance with the ordinance of the council.

Section 6. Any person who shall hinder or delay the marshal in the execution of his duties under this ordinance, shall, upon conviction be fined not less than twenty nor more than one hundred dollars.

Section 7. In all cases when the marshal shall construct, rebuild, remove and repair, in whole or in part, any sidewalk according to the provisions of this ordinance, he shall certify the cost of constructing, rebuilding or removing and repairing to the city clerk.

Section 8. Whenever any person shall fail, within twenty days after the completion of repairing, constructing or removing and rebuilding any sidewalk by the marshal in compliance with the provision of this ordinance to pay to the city treasurer the costs and expenses incurred therein by the marshal, it is made the duty of the city clerk to certify he said costs and expenses of repairing or constructing or removing and rebuilding said sidewalks, to the county clerk of Reno county, Kansas, together with a penalty of twenty per cent, which penalty costs and expenses shall be assessed against the abutting lot or lots, to be collected as other taxes.

Section 9. This ordinance to be in full force and effect from and after its publication.

Approved August 5, 1901.

First publication August 10.

C. W. Astle, Mayor

(Attest:)

A. L. Hartzler, City Clerk