



ORDINANCE NO. 23

AN ORDINANCE REQUIRING THE BUILDING OF A PLANK SIDEWALK ON THE SOUTH SIDE OF MAIN STREET IN FRONT OF, AND ADJACENT TO LOT NO. 2 OF BLOCK NO. 40, AND ON THE EAST SIDE OF SECOND WEST STREET IN FRONT OF AND ADJACENT TO LOTS NO. 2 AND NO. 3 OF BLOCK NO. 31 AND ON THE EAST SIDE OF FIRST WEST STREET IN FRONT OF AND ADJACENT TO LOTS NO. 2 AND NO. 3 IN BLOCK NO. 39 AND OVER AND ACROSS MAIN STREET ON THE EAST SIDE OF SECOND WEST STREET AND OVER AND ACROSS FIRST NORTH STREET ON THE EAST SIDE OF SECOND WEST STREET; AND PRESCRIBING THE WIDTH OF SAID PLANK SIDEWALK; AND PROVIDING FOR THE LEVY OF A SPECIAL ASSESSMENT ON SAID LOTS TO PAY THE EXPENSE OF SAID IMPROVEMENTS.

BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF REXBURG, FREMONT COUNTY, IDAHO;

SECTION I – That each and every owner of lot No. 2 in block No. 40, and each and every owner of lots No. 2 and No. 3, in block No. 31 and each and every owner of lots No. 2 and No. 3 in block No. 39, of the Village of Rexburg, Idaho; and the owner, or owners of said lots is hereby required to construct in front of his, or her said lot or lots, or parts of lots, a plank sidewalk conforming to the following specifications, to-wit: said sidewalk on the south side of Main Street, in front of and adjacent to lot No. 2 in Block No. 40, and for 16 feet west of said lot No. 2, in block No. 40, shall be eight feet in width, constructed of plank 2 inches thick and 3 inches wide, said plank to be laid on and blind nailed to six 2 x 4 inches said plank sidewalk shall be braced nailed between each stringer with nails not less than four and one half inches long; said plank sidewalk shall be built in the center of the present graded sidewalk and be sufficiently deep so that it will be even with the surface of the grade on either side of said plank sidewalk. The plank sidewalk to be constructed on the east side of Second West Street north, and on the east side of First West Street south and for twenty feet over and across the sidewalk on the north side of Main Street, and for 16 feet over and across the sidewalk on the south side of First North Street shall conform to the following specifications, to-wit: said plank sidewalk shall be six feet in width, built of plank two inches thick and three inches wide, blind nailed to five stringers, said five stringers to rest or laid on sleepers not more than eight feet apart and of dimensions not less than 2 x 4 inches. Said plank sidewalk shall be braced nailed between each stringer with nails not less than 4 ½ inches long.

Said plank sidewalk shall be constructed in the center of the present graded sidewalk and shall be sufficiently deep so that it will be even with the surface of the grade on either side of said plank sidewalk. The street crossings on line of said sidewalk over and across Main Street and First North Street shall be five feet wide, with sleepers not less than eight inches in diameter, rounded so as to be three inches higher in the center than on the outside and set not less than three feet apart across said crossing, and covered with 2 x 4 inch plank set on edge, blind nailed to sleepers and brace nailed every three feet with nails not less than 4 ½ inches long. All sidewalks as herein provided for shall be constructed to and conform to the grade of said streets and sidewalks as established by the village board, the profile of which is now on file in the office of the village clerk.

SECTION II – It shall be the duty of any person or persons desiring alley crossings across any of the plank sidewalks to construct and keep in good repair a crossing not less than twenty feet wide and the full width of the sidewalk in the same manner as provided for in section one of this ordinance for street crossings.

SECTION III – It is hereby made the duty of any person or persons that now, or shall, hereafter run any water across said sidewalk to construct and keep in good repair, a good, substantial culvert for the full width of the sidewalk, and of sufficient capacity to carry all the water run across said sidewalk, said culverts to be set below the grade of said plank sidewalk and well covered with the same thickness planks of which said sidewalks are constructed.

SECTION IV – The owner or owners of all lots or parts of lots fronting and adjacent to the sidewalk to be constructed as hereinbefore provided for, shall at all times keep said plank sidewalks in good repair at their own expense.

SECTION V – Should any owner or owners of said lots, or parts of lots refuse or neglect, for a period of sixty days from and after the passage of this ordinance, to construct such sidewalk in front of his or her said lot, lots or parts of lots as herein before provided for then, the village road supervisor shall advertise for bids to construct the same and shall let the contract to the lowest and responsible bidder and the cost of construction under the contract shall be charged against the village; to be audited and paid as in other charges against the village; and the village board shall upon due notice to the owner or owners so failing to construct said walk as aforesaid, at a special meeting by resolution levy a special tax upon his or her lot, or lots or parts of lots to pay the expense of constructing said sidewalk as a special assessment for improvements to be collected as other village taxes.

PASSED AND APPROVED THIS 19TH DAY OF MARCH, A.D. 1900.

(SEAL)

JOHN. L. JACOBS
Chairman

ATTEST: _____
A. L. BLACKBURN
Clerk