Chapter 12.36 Sidewalks

Sections:

12.36.010 Construction—Supervisory authority

12.36.050 Construction—Authority of city council to order

12.36.060 Construction—Notice to land owners

12.36.070 Construction—Time limits—Waivers

12.36.080 Construction—Costs to become lien

12.36.090 Construction—Waiver

12.36.100 Repair—Notice—Costs

12.36.010 Construction—Supervisory Authority

All sidewalks shall be constructed under the direction of the Director of Operations.

Enc Ord 374 July 21, 1994

12.36.050 Construction—Authority of City Council to Order

Whenever there is any place in the city where a sidewalk is needed, and where no good and sufficient sidewalk has already been constructed, the city council, by a majority vote, may order, and on petition of two-thirds of the abutting property affected the city council shall order a sidewalk to be built in any such place needed. All orders for sidewalks wherever constructed shall be passed by a majority vote of all members of the council. All orders of the council requiring a sidewalk to be constructed shall specifically set forth the street or streets on which a sidewalk is to be laid, and between what points of any street or streets.

Enc Ord 374 July 21, 1994

12.36.060 Construction—Notice to Land Owners

After the passage of an order to construct a sidewalk, passed in the manner set forth in the preceding sections, the City Clerk shall notify the property owner by written notice the action of the city council. This notice shall be served by mail on the property owner.

Enc Ord 374 July 21, 1994

12.36.070 Construction—Time limits—Waivers

Every person, firm or corporation required to lay a sidewalk shall have thirty days after service of notice to lay or construct such sidewalk. At the expiration of thirty days after service of notice, the director of operations shall make a report to the city council, showing whether or not such sidewalks ordered to be constructed have been laid. After the receipt of such report by the city council, and if it is determined that any sidewalk ordered has not been laid, within thirty days after service of notice, then the city council shall order the same to be laid at the expense of the city.

All cement sidewalks laid at the expense of the city shall be laid in the following manner. The city council shall advertise for bids for the sidewalk to be rebuilt. Each bid must be sealed an must specify the price for which cement sidewalks, curbs, crosswalks and gutters will be laid along or in front of each lot in accordance with the plans and specifications on file in the Director of Operations’ office for the construction of sidewalks. The contract for the construction of such walks as may be ordered by the city council during such period, shall be let to the lowest possible bidder, who shall give a good and sufficient bond in an amount to be fixed by the city council. The city council, however, shall have a right to reject any and all bids received under such advertisement. After the cost price has been paid for constructing a sidewalk in front of each lot, the director of operations shall certify to the city clerk the amount of such walk constructed, and the amount paid therefore, whereupon the city clerk shall notify the owner of any lot or lots to the effect that the city has caused a sidewalk to be constructed in front of his premises: and that the cost thereof amounted to so much, and that unless the same is paid within five days, the city clerk will cause such sum to be levied and assessed against his property; provided, that where one person owns more than one lot affected by a sidewalk, all such lots may be treated as one lot. (Prior code §255)

Enc Ord 374 July 21, 1994

12.36.080 Construction—Costs to Become Lien

If any person fails to pay the city treasurer the cost of any sidewalk within the time specified in Section 12.36.070, such failure shall be reported to the city council by the city treasurer. The council shall, at any regular meeting, and must, on or before the first Monday in October of each year, levy and assess against any delinquent property, the cost of construction of a sidewalk along or in front of the same, describing each lot and stating the amount assessed against the same. Immediately thereafter, the city clerk shall file with the county clerk and recorder a certified copy of such order of the council. The county clerk and recorder shall enter such cost as taxes against each lot affected, and shall certify the same to the county treasurer, the same as other taxes are certified, and any and all sums due the city for the construction of any sidewalk, against any property shall be levied and assessed and collected substantially as other taxes, and such sums so due shall be a lien, as other taxes against such property affected. (Prior code §256)

Enc Ord 374 July 21, 1994

12.36.090 Construction - Waiver

When a sidewalk has been ordered constructed by the city council, and notices served as provided in this chapter, and the owner or owners of the property affected by the construction of such walk have signed a waiver of the right to construct such walk, or have failed to commence such construction of such walk within the thirty days specified, such failure to so construct shall be considered as a waiver of the right of the party or parties affected to construct such walk, and they shall not have the right after the expiration of such time to construct such walk. (Prior code §257)

Enc Ord 374 July 21, 1994

12.36.100 Repair—Notice - Costs

When any sidewalk becomes broken or otherwise out of repair or required to be completely re-laid may require such repairs to be made after written notice thereof to the owner or occupant, and such notice shall be served as required for original construction, and such notice shall state what repairs shall be made. In all cases where it is necessary to completely rebuild any sidewalk, notice shall be served in the manner provided in Section 12.36.060, and if any person fails or neglects to repair such sidewalk after notice as aforesaid, the city shall make such repairs at its own expense and the cost thereof shall be certified to and collected in the same manner as expenses for construction of sidewalks. (Prior code §258)

Enc Ord 374 July 21, 1994