

ORDINANCE NO. A-197

AN ORDINANCE OF THE CITY OF MARSING, IDAHO ADDING A NEW SECTION TO TITLE 5 CHAPTER 5 OF THE MARSING CITY CODE; PROVIDING REGULATIONS FOR THE REPAIR OF SIDEWALKS IN THE CITY OF MARSING; PROVIDING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, City of Marsing clarify the responsibility of sidewalk maintenance within the City limits to insure that property owners maintain and repair sidewalks.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MARSING, IDAHO:

Section 1: The following is added to Title 5, Chapter 5, of the Marsing City Code:

5-5-3: SIDEWALK REPAIRS

A. Duty Of Owner: It shall be the duty of the owner in front of whose property there is a sidewalk, within the city, to keep the same in good repair.

B. Notice To Repair: Whenever a sidewalk shall be found in a defective condition, city clerk may serve a written notice on the owner of the property adjoining such sidewalk to repair the same within ten (10) days.

C. Repair By City, Costs A Lien: On the failure of the owner to so repair, the city engineer may order the same done by the city, and after the costs thereof shall have been approved by the city council, the same shall be a lien upon the property pursuant to Subsection D of this Section.

D. If, within thirty (30) days after serving of such notice or after the first publication if the address of the owner is not known or if s/he cannot be found, the owner fails and neglects to construct such sidewalk in front of his/her property as ordered, such sidewalk may be constructed by the city, under the direction of the city engineer, who shall keep an account of the construction of such sidewalk and the cost thereof in front of each lot or part of lot, and after the same has been completed s/he shall present to the city council a detailed statement of the cost thereof and the amount assessed against the property owned by each person in front of whose property such sidewalk shall have been constructed by the city, after such account shall have been approved by the city council, if not paid by the owner within ten (10) days thereafter, the same shall be and constitute a lien against such property in favor of the city, and shall be recoverable, together with all costs as provided by law, for the foreclosure of liens.

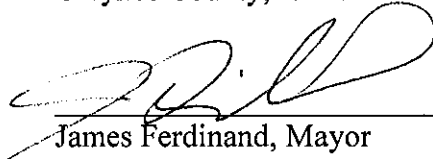
E. Application Of Provisions: The provisions of this section shall apply to all sidewalks now in existence, or that may hereafter be constructed within the city, so far as applicable, of whatsoever kind

Section 2: The penalty for violation of this Ordinance shall be the infraction penalties set forth in Marsing City Code Section 1-4-1(A).

Section 3: This ordinance shall be in full force and effect upon its passage, approval and publication in the official newspaper of the City.

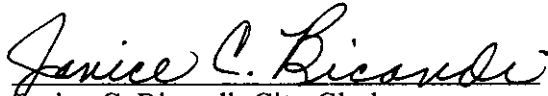
APPROVED by the Mayor and City Council this 10th day of May, 2017.

CITY OF MARSING
Owyhee County, Idaho



James Ferdinand, Mayor

ATTEST:



Janice C. Bicandi, City Clerk