

ORDINANCE NO. 1974-1

AN ORDINANCE CONCERNING REPAIR TO SIDEWALKS AND STREETS

WHEREAS, from time to time it is necessary and required by the residents, both private and commercial, of the Town of Fort Branch, Indiana, to break the surface of existing sidewalks and streets; and

WHEREAS, it is required and necessary to regulate the repairs and replacement of said surface of said sidewalks and streets;

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Fort Branch, Indiana.

Section 1. Whenever any surface of any sidewalk, or street, or any part of any sidewalk, or street, within the corporate limits of the Town of Fort Branch, Indiana, shall be intentionally broken for the purpose of construction, repair, improvement, maintenance, or for any other purpose which relates to a person's private or commercial use of their real property, then and in that event, said person or persons who have so caused the break in said surface for the above reason or reasons, shall be responsible for the reasonable repair of the same, whether or not they broke the surface personally or caused the said surface to be broken.

Section 2. Upon completion of the said repair, construction or improvement, said surface shall be replaced in a reasonable manner by the Town of Fort Branch, Indiana, under supervision of a street commissioner in accordance with the general plan of improvement of said sidewalk, or street, or any part thereof; and the street commissioner shall keep an accurate account of the necessary expenses of so doing, the account shall be itemized, and filed with their Clerk-Treasurer of the Town of Fort Branch immediately upon the completion of such repairs. The said Clerk-Treasurer shall bring before the Board of Trustees of the Town of Fort Branch said itemized account and after hearing said matter, it shall be the duty of said Board of Trustees to fix the amount of the cost

of said repairs and to assess the same against the person or persons who caused the break in the surface of the said sidewalk, or street, or any part thereof.

Section 3. Notice shall thereby be given to said person or persons so causing said break in said sidewalk, or street, and said person or persons shall be given a reasonable period of time in which to pay said amount.

PASSED AND ADOPTED by the Board of Trustees of the Town of Fort Branch, Indiana, this 6th day of MARCH, 1974.

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Jean D. Stone
Clerk-Treasurer