



TOWN OF GREENTOWN
SIDEWALK CONSTRUCTION/REPAIR APPLICATION

Re: ORDINANCE 2017-3

DATE _____

NAME _____ PHONE _____

ADDRESS _____

COST OF MATERIALS \$ _____

I UNDERSTAND REIMBURSEMENT FROM THE TOWN WILL BE FOR MATERIALS ONLY AT A RATE OF 60% UPON REVIEW OF RECEIPTS AFTER PROJECT IS COMPLETED.

SIGNATURE _____

ADJACENT PROPRTY OWNERS-

ANY ADJACENT PROPERTY OWNER SHALL HAVE TEN (10) BUSINESS DAYS TO RESPOND INDICATING ANY INTENT TO UNDERTAKE SIDEWALK CONSTRUCTION AND /OR REPAIR IN CONJUNCTION WITH THEIR ADJOINING PROPERTY OWNER. FAILURE TO RESPOND TO THE UTILITY OFFICE WITHIN TEN (10) DAYS FROM THE DATE OF FIRST NOTICE SHALL CONSTITUTE WAIVER ON THE PART OF THE ADJACENT PROPERTY OWNER. IF AN ADJOINING PROPERTY OWNER INDICATES AN INTENT TO ALSO PARTICIPATE IN SIDEWALK CONSTRUCTION/REPAIR, THEN AN EMPLOYEE OF THE UTILITY OFFICE SHALL THEN CONTACT THAT RESIDENT'S ADJOINING PROPERTY OWNERS AND PROVIDE THE SAME NOTICE HERIN.

NAME _____ ADDRESS _____

PHONE _____ CONTACT DATE _____

COMMENTS _____

NAME _____ ADDRESS _____

PHONE _____ CONTACT DATE _____

COMMENTS _____

APROVED _____ AMOUNT _____ DENIED _____ DATE _____

ORDINANCE 2017- 3

AN ORDINANCE REGULATING SIDEWALK CONSTRUCTION, MAINTENANCE AND REPAIR

WHEREAS the Town of Greentown has a vested interest in regulating construction, maintenance, and repair of sidewalks within its municipal boundaries;

WHEREAS it is in the best interest of the Town of Greentown and the citizens of the Town of Greentown to have safe and properly maintained sidewalks;

NOW, THEREFORE BE IT ORDAINED BY THE TOWN OF GREENTOWN, INDIANA, THAT:

SECTION I. - Definitions

The following definitions shall apply in the interpretation and enforcement of this division:

- (1) The term "sidewalk," as used herein, shall include any sidewalk adjoining any public street. The term shall not include any portion of any driveway between the the street and the proposed or existing walk, or any crosswalk.
- (2) The term "person," as used herein, shall be interpreted and construed to mean and to include any firm, corporation, partnership, voluntary association and organization of every nature, as well as individuals.

SECTION II - Application and Notice.

No permit shall be necessary for construction and / or repair of sidewalks. However, any resident seeking to have town contribution towards materials costs (as detailed in Section VI) must file an application with the Town of Greentown at the utility office. Upon receipt of the application from a resident of the Town of Greentown, an employee of the utility office shall contact any adjacent property owners to the resident filing the application and provide notice of the anticipated sidewalk construction or repair. Any adjacent property owner shall have ten (10) business days to respond indicating any intent to undertake sidewalk construction and / or repair in conjunction with their adjoining property owner. Failure to respond to the utility office within ten (10) days from the date of first notice shall constitute waiver on the part of the adjacent property owner. If an adjoining property owner indicates an intent to also participate in sidewalk construction and / or repair, then an employee of the utility office shall then contact that resident's adjoining property owners and provide the same notice detailed herein.

SECTION III - Standards for construction, repair and reconstruction.

All new development occurring within the town which is adjacent to a public street where sidewalks do not presently exist shall provide for the construction of sidewalks in accordance with the requirements of Sections 2 and 3 of this division. Provision for such sidewalk construction shall be included as part of site plan review, subdivision approval and/or as part of plans submitted for obtaining a building permit. Such newly constructed sidewalk shall be paid for entirely by the property owner unless otherwise determined by the resolution of the town council.

**SECTION VI. - Sidewalk Construction, Repair, or Reconstruction
Not in Conjunction with a Street Project.**

- (a) Whenever the Town Supervisor determines that a sidewalk is defective or unsafe for use, or where it is determined that new sidewalk construction is required to provide reasonable public access for pedestrian traffic, or whenever any property owner abutting a public street submits a written petition requesting sidewalk construction, repair or reconstruction, the Town Supervisor or his / her designated agent shall make a report of such determination to the town council.
- (b) Property owners may complete the sidewalk construction, repair or construction themselves or through their contractor, provided they notify the town and secure a sidewalk permit by the date specified in the "Notice of Sidewalk Repair or Construction" sent to the property owner by the town; and, further provided, that all such work is completed within (30) days of said date. After the thirty-day period, the permit shall be invalid and the city shall construct, repair or reconstruct the sidewalk and charge the property owner in accordance with the provisions of this division.
- (c) The cost for new sidewalk construction, where no sidewalk has existed before, or for sidewalk repair or reconstruction shall be borne one hundred (100) per cent by the abutting property owner. However, the Town of Greentown may reimburse the abutting property owner sixty percent (60%) of the material costs related to such construction or repair one time so long as the last prior reimbursement from the town was more than twenty years prior. In order to receive reimbursement of the appropriate material costs, the abutting property owner shall submit receipts showing the material costs related to their project within thirty (30) days of completion of the project. The Town of Greentown shall have forty-five (45) days to approve said request for reimbursement and to issue payment to the abutting property owner.
- (d) All sidewalk assessments determined under this section shall be due, payable, and collectible and shall become a lien on the property.

SECTION VII - Sidewalk Construction, Repair, or Reconstruction