

## ORDINANCE

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### AN ORDINANCE TO PROVIDE A SPECIFIED METHOD FOR CONSTRUCTION OF SIDEWALKS AND TO PROVIDE FOR THE REPAIR AND CARE OF SIDEWALKS AND PROVIDING PENALITES FOR VIOLATIONS

BE IT ENACTED by the Council of the City of Farmington, Iowa:

**SECTION 1** Purpose. The purpose of this Ordinance is to specify the procedure to be followed by the Council in ordering the construction, repair, replacement or reconstruction of sidewalks.

**SECTION 2** Repair, replacement or reconstruction by property owner(s).

1. The Council may serve notice on the abutting property owner by certified mail to the property owner as shown by the records of the County Auditor, requiring him to repair, replace or reconstruct sidewalks.

2. If the abutting property owner does not perform an action required within a reasonable time, the Council may require the street superintendent to perform the required action and assess the costs against the abutting property for collection in the same manner as a property tax.

**SECTION 3** Authority of City to construct or repair sidewalks. Except as provided in Section 2 of this Ordinance, a plan for construction or repair of any permanent sidewalk may be initiated either:

1. By a written contract to be approved by the City and signed by all of the owners of record of all property who would be affected by an assessment made to finance the construction or repair, or

2. Upon the Council's own motion.

**SECTION 4** Specifications for the construction of sidewalks. Sidewalks constructed under the provisions of this Ordinance shall be of the following construction and meet the following standards:

1. Portland cement shall be the only cement used in the construction and repair of sidewalks.

2. Sidewalks shall be of one-course construction.

3. Concrete may be placed directly on compact and well drained soil. Where soil is not well drained, a four inch sub-base of compact, clean, coarse gravel, sand, or cinders shall be laid. The adequacy of the soil drainage is to be determined by the street superintendent.

4. Residential sidewalks shall be at least 4 feet wide and 4 inches thick, and each section shall be no more than 4 feet in length. Business district sidewalks shall be at least 8 feet wide and 4 inches thick and each section shall be no more than 4 feet in length.

**SECTION 5** Removal of snow, ice and accumulations. It shall be the responsibility of the abutting property owners to remove snow, ice and accumulations promptly from sidewalks. If a property owner does not remove snow, ice or accumulations within a reasonable time, the city may be so and assess the costs against the property owner for collection in the same matter as a property tax.

**SECTION 6** Penalty. Anyone violating any of the provisions of this Ordinance shall, upon conviction, be subject to imprisonment not exceeding thirty (30) days, or a fine not exceeding \$100.00.

**SECTION 7** Repealer. All Ordinances or parts of Ordinances in conflict with the provisions of this ordinance are hereby repealed. These are: none.

**SECTION 8** Severability clause. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**SECTION 9** When Effective. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed by the Council the 4th day of May, 1981, and approved this 4th day of May, 1981.

W.G. Taube, Mayor  
Karen Faulkner, City Clerk

Reviewed: May 4, 1981

Reviewed: 11/9/15