

ORDINANCE NO. 11-48

By Mr. Helmbrecht

Providing for the construction, reconstruction, and repair of sidewalks, and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, STATE OF OHIO:

Section 1. That all sidewalks hereafter constructed in any of the streets or highways of the City of Bexley, Ohio, shall be of concrete; that the same shall be of the uniform width of four feet, unless a different width shall be provided in any resolution of Council hereafter ordering sidewalks to be constructed in any one or more streets, or unless a different width shall be ordered by the Mayor in order to conform to existing sidewalks.

That said sidewalks shall be constructed in accordance with the plans and specifications for sidewalks heretofore adopted by Council, and now on file in the office of the Mayor, which shall at all times be so kept on file and open to public examination; that they shall be constructed with a cross-slope of $\frac{3}{8}$ ths of an inch per foot, and shall be placed with the inside edge, being the edge next to the lot line, two feet from the lot line, and at an elevation above the curb grade of $\frac{3}{8}$ ths inch for each foot that the sidewalk is distant from the curb, plus one inch rise at the curb; provided, however, in order to conform to existing sidewalks or to meet special conditions, Council may in its resolution ordering the construction of sidewalks, or the Mayor by special order, may direct a different location with reference to lot lines, or a different elevation for any sidewalk, which resolution or special order shall prevail.

Section 2. That the owner of any lot or parcel of ground in the City shall cause the sidewalk, or any part thereof, in front of or abutting upon such lot or parcel of ground, to be paved, repaved, or repaired, whenever Council shall, by resolution direct the same to be done, and he shall thereafter keep the same in good order and repair.

Section 3. Notice to construct or repair sidewalks shall be

given in the manner provided by the statutes of Ohio; provided, however, the resolution and notice to construct may provide a longer time than the statutory provisions of 15 days for constructing sidewalks, and of five days for repairing sidewalks.

Section 4. That no person, property owner, agent or contractor, shall begin or proceed to make any such sidewalk in any street of the City, either by himself or by private or public contract or agreement until he shall have first obtained a permit from the superintendent of streets so to do, and thereafter such sidewalk shall be made and constructed under the supervision and control of and to the satisfaction and approval of the superintendent of streets, or the engineer, and no person shall be required to pay the cost and expense of making and constructing such sidewalks until the same shall be accepted and approved by the superintendent of streets, or the engineer, in writing. A fee of \$1.50 shall be paid for such permit to the Superintendent of Streets, and by him deposited with the City Auditor to the credit of the public service fund.

Section 5. If such sidewalks are not constructed, reconstructed or repaired within the time limited in such resolution, and notice requiring the same to be done, the Mayor may do or have the same done at the expense of the owner, and all such expenses shall be assessed and collected in the same manner with a penalty of five per cent, and interest, for failure to pay at the time fixed by assessing ordinance, as in cases or improvements as provided by statute.

Section 6. This ordinance is an emergency measure, necessary to the public peace, health, and safety, said emergency being that many streets in the City are without sidewalks, which fact creates a dangerous traffic hazard, and said ordinance shall go into immediate force and effect.

Passed April 13, 1948.

S. J. Altmaier
President of Council
Pro Tempore

E. D. Stackhouse
Attest: E. D. Stackhouse
Clerk

Approved April 13, 1948

W. A. Schneider
Mayor

I, E. D. Stackhouse, Clerk of Council, City of Bexley, Ohio, do hereby certify that there is no newspaper published in said municipality and that publication of the foregoing ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by the Council as follows: Main Street and Parkview Avenue, Main Street and College Avenue, Main Street and Drexel Avenue, Broad Street and Drexel Avenue and Parkview Avenue and Clifton Avenue each for a period of fifteen days commencing on the 16th day of April, 1948.

E. D. Stackhouse
E. D. Stackhouse
Clerk of Council,
City of Bexley, Ohio

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