

CITY OF COLDSTREAM, KENTUCKY

ORDINANCE NO. 93-04

AN ORDINANCE PROVIDING FOR THE MAINTENANCE
AND REPAIR OF STREETS AND SIDEWALKS

WHEREAS, the city of Coldstream (hereinafter known as the "City") is a Sixth Class City organized pursuant to the laws of the Commonwealth of Kentucky, and

WHEREAS, the City contains certain streets, sidewalks, and rights-of-way dedicated to public use, and

WHEREAS, the City desires to provide for the maintenance and repair of such streets, sidewalks and rights-of-way,

NOW, THEREFORE, be it ordained by the City of Coldstream, Kentucky, as follows:

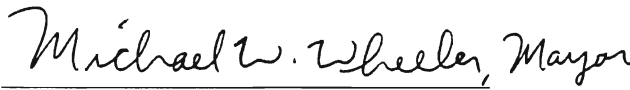
1. It shall be the duty of every owner of any land or lot in the City to prevent dirt and earth from washing or falling from such land or lot onto the paved portion of any street, sidewalk or right-of-way of the City. In order to prevent any dirt or earth washing or falling from any land or lot onto any such paved portion of any street, sidewalk, or right-of-way, the owner may be required to erect a retaining wall of concrete or other material or in lieu thereof, the ground can be graded to a slope of one and one half to one and sodded. The City may examine the premises and direct the owner or his agent, lessee or occupant thereof, in writing, to erect the character and kind of retaining wall required, or permit the owner to grade and sod the area, with such work to be completed within thirty days from the date of notice given by the City.

2. The owners of property abutting sidewalks in the City are required to repair that part of the sidewalk adjoining property respectively belonging to them at their own expense by repairing any holes, uneven surface or other defective places therein, by using materials as nearly similar as possible to that of which the sidewalk is constructed within thirty days after receiving notice in writing from the City to do so. This section shall not waive or affect the right of the City to order the reconstruction of any such sidewalk if it is found proper to do so.

3. It shall be the duty of the City as soon as it ascertains the existence of defects in the sidewalks of the City to forthwith notify, in writing, the owners of the property abutting that part of the sidewalk which is found to be defective, that it is the owner's obligation to repair it at their own expense within a period of thirty days after the delivery of the notice. In the event the owner fails to make such repairs, the City is authorized to have the necessary repairs made and to assess the cost of repair to the abutting owner and to notify the abutting owner of the assessment in writing. In the event the owner fails to remit the cost as assessed within thirty days of the notice as given above, the City shall take the necessary steps to place a lien against the abutting property in the office of the County Clerk of Jefferson County, Kentucky, in the amount of the unpaid assessment.

4. In addition to the lien provided in section three above, the cost of any repair or replacement shall be the personal liability of the owner of the property abutting that part of the sidewalk which is found to require repair or replacement.

5. This ordinance shall become effective on its passage, approval and publication as required by law. Passed, approved and enacted this 20th day of March, 1994.


MICHAEL W. WHEELER, Mayor

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PATRICIA E. YORK, CITY CLERK

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