

VILLAGE OF BYESVILLE, OHIO

APPLICATION FOR PARTIAL PAYMENT OF SIDEWALK REPLACEMENT

PLEASE TYPE OR PRINT ALL INFORMATION:

NAME OF APPLICANT: _____

ADDRESS OF APPLICANT: _____

DATE OF APPLICATION: _____ APPLICANT PHONE: _____

NAME OF PROPERTY OWNER: _____

ADDRESS OF PROPERTY OWNER: _____

ADDRESS OF SIDEWALK LOCATION: _____

TYPE OF PROPERTY: _____ RESIDENTIAL _____ COMMERCIAL

LENGTH OF SIDEWALK: _____ WIDTH OF SIDEWALK _____
(MIN. 5 FT.)

THICKNESS MUST BE A MINIMUM OF FOUR INCHES---MINIMUM SIX INCHES AT DRIVEWAY.

ESTIMATE COST PER SQUARE FOOT: _____ TOTAL COST: _____

ESTIMATED BY: _____ (ATTACH COPY)

SIGNATURE OF APPLICANT _____ DATE: _____

SIDEWALK APPLICATION APPROVED:

STREET COMMITTEE

MAYOR

CLERK

AN ORDINANCE AMENDING 909.2(B) AND (C) OF THE CODIFIED
ORDINANCES OF THE VILLAGE OF BYESVILLE

WHEREAS, the Village of Byesville has authorized a sidewalk replacement program in Chapter 909 of the Codified Ordinances of the Village of Byesville, Ohio; and

WHEREAS, 909.2(b) and (c) provide for partial payment by the Village of Byesville, Ohio, for sidewalk replacement; and

WHEREAS, the Village of Byesville, Ohio, desires to amend said Ordinance to provide for future sidewalk replacement and partial Village payment.

NOW, THEREFORE, BE IT ORDAINED by the Village of Byesville, County of Guernsey, State of Ohio, as follows:

Section I: Section 909.2 (b) is hereby amended to read as follows:

(b) Application for Partial Payment. Any property owner or the agent of any property owner who plans to replace or newly construct public sidewalks upon property which he controls within the Village limits may make written application to the Clerk or the Village Administrator of the Village upon forms provided by the Village for partial payment by the Village of the costs of such replacement of sidewalks. Upon receipt of such application, the Village Administrator shall make or cause to be made an inspection of the sidewalk to be replaced, or the area upon which a new sidewalk is to be constructed, and if upon inspection, the Village Administrator with approval of the Village Service Committee and council as a whole that it is in the public interest that such replacement or construction be carried out, the Village Administrator shall be authorized to commit the Village to pay between fifty percent (50%) and seventy five percent (75%) of the costs of sidewalk replacement pursuant to this Ordinance. The Village Administrator shall recommend the amount to be paid by the Village to be paid by the Village and submit the recommendation to Council for approval by a majority of the members of Council. In determining the amount to be paid by the Village the Village Administrator shall consider the applicant's age, earning abilities, current income (based upon Federal LMI guidelines), health condition, and any other factor deemed relevant by the Village Administrator.

Section II: Section 909.02© is hereby amended to read as follows:

(c) Check to Accompany Application. The application for partial payment by the Village for the replacement of new construction of sidewalks as set forth in subsection (b) hereof shall be accompanied by a written estimate of costs for the proposed replacement or construction from a legitimate and reliable contractor who has replaced or constructed sidewalks as a part of his business, along with a certified check or money order, payable to the contractor representing the applicant's share of the cost of replacement as estimated by such contractor. The Clerk shall hold the certified check or money order until the work is completed in a satisfactory manner or as otherwise provided herein.

Section III: Section 909.02 (J) shall be amended to read as follows:

(j) Mandatory Repair – Each year the Village Administrator, with approval of the Village Services Committee and Council as a whole may designate a

particular area of the Village for concentration for the sidewalk replacement program to replace sidewalks that the Village Administrator has determined to be a nuisance, unsafe, a danger to the health and welfare of the residents of the Village or in violation of any section of the Codified Ordinances of the Village. The Village Administrator with approval of the Village Service Committee and council as a whole that it is in the public interest that such replacement or construction be carried out, the Village Administrator shall be authorized to commit the Village to pay between fifty percent (50%) and seventy five percent (75%) of the costs of sidewalk replacement pursuant to this Ordinance. The Village Administrator shall recommend the amount to be paid by the Village to be paid by the Village and submit the recommendation to Council for approval by a majority of the members of Council. In determining the amount to be paid by the Village the Village Administrator shall consider the applicant's age, earning abilities, current income (based upon Federal LMI guidelines), health condition, and any other factor deemed relevant by the Village Administrator.

In the event property owner fails to reimburse the Village for payment of the property owner's share of the sidewalk replacement, the Village shall be authorized to assess the cost to the property owner's taxes by certifying the delinquency to the office of the Guernsey County Auditor.

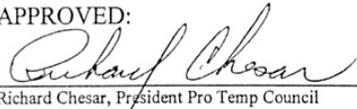
Section IV: This Ordinance shall take effect and be in force from and after its passage and approval by the Mayor.

PASSED

July 27, 2002


Donald J. Gadd, Mayor

APPROVED:


Richard Chesar, President Pro Temp Council

ATTEST:


Debra S. Gadd, Clerk/Treasurer Village