

An Ordinance Concerning the Construction and Repair of Sidewalks.

Be it Ordained by the Board of Trustees of the Town of Grand Junction.

Sec. 1. Whenever the owners of more than one-half of the frontage upon either sidewalk of any street, or any specified portion thereof, within the town of Grand Junction, shall petition the Board of Trustees for the construction of such sidewalk, or whenever a two-thirds majority of all the members of the Board of Trustees shall decide that such improvements are necessary, they shall immediately order such sidewalks to be constructed.

Sec. 2. Unless otherwise specified in the order, all sidewalks shall be constructed of not less than two-inch plank, six inches in width and twelve feet in length, to be laid at right angles with the street, on sub-sills of scantling at least two-by-four inches, firmly imbedded in the earth or well supported underneath. The space between the scantlings shall not exceed three feet from centre to centre, and all lumber used about said walks must be sound and marketable spruce or pine and be firmly spiked to said sub-sills; the whole to be laid to the established grade, which grade shall be furnished by the Town Engineer at the expense of the town. Sidewalks shall be repaired with the same kind of material as that used in the original construction of the same.

Sec. 3. Whenever the Board of Trustees shall order the construction or repair of any sidewalk, the Street Commissioner shall forthwith serve a written or printed notice upon the owner or agent of each lot or parcel of land fronting upon such sidewalk, requiring him to construct or repair so much thereof as may be in front of the lots, or parcels of real estate owned by him, or for which he is agent, within fifteen days from the date of service of such notice, in case of the construction, and within five days in case of the repair of said sidewalk, according to the plans and specifications provided by ordinance or by order of the Board of Trustees, and under the direction and to the satisfaction and approval of the Street Commissioner. In case the owner of any such lot or lots shall be a non-resident and shall have no agent in the town upon whom such notice may be served, the Street Commissioner shall post such notice upon said premises and also publish the same in the official newspaper for a period of two weeks.

Sec. 4. In case of the failure on the part of the owner or agent to construct or repair such sidewalks within the time specified in such notice, the Street Commissioner shall cause the same to be done and shall upon the completion of such work make out and deliver to the Town Recorder a certificate showing the cost thereof and a description of the property in front of which such work was performed and the name of the party or parties who performed such work or furnished material therefor and the amounts owing to each and the Board of Trustees shall at their next regular meeting cause warrants to be drawn upon the Treasurer in payment for the same. And shall thereupon assess the cost of such construction or repair of such sidewalk against the lots or parcels of land fronting on such sidewalk.

Sec. 5. Upon the filing with him of any certificate or certificates, and the assessment by the Board as provided in the foregoing section, the Town Recorder shall cause to be published in the official newspaper for a period of ten days a notice to such lot owners, setting forth a time and place, when and where he may appear before the Board of Trustees, and be heard as to the justness and correctness of the amount so certified and assessed against his lot or lots. At the time and place mentioned in such notice, the Board of Trustees shall meet and hear and consider any and all complaints of any lot owner affected by such assessment and correct any and all errors and remedy any injustice so complained of in such certification and assessment.

Sec. 6. In case the owner of any lot or lots shall fail to pay such assessment to the Town Recorder within fifteen days after the meeting of the Board of Trustees mentioned in the preceding section, the same shall be certified by the Town Recorder to the County Clerk and Recorder of Mesa County, or to the officer then having the custody of the tax list, to be by such officer placed upon such tax list for the current year, to be collected in the same manner as other taxes are collected, with ten per centum penalty thereon to defray the cost of collection.

Sec. 7. Such assessments shall be and remain a lien upon such lot or lots, until paid by the owner thereof.

Sec. 8. The provisions of this Ordinance shall be deemed and construed to be for the purpose of carrying into effect the police powers of this town as to such construction and repair of sidewalks and shall not be construed as imposing a special tax under the taxing power.

Sec. 9. Chapter VIII of the Revised ordinances of 1884 entitled "Sidewalks" be and the same is hereby repealed.

Passed by the Board of Trustees this 12th day of July, A. D. 1887, Jos. P. SWENEY Mayor.

Attest:
O. J. KENNEDY, Recorder.

attest Jos P. Sweney "Mayor"
O. J. Kennedy
Recorder