

## Chapter 12.04

### CONSTRUCTION OF SIDEWALKS

#### Sections:

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12.04.010 Construction of Sidewalks. The city council may order the construction of any sidewalk to connect with, extend or complete any sidewalk or crosswalk already constructed upon any street of the City of Harlowton.

12.04.020 Notice to Construct Sidewalks. Whenever the city council, by a majority vote of all the councilmen, shall order the construction of any sidewalk to connect with, extend or complete any sidewalk or crosswalk already constructed upon any street, it shall be the duty of the city clerk to notify the owner or owners of the property abutting upon said sidewalk to be constructed or to be improved by said sidewalk, that such owner will be allowed a period of thirty (30) days to construct the sidewalk so ordered, which notice shall be in writing, and may be served either by personal service or by registered mail, by depositing in the post office a registered letter containing said notice addressed to the owner at his last known address, which shall be deemed sufficient service by registered mail, which notice shall fully describe therein the terminus, course, width and character of the walk to be constructed, and shall also notify the owner or owners that at the end of thirty (30) days from the date of service of said notice, said sidewalk will be constructed by the City of Harlowton, and that the total cost of constructing said sidewalk including any notice, establishing grades, blocking, handrailing, private crossings, engineering fees, contractor's and materialman's charges, shall be assessed as a special tax to the property in front or along side of which said sidewalk is built or repaired.



12.04.030 Expiration of Notice. At the expiration of thirty (30) days from the service of said notice, as aforesaid, and the owner or owners of said property have failed to construct said sidewalk the city council, at its next regular meeting, shall order said sidewalk to be constructed and if it appears that the total cost of constructing said sidewalk shall exceed the sum of two hundred fifty (\$250.00) dollars, shall immediately advertise for bids for the construction of the same, and the total cost of constructing said sidewalk shall be reported by the contractor of the person or corporation in charge of the construction thereof, to the city council and after said cost shall be duly audited by the city council, and the correct amount of the total cost ascertained, the city clerk shall certify to the county treasurer the amount of the cost to be apportioned to each lot or parcel of land abutting upon said sidewalk, and improved thereby, and such amount shall be levied as a special tax against said lot or such parcel of land and shall be collected as other taxes are collected.

12.04.040 Up-Keep of Sidewalks. It shall be the duty of the owner or owners of any lots or premises within the limits of the City of Harlowton to keep the sidewalk in front of, and adjoining said lots and premises in good, safe, and substantial condition, and the owner or owners shall see that all breaks or unsoundness of any character resulting from natural deterioration or from any cause, whatsoever, be repaired with all possible dispatch and when by reason of the construction or repairs of sidewalks from any cause, whatsoever, any sidewalk or section thereof is removed or rendered dangerous or impassable to the public, such spaces or openings shall be securely fenced, and from dark until sunrise, red lights shall be maintained thereon while such dangerous condition exists, and a plank walk, not less than two inches in thickness and not less than three feet in width shall be constructed around such obstruction or dangerous walk, the same to extend from sidewalk to sidewalk on each side of said opening or obstruction.

12.04.050 Unlawful to Drive on Sidewalks. It shall be unlawful hereafter for any person or persons to ride or drive any horse, mule or any other animal, buggy, wagon, truck, automobile, bicycle or other vehicle along, over, or on any of the sidewalks within the City of Harlowton.



12.04.060 Enforcement of Ordinance. It shall be the duty of the Chief of Police or any members of the city council to enforce the provisions of this ordinance, and the Chief of Police or the alderperson shall immediately report any broken, defective or unsafe sidewalk to the owner of the premises in front of which such defect exists, and notify him to repair the same forthwith. Upon the refusal or neglect of the owner or owners of any premises to remove obstructions from, or to make necessary repairs to the walks in front of the same and when in the opinion of the Chief of Police immediate repairs or removal of the obstruction is necessary to prevent accidents, said Chief of Police may forthwith proceed with the same, and the full cost of said repairs or removal of such obstructions shall be collected or assessed against the premises as aforesaid, and the absence of notice to owners to repair or remedy dangerous sidewalks or remove obstructions therefrom shall not constitute a valid excuse against the payment of any fine or damage by such owner, owners or occupants, and nothing contained herein shall be construed as to release the owner, owners or occupants of real estate from the duty of keeping the sidewalks in front of, or adjoining their respective premises, at all times, in a safe and passable condition, and in a good and thorough state of repairs, but such duty is hereby expressly enjoined and imposed upon all such owner owners and occupants.

12.04.070 Sidewalks to Conform with Grade and Lines. All sidewalks must conform with the established grade and sidewalk line and all other sidewalks must be laid to the proper sidewalk line to the satisfaction of the street and alley committee of the city council; driveway crossings into private grounds shall be in form and construction as specified by the alley committee.

12.04.080 Penalties. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than five (\$5.00) dollars, and not more than three hundred (\$300.00) dollars or by imprisonment in the city jail for a period of not less than two days and not more than ninety days.

