

ORDINANCE NO. 35

AN ORDINANCE PROVIDING FOR AND REGULATING THE CONSTRUCTION
AND REPAIR OF SIDEWALKS IN THE VILLAGE OF CLARKSFORK: DEFINING
A NUISANCE, AND PROVIDING A PENALTY FOR MAINTAINING SUCH NUISANCE
BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES
OF THE VILLAGE OF CLARKSFORK:

Sec. 1. There shall be constructed, kept and maintained
in the Village of Clarksfork sidewalks along both sides of all
of the streets in said Village, to be constructed of wood or
concrete, as hereinafter prescribed, at the option of the
owner of the abutting property, which sidewalks shall conform
to the established grade of the street and shall be constructed
by or at the expense of the owner of the abutting property.

Sec. 2. No sidewalks shall hereafter be maintained in the Village of Clarksfork which do not conform to the specifications hereinafter set out, or which, by reason of improper construction, or failure to repair the same, or otherwise, have become dangerous or unsafe for public travel. And any sidewalk which is permitted to become dangerous or unsafe for the use of the public, or which does not substantially conform to the specifications contained in this ordinance is hereby declared to be a nuisance and may be abated in the manner hereinafter provided.

Sec. 3. When the sidewalks herein provided for are to be constructed of wood, they shall be constructed of two inch planks laid crossways upon three two inch by six inch stringers placed equi-distant thereunder, said walk to be five feet four inches in width commencing at the property line, and having an incline of one fourth inch to the foot from the lot line towards the street; at the intersection of streets all sidewalks, whether constructed of wood or concrete, shall extend lengthwise to the curb line;

PROVIDED, HOWEVER, that upon the following streets the sidewalks, whether constructed of wood or concrete, shall be eight feet in width from the property line, ^{with 4-2 in by 6 in stringers} but shall otherwise conform to the foregoing specifications, to-wit: on both sides of Main Street between Railroad Avenue and Third Street; on both sides of First Avenue between Cedar Street and Mill Street.

Sec. 4. If the owner of the abutting property desires to construct the said sidewalks of concrete, such walks shall be of the width prescribed for wooden walks, and shall be according to specifications to be furnished by the Board of Trustees upon application of such property owner.

Sec. 5. The Board of Trustees may at their discretion order the construction or repair of any sidewalk, or the abatement of any nuisance as defined in Section 2 of this Ordinance, within the Village of Clarksfork, by resolution adopted at any regular or special meeting of the Board. Such resolution shall be spread upon the minutes of the Board, and a copy thereof shall be served on the owner or occupant of the property abutting upon such sidewalk, and such owner or occupant shall within ten days after the service of such notice, construct or repair such sidewalk and abate such nuisance, and if such owner or occupant fails so to do, the Board may construct or repair the same and abate such nuisance, and the expense of such construction or repair shall be assessed against the abutting property and certified to the assessor, the County Auditor and the tax collector, and shall be placed upon the tax roll as a charge against the abutting property, and collected as other village taxes are collected.

Sec. 6. The owner of any lot or part of lot in the Village of Clarksfork who shall permit any sidewalk along or adjacent thereto to be, become or remain out of repair or unsafe or inconvenient for travel, or in such condition as to obstruct the free use thereof or the free passage thereover in the customary manner, shall be deemed guilty of maintaining a nuisance, and on conviction thereof shall be fined in a sum not less than One Dollar or more than Twenty-five Dollars, and costs of prosecution.


Sec. 7. The service of the notice provided for in Section 5 of this Ordinance may be made by delivering a copy thereof to the owner of the premises if he be known, or by leaving a copy thereof at the residence of such owner with some person of suitable age, if such residence be in the Village of Clarksfork, or by leaving a copy thereof with the occupant of the property if there is one, or if there is no occupant, then by posting such notice in a conspicuous place on the property along or adjacent to which said sidewalk is to be constructed or repaired.

Sec. 8. This ordinance shall take effect and be in force from and after its passage and publication.

Passed and approved this 10th day of April, 1913.

Chairman

Attest:


W. W. Thibault

Village Clerk.