

AN ORDINANCE PROVIDING FOR THE SAFETY AND REPAIR OF SIDEWALKS AND PROVIDING FOR METHOD FOR LIENS UPON ABUTTING PROPERTY FOR COST OF REPAIR IF OWNER FAILS TO REPAIR SAME AND DECLARING AN EMERGENCY.

ORDINANCE BILL NO. 11
for 1956
ORDINANCE NO. 936

THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS:

SECTION (1) Within one day after ice or snow ceases to accumulate on a sidewalk the person owning or in charge of a premise abutting on the sidewalk shall remove the ice or snow from the part of sidewalk abutting on the premise.

SECTION (2) The person owning or in charge of a premise abutting on a portion of the sidewalk which the Council by Resolution declares to be unsafe shall, within two days after receiving notice to repair the walk or to make it safe, restore the portion of the walk abutting on the premises to a safe condition. Commencement of the repair with an honest intention to complete it speedily shall be considered a compliance with this Section.

SECTION (3) Whenever a sidewalk becomes unsafe, if the owner or person in charge of a premise abutting upon an unsafe portion of a walk that is unsafe, after receiving notice from the Street Superintendent or any other person authorized by the Council in the Resolution mentioned in Section 2 to restore the walk to a safe condition fails for 72 hours to do so, the City may restore the walk to a safe condition and the cost of same shall by Ordinance passed by the Council become a lien upon the abutting property which shall be especially benefitted thereby and said lien may be foreclosed as other liens held by the City of Lebanon against property.

SECTION (4) If the city is required to pay damages for an injury to person or property caused by the failure of a person to perform the duty which this ordinance imposes upon him the person shall compensate the City for the amount of damages thus paid. The City may maintain an action in a court of competent jurisdiction to enforce the provisions of this section.

SECTION (5) The term person in this Ordinance means any natural person, firm or corporation.

SECTION (6) Any person who violates this Ordinance shall be punished by a fine of not less than \$5.00 and not more than \$50.00 or by imprisonment in the city jail not less than two days nor more than 20 days or both.

SECTION (7) Each day that the violation continues after notice is received shall be deemed to be another violation.

SECTION (8) That Ordinance No. 576 passed by the Council and approved by the Mayor on the 5th day of January, 1943, is hereby repealed.

SECTION (9) That there are sidewalks in the City of Lebanon that are now in an unsafe condition and there is no Ordinance providing for the speedy repair of same, and it is necessary that certain sidewalks be repaired to preserve the peace, health and safety of the people of the City of Lebanon, therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council and approved by the Mayor on this 3RD day of APRIL, 1956.

P. Swiggan
Mayor

ATTEST:

Walter R. Thoms
City Recorder