

**Section 14-1****Streets and Sidewalks****Subsections:**

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**14-1-1 SIDEWALK CONSTRUCTION AND MAINTENANCE.**

(A) All Town sidewalks on Town property or easements shall be designed and constructed in accordance with standards and specifications approved by the Town. All Town sidewalks shall be located and sized in accordance with Town requirements and standards. Any person constructing or replacing a Town sidewalk shall obtain a permit from the Town to do so.

(Ord 11-1997)

(B) The owner, tenant or party actually in possession of property abutting any Town sidewalk shall be jointly and severally responsible to maintain, repair and replace the abutting sidewalk to keep it in good repair, safe condition and consistent with Town standards and specifications for sidewalk. They shall also be jointly and severally responsible to remove all accumulations of snow and ice from and to correct any other dangerous conditions upon or with respect to Town sidewalks abutting their property.

(Ord 11-1997)

(C) The Town may, as it deems necessary or appropriate, order the construction or repair of any sidewalk. In the event the owner or tenant of the abutting property fails or refuses to make such construction or repairs in accordance with Town standards and specifications, the Town may cause the appropriate construction or repair of the sidewalk to be done and assess the costs thereof against the abutting property.

(Ord 11-1997)

(D) In the event the owner, tenant, occupant and party in possession of abutting property fail to remove snow, ice or correct any dangerous conditions upon any abutting Town sidewalk, the Town may cause such snow and ice to be removed, or condition to be corrected and assess the costs thereof to the abutting property.

(Ord 11-1997)

(E) The costs the Town may recover for the work caused to be done by the Town under this Section shall include all costs of construction, replacement, maintenance or repair, including costs

attributable to the use of Town equipment and personnel, any out-of-pocket costs the Town incurs, reasonable attorneys fees incurred by the Town related to the work or the collection of the assessment and any other costs of collecting assessments or amounts due. All such costs shall be a lien against the abutting property which may be foreclosed by the Town in any lawful manner. Such costs may also be certified to the County for collection similarly to the collection of taxes, or may be collected in any other lawful manner. Prior thereto, the Town shall notify the owner of record of the property and allow a hearing with a Town representative concerning any amount proposed to be certified to the County for collection.

(Ord 11-1997)

(F) The failure to maintain and construct sidewalks in accordance with the requirements of this Section is hereby declared to be a nuisance, which may be abated by the Town in any lawful manner.

(Ord 11-1997)

(G) "Sidewalks" as used herein includes "boardwalks, pathways and the like".

(Ord 11-1997)

(H) It shall be unlawful to violate any of the provisions of this Section.

(Ord 11-1997)

**Subsection 14-1-2 DUTY TO KEEP GUTTERS CLEAN.**

It shall be the duty of the owner, tenant or occupants of every premises within the Town to keep the gutters, curbs and curbwalks in front of and adjacent to their premises free and clear of snow, ice, mud, dirt, debris, rubbish and filth, and free of any dangerous condition. If they shall fail to do so, the Town shall have recourse pursuant to Paragraphs 14-1-1(C),(D),(E),(F) and (H) above.

(Ord 11-1997)

**Subsection 14-1-3 ENCROACHMENTS PROHIBITED.**

No encroachment or obstruction whatever, other than provided by law, authorized by the Town Council, or by ordinance of the Town, shall be made or placed upon any street, alley, sidewalk, curb, gutter, curbwalk or other public place within the Town.

**Subsection 14-1-4 INSTALLATION OF MAINS.**

It shall be the duty of every person and every utility company to install all mains, conduits, cables, poles and the like which may be deemed necessary for water, gas, sewer, storm drainage, telephone and electricity facilities prior to the installation, construction or paving of any streets, alleys, sidewalks and curbwalks.

**Subsection 14-1-5 AUTHORITY AND SUPERVISION.**

Repealed by Ordinance 3-2001

**Subsection 14-1-6 PERMIT REQUIRED: SPECIFICATIONS.**

Repealed by Ordinance 3-2001

**Subsection 14-1-7 APPLICATION.**

Repealed by Ordinance 3-2001

**Subsection 14-1-8 PERMIT FEE.**

Repealed by Ordinance 3-2001

**Subsection 14-1-9 BOND REQUIRED.**

Repealed by Ordinance 3-2001

**Subsection 14-1-10 COMMENCEMENT AND COMPLETION.**

Repealed by Ordinance 3-2001

**Subsection 14-1-11 BARRICADES AND LIGHTS.**

Repealed by Ordinance 3-2001

**Subsection 14-1-12 WIDTH AND MINIMUM INCONVENIENCE TO PUBLIC.**

Repealed by Ordinance 3-2001

**Subsection 14-1-13 SIDEWALKS AND GUTTERS CLEAR.**

Repealed by Ordinance 3-2001