



**ORDINANCE NO. 56**

**AN ORDINANCE REQUIRING THE CONSTRUCTION OF A PLANK SIDEWALK ON THE NORTH SIDE OF MAIN STREET, BETWEEN SECOND EAST AND SECOND WEST STREETS, AND IN FRONT OF AND ADJACENT TO LOTS 3 AND 4, BLOCK 31; LOTS 3 AND 4, BLOCK 32; LOTS 3 AND 4, BLOCK 33, AND LOTS 3 AND 4, BLOCK 34, AND PRESCRIBING THE WIDTH OF SAID SIDEWALKS AND HOW SAID SIDEWALKS SHALL BE CONSTRUCTED, AND PROVIDING FOR THE LEVYING OF A SPECIAL ASSESSMENT ON SAID LOTS TO PAY THE EXPENSES OF SAID IMPROVEMENTS.**

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

**SECTION I** – That each and every owner of Lots 3 and 4, in block no. 31, on the south side of said block; and each and every owner of lots no. 3 and 4, in block no. 32, on the south side of said block; and each and every owner of lots 3 and 4, in block no. 33, on south side of said block; and owner of lots 3 and 4, in block no. 33, on south side of said block; and each and each and every owner of lots 3 and 4, in block no. 34, on the south side of said block; and the owner and owners of any said lot, lots and parts of lots is and are hereby required to construct in front of his or her said lot, lots or parts of lots, a plank sidewalk conforming to the following specifications, viz: said sidewalk shall be eight feet in width, built of plank two inches thick and three inches wide, blind nailed to five stringers of not less than two inches by four inches in dimension, said five stringers to rest on, or laid on sleepers not more than eight feet apart, said sleepers to be not less than two inches by four inches in dimension, and said plank sidewalk shall be braced nailed between each stringer with nails not less than four and one half inches long.

**SECTION II** – Said plank sidewalks shall be constructed in the center of the present graded sidewalks, and the surface of said plank sidewalk shall be so constructed so that it will conform to the present established grade of said sidewalks, and for five feet on both sides of said plank sidewalk the grade shall be even with the surface of said plank sidewalk. All plank sidewalks shall extend over and across the sidewalks east and west of all the four said blocks.

**SECTION III** – It shall be the duty of any person or persons desiring a drive, or alley crossing across any of the aforesaid sidewalks to construct and keep in good repair a crossing not less than twenty feet wide of plank not less than three inches thick nor more than two inches wide and said crossing shall be for the full width of the sidewalk.

**SECTION IV** – It is hereby made the duty of any person or persons that now, or shall, hereafter run any water across said sidewalks 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 plank of which said sidewalks are constructed.

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

**SECTION VI**- The street crossings on the line of said sidewalks over and across Main Street and over and across First and Second West Streets, and First and Second East Streets, and Central Avenue, all on the line of said sidewalks provided herein, 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 three feet apart across said crossings and covered with 2 x 4 plank set on edge, blind nailed to the sleeper and braced nailed every three feet, with nails not less than 4 ½ inches long.

**SECTION VII** – 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 lot, lots or parts of lots as hereinbefore provided for them, 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 side 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 sidewalks as a special assessment for improvements to be collected as other village taxes.

PASSED AND APPROVED THIS 17<sup>TH</sup> DAY OF MARCH, A.D. 1903.

(SEAL)

REPLACED BY ORD 80

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W. N. STEPHENS

Chairman

ATTEST: \_\_\_\_\_  
A. M. CARBINE

Clerk