

ORDINANCE NO. _____ 8 _____ SERIES 2015
CITY OF LA GRANGE, KENTUCKY

MODIFYING § 91.03 CONCERNING SIDEWALK REPAIR AND RESTORATION

Whereas, the City Council of the City of La Grange, Kentucky, has the authority pursuant to statute to enact Ordinances relating to the City, and

Whereas, it is desirable that specific terms about costs of repairs and/or restoration of sidewalks be amended, and

THEREFORE, BE IT ENACTED AND ORDAINED THAT § 91.03 OF THE CODE OF ORDINANCES BE MODIFIED AS FOLLOWS:

§ 91.03 RESTORATION AND REPAIR OF PAVEMENT.

(A) The opening and restoration and/or repair of a pavement or other surface shall be performed under the direction and to the satisfaction of ~~the~~an authorized city official, and in accordance with rules, regulations, and specifications approved by the legislative body.

(B) Upon failure or refusal of the permittee satisfactorily to fill the excavation, restore the surface, and remove all excess materials within the time specified in the permit or where not specified therein, within a reasonable time after commencement of the work, the city may proceed without notice to make such fill and restoration and the deposit referred to in § 91.02 shall be forfeited. Thereupon the deposit shall be paid into the appropriate city fund, except such part demanded and paid to the permittee as the difference between the deposit and the charges of the city for restoration services performed by it. If the amount of such services performed by the city should exceed the amount of the deposit, the Clerk or other proper administrative officer shall proceed to collect the remainder due from the permittee. If the Clerk or other proper administrative official is unable to collect the remainder due within 60 days after the work is performed, the amount due shall be turned over to the City Attorney for collection. Any remainder due after being turned over to the City Attorney for collection shall become a lien on the permittee's property and the costs and fees associated with preparing the lien and filing the same shall be imposed upon the permittee as an additional amount due to the City.

If any action is taken by the City Attorney prior to or after a civil action is filed to collect any remainder due, and/or costs and fees associated with preparing or filing of a lien, then attorney fees or legal costs incurred by the City shall be recovered from the violator and awarded to the City by a Court of competent jurisdiction.

This Ordinance shall become effective upon its passage and publication.

FIRST READING: May 4, 2015

SECOND READING: June 1, 2015

City of La Grange, Kentucky

Joe Davenport, Mayor

ATTEST:

To be a true Ordinance enacted by the City Council of the City of La Grange, Kentucky on this 1st day of June, 2015.

City Clerk, City of La Grange, Kentucky

VOTE:

FOR: 8
AGAINST: 0
ABSTAINED: 0
PRESENT: 8