

ORDINANCE NO. 1128

AN ORDINANCE REPEALING SECTION 10 AND AMENDING SECTIONS 11 AND 12 OF CHAPTER 81 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION CONCERNING SIDEWALK CONSTRUCTION AND RECONSTRUCTION BY OWNERS OF PROPERTY OR BY THE SAID CITY AND PAYMENT THEREFOR.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

1. That Section 10 of Chapter 81 of the 1953 Compiled Ordinances of the City of Grand Junction, Colorado, be and it hereby is repealed.

2. That Section 11 of Chapter 81 of the 1953 Compiled Ordinances of the City of Grand Junction, Colorado, be amended to read as follows:

Section 11. SIDEWALKS. COST AND HOW ASSESSED. The whole cost of construction and reconstruction of sidewalks and necessary grading and removal of obstructions shall be assessed upon the lots or lands in front of which such improvements are made, as follows: The grading, removal of obstructions, and all other expenses, including cost of collection and interest, pro rata per front foot; new walks, pro rata per front foot, where constructed; and reconstructed walks upon each lot or piece of land where reconstructed, according to the cost of reconstruction.

3. That Section 12 of Chapter 81 of the 1953 Compiled Ordinances of the City of Grand Junction, Colorado, be amended to read as follows:

Section 12. COUNCIL MAY ORDER NEW SIDEWALKS OTHERWISE THAN IN DISTRICTS. The Council may order the construction or reconstruction of sidewalks otherwise than in Districts, whenever in the opinion of the Council it shall be proper, because sufficient sidewalks have been laid in the vicinity to make it reasonable that the intervening sidewalk areas should be provided with sidewalks, or existing sidewalks should be reconstructed. In all such cases the Council shall notify the owner or his agent to construct or reconstruct such walks within thirty days, or other period of time deemed reasonable by the Council, from the date of service of such notice. The owners shall have the right to construct or reconstruct their own sidewalks in conformity with plans and specifications of the City Engineer. The said notice shall be in writing and served in person upon the owner, if found within the City, and if not it may be served by Registered or Certified United States mail, or by publication for ten days in some daily newspaper published in the City. Whenever the owner shall be in default the Council may have the required work done,

either by the City acting through its proper officers, agents or employees or by others, and when done, issue to the person, firm, City of Grand Junction, or other corporation doing the work its certificate therefor, stating the just amount due him, it or them, which certificate shall draw interest at the rate of one percentum per month until paid, and when recorded in the office of the County Recorder, shall be a lien upon the property in front of which the work was done, and said amount may be recovered by the holder of the certificate against the owner in any court of law, and said lien may be foreclosed by the holder of such certificate, if not paid within thirty days from its date. The Council may, by resolution, provide further means of construction or reconstruction of said sidewalks upon failure of the owner to do so within the limit specified by notification, such as by inclusion of the area in an improvement district for such purposes. Upon the passage of the resolution creating such an improvement district, the owner may not thereafter do or have done the construction or reconstruction of such sidewalk, but the same may be done only under the improvement district.

PASSED and ADOPTED this 15th day of March, 1961.

Charles E. McCormick

---

President of the City Council

ATTEST:

Helen C. Tomlinson

---

City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 1128, was introduced, read and ordered published by the City Council of the City of Grand Junction, Colorado, at a regular meeting of said body held on the 1st day of March, 1961, and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City at least ten days before its final passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City, this 16th day of March, 1961.

Helen C. Tomlinson

---

City Clerk

Published 3-5-61