

SIDEWALK CONSTRUCTION ORDINANCE

A general ordinance, prescribing rules and regulations governing the construction of sidewalks in the Town of LaGrange, Indiana:

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LAGRANGE, INDIANA:

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Section 1. - Definitions

For the purpose of this division, the following words shall have the meanings ascribed to them in this section:

1. "Town" - means the Town of LaGrange, Indiana;
2. "Person" - shall mean a natural person, partnership, firm or corporation;
3. "Sidewalk" - shall mean any sidewalk located within the corporate limits of the Town of LaGrange, Indiana; any of which is under the jurisdiction of the Board of Trustees of the Town of LaGrange;
4. "He" or "Him" - The words "he" or "him", as used herein, shall include the words "she", "hers" or "her", and "it" and "its". The singular shall include the plural. The plural shall include the singular. The masculine shall include the feminine, and the feminine shall include the masculine.
5. "Petitioner" - shall mean any person who makes "a request" for a permit, pursuant to the provisions hereof.

Section 2. - Purposes of Sidewalk

Sidewalks are beneficial to the LaGrange community in that they provide:

- (1) Protection of children walking to and from schools and playgrounds;
- (2) Adult pedestrian access to shopping areas, leisure walking, etc.;

- (3) Play areas for children;
- (4) Aid to postal, newspaper and other door-to-door deliveries.
- (5) No bicycle shall be ridden on, along and upon any sidewalk.

Section 3. - Construction Standards

It is agreed that widths, grades, specifications of materials, and methods of sidewalk construction are to be determined by the Town Engineer.

Section 4. - Location

Sidewalks shall be located on all major streets. Sidewalk construction is either unfeasable or unnecessary on certain major and local streets or portions thereof. From time to time, it may become necessary to determine where said sidewalks shall be located, which shall be the duty of the Town Engineer, subject to the approval of the Board of Trustees thereof.

Section 5. - Financing

Property owners shall be responsible for the construction and maintenance of sidewalks located on their property or on the right-of-way adjacent to their property and the streets of said town.

Section 6. - Implementation

A sidewalk construction program can be implemented by the following:

- (1) Filing a petition of a majority of owners demanding or requiring the construction of a sidewalk;
- (2) That the Board of Trustees of said town can require and order the replacement of existing hazardous sidewalks.

Section 7. - Failure of Owner to Construct Sidewalk

If the owner or occupant of any lot or premises shall neglect, refuse or fail to build, rebuild, or repair any sidewalk, after notice shall have been given as herein provided, within the

time and in the manner as the Town Board shall require, the town shall cause the sidewalk to be so built, rebuilt or repaired, and the expense incurred thereby, together with a penalty of ten (10%) percent of the expenses in addition thereto, shall be collected by special assessment levied upon the lot or premises adjacent to or abutting upon, the sidewalk, according to law.

Section 8. - Establishing of Sidewalk Grade

It shall be the duty of the Town Engineer, whenever requested in writing by two (2) or more freeholders residing on the line of any street in the town, to establish the grade for the sidewalk on said street, and no sidewalk shall be constructed within the town unless the grade thereof and other specifications have been established by the direction of the Town Engineer.

Section 9. - Ice, Snow or Debris on Sidewalk

No owner or occupant of any lot or premises within the town, shall allow or permit the sidewalk in front of or adjacent to such lot or premises to be and remain encumbered or obstructed by any snow, ice, filth or other nuisance or encumbrance, for a period of more than twenty-four (24) consecutive hours.

In all cases where any owner or occupant of any lot or premises abutting upon or adjacent to the sidewalk being upon any public street in the city, shall permit or allow any snow, ice, filth or other nuisance or encumbrance to remain upon, encumber or obstruct the sidewalk for a period of more than twenty-four (24) consecutive hours, the Town Marshall shall have authority to cause such snow, ice, filth or other nuisance or encumbrance to be removed from the sidewalk, and all expenses incident to the removal thereof, shall be collected from either the owner or the occupant of the lot or premises by special assessment upon the lot or premises, as provided by law.

Section 10. - Notice to Construct or Improve

Whenever a sidewalk needs to be constructed, repaired

and/or improved, the Town Clerk shall notify the affected property owner and/or owners in writing, by Certified Mail, Return Receipt, or by personal service by the Town Marshall, giving said property owner and/or owners 180 days in which to comply with said notice to construct, repair and/or improve said sidewalk and/or sidewalks.

Section 11. - Conflict

All ordinances and parts of ordinances in conflict herewith, are hereby repealed.

Section 12. - Penalty

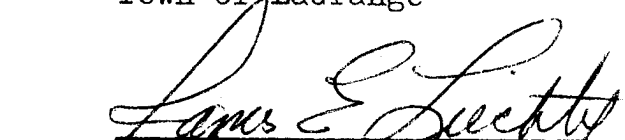
Any person violating this ordinance, upon conviction, shall be fined not less than \$ 25.00, nor more than \$ 100.00 for each offense.

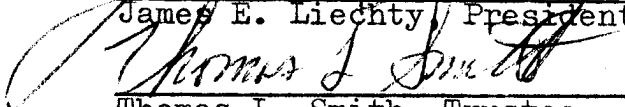
Section 13. - Force and Effect


This ordinance shall be in full force and effect from and after its adoption by the Board of Trustees of the Town of LaGrange, Indiana.

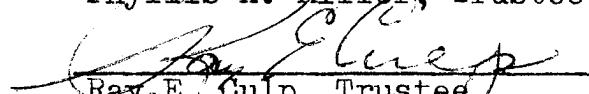
ORDIANED AND PASSED this 17th day of December, 1979.

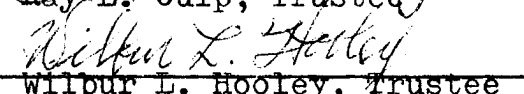
BOARD OF TRUSTEES of the  
Town of LaGrange

  
James E. Liechty, President

  
Thomas L. Smith, Trustee

  
Phyllis A. Miller, Trustee

  
Ray E. Culp, Trustee

  
Wilbur L. Hooley, Trustee