

ORDINANCE 60

AN ORDINANCE CONCERNING THE CONSTRUCTION, RECONSTRUCTION AND REPAIR OF SIDEWALKS AND CURBS BY ABUTTING OWNERS IN THE VILLAGE OF LOCH ARBOUR AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF.

THE BOARD OF TRUSTEES OF THE VILLAGE OF LOCH ARBOUR DO ORDAIN:

Section 1. The following words, when used in this ordinance, shall have the following meaning:

The word "Village" shall mean the Village of Loch Arbour.

The word "Trustees" shall mean the Board of Trustees of the Village of Loch Arbour, being the governing body of said Village.

The word "Village Engineer" shall mean the duly designated or appointed engineer of the Village of Loch Arbour, or any person employed by the Village of Loch Arbour to perform any engineering services for the Village of Loch Arbour.

The Words "Tax Collector" shall mean the collector of taxes and assessments of the Village of Loch Arbour.

The words "Village Clerk" shall mean the Clerk of the Village of Loch Arbour.

The words "Abutting Owner", in addition to their generally accepted meaning, shall also mean the owner of real estate in front of which any side walk improvement is made or to be made in the Village of Loch Arbour.

Section 2. Whenever in this ordinance any work importing the singular number or masculine gender is used in describing or referring to any person, party, matter or thing, the same shall include and apply to several persons or parties as well as to one person or party, to females as well as males, and to several matters or things as well as one matter or thing.

Section 3. It shall be required that all property fronting on a street or road in the Village of Loch Arbour be furnished, by the owner thereof, with curbs and sidewalks abutting said property. Every sidewalk and curb in the Village hereafter constructed, reconstructed or repaired in a good and workmanlike manner at the abutting owners own cost and expense. All new side walks shall be not less than four (4) feet in width, unless otherwise permitted by the Trustees.

Section 4. All new sidewalks and curbs constructed by an abutting owner shall be constructed in accordance with the line and grade established by the Village Engineer. All old or existing sidewalks and curbs reconstructed or repaired by an abutting owner shall be reconstructed or repaired in accordance with the existing line and grade unless such line or grade is changed by the Village Engineer. It shall be the duty of the abutting owners in all cases to make an inquiry of the Village Engineer respecting such line and grade. Where the fill-in is more than one (1) foot it shall be done in layers and thoroughly tamped compacted.

Section 5. Every sidewalk constructed, reconstructed or repaired by an abutting owner shall be constructed, reconstructed or repaired with thoroughly mixed concrete composed of one part of the best quality cement, preferably Portland cement, two parts of clean, sharp sand and four parts of broken trap rock, three-quarter inch size, free from dust and dirt; or in lieu of the

aforegoing, said sidewalk shall be constructed of what is commonly known as 3,000 pound concrete. All such concrete shall be four inches in depth when finished and laid, except driveways and sidewalk aprons which shall be six inches in depth when finished and laid. All sidewalks driveways and aprons shall have installed therein a reinforcing wire mesh material. All concrete, after being placed shall be stamped, screened and finished to true grade. All curbs shall be not less than sixteen inches deep and six inches in width and shall be constructed of a minimum mixture of one part cement, two parts mashed sand and three and one half parts washed gravel or other suitable aggregate.

Section 6. Every abutting owner, at his own cost and expense shall at all times keep and maintain his sidewalk and curb in good condition and state of repair, and shall not permit the same to fall into a state of disrepair or to become unsafe or unfit. In the event any sidewalk or curb, or part thereof, becomes broken or in need of repair, or the condition thereof becomes unsafe or hazardous to the public or unfit to walk upon, the abutting owner, at his own cost and expense shall, with all expeditious speed reconstruct or repair, as the case may require, such sidewalk or curb or part thereof which needs reconstruction or repair. Said improvement or work shall be done in accordance with the provisions of section 3, 4 and 5 of this ordinance.

Section 7. In the event the abutting owner fails to reconstruct or repair his sidewalk or curb, or such part thereof as may require reconstruction or repair, as provided in this ordinance, the Trustees may cause the said improvement and all work thereunder to be made under the supervision of the Village Engineer or may award a contract therefore, and the cost thereof to be assessed upon the property of the abutting owner in accordance with the law in such case made and provided.

Section 8. Any person violating any provision of this ordinance shall, upon conviction thereof, be subject to the payment of a fine not exceeding \$200.00 or to imprisonment for a period not exceeding 90 days or both.

Section 9. If any provision of this ordinance is found to be invalid, the remaining provisions hereof shall not be effected thereby, but shall be and remain in full force and effect.

Section 10. Any provision of any other ordinance in conflict with this ordinance is hereby repealed to the extent of such conflict.

Section 11. This ordinance shall take effect after final passage and publication as required by law.