

A RESOLUTION REPEALING RESOLUTION NO. 8) RESOLUTION NO. 7
AND MODIFYING THE SIDEWALK INCENTIVE) for 1989
PROGRAM)

WHEREAS, a sidewalk incentive program was passed by Resolution No. 8; and

WHEREAS, modifications in the program were recommended by the Sidewalk Committee;

NOW, THEREFORE, BE IT RESOLVED, by the people of the City of Lebanon as follows:

Section 1. The prior incentive program is hereby replaced by the incentive program outlined in this resolution. Those property owners signed up for, but not compensated by, the previous incentive program will be automatically eligible for the new incentives.

Section 2. Funds allocated in the city budget shall be available on a first come, first serve basis in the form of a \$3.00 per lineal foot (or up to 50 percent of the cost of construction, whichever is less) grant for property owners of residentially zoned property within city limits who install or replace public sidewalks. Those provisions contained in attached Exhibit "A" regarding this program are incorporated herein by reference.

Section 3. This incentive program is not available to property owners within the boundaries of current local improvement districts or current public construction projects such as the Main Street area, South Main Road, Walker Road, or the West Oak Street project. Additionally, the city reserves the right to reject any and all applications pursuant to this program on the basis that sidewalk construction is not needed or appropriate to a particular location, or for any other reason deemed by the city to be in the best interests of the city.

Section 4. As a further incentive to sidewalk construction, permit fees for sidewalk construction shall be waived for those successful applicants under this program.

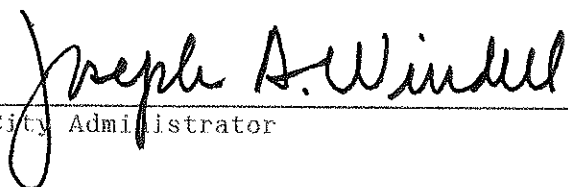
Section 5. The City Council may select a high priority sidewalk project for which special funds will be allocated as an incentive to install sidewalks. Once the Council has designated the project area, property owners within that project area will not be eligible for this incentive program.

Section 6. This program shall become effective immediately.

Passed by the Council of the City of Lebanon by a vote of 6 for and 0 against and approved by the Mayor this 12th day of April, 1989.



ATTEST:



City Administrator

EXHIBIT "A"

1. Applications for benefits under this program shall be on such forms as may be provided by the city and shall contain information required by the form. Specifically, and without limitation, the application form shall contain at least a particular description of the location for each particular sidewalk and the number of lineal feet of sidewalk proposed for that location.
2. All sidewalks shall be installed to current city standards. The sidewalk shall be inspected and approved by the city before funds are released for a particular sidewalk location.
3. There shall be an aggregate limit of \$300.00 (except for those with corner lots, the maximum is \$600.00) for each property owner, regardless of how many properties are owned by that owner.
4. If an application is approved, the property owner will receive a letter of commitment from the city at the time a permit for sidewalk construction is obtained for a particular parcel. The letter will also inform the property owner that the money will be held in reserve until such time as construction has been completed and has been approved by the appropriate city authorities. The commitment will expire if the permit expires without construction having been completed and approved.
5. Upon completion and approval of the sidewalk construction, a check will be issued from the City of Lebanon to the original applicant for the amount stated in the city's commitment letter. If ownership of the property has changed between the time of original permit issuance and the time of completion, the check will nevertheless be issued by the city to the original applicant unless that applicant directs otherwise in writing. It shall be the responsibility of a new property owner who purchases property subsequent to the application for incentives under this program, to deal with the provisions of this paragraph.
6. In case of any dispute regarding the interpretation or application of this resolution, the decision of the City Administrator shall be final and binding.