

ORDINANCE NO 36: An Ordinance providing for the construction maintenance and repair of sidewalk in the village of Hokah and authorizing the assessments of the expenses incurred in the construction and repair thereof against the lots on parcels of land adjoining the sidewalks.

The President and Trustees of the Village of Hokah do ordain as follows:

SECTION 1.

That it shall be the duty of every owner or owners of any lot, lots or tracts fronting on any street within the corporate limits of the village of Hokah to furnish the material for, build, and construct, or cause to be built, along the entire frontage of their lot, lots or tracts, aforesaid, sidewalks of the width, material quality and dimensions, and at the grade or elevation, as directed by the board of trustees of said village.

SECTION 2.

That is shall be the duty of every owner of any lot, lots, or tracts of land fronting on any of the streets in said village of Hokah, to keep unsuitable repair and good condition continually all sidewalks heretofore built or which shall be hereafter constructed along the frontage of such lot, lots or tracts aforesaid.

SECTION 3.

In the event of failure of the owners of any lot, lots, or tracts of land abutting on any of the streets of said village to comply with sections one and two of this ordinance when so directed by the board of trustees of said village, the board of trustees, foresaid, may in their discretion, construct or repair such sidewalks in said village and shall notify all owners and occupants of any lot, lots, or tracts of land adjoining such sidewalks, to construct or repair the same at his or their own proper expense within a time designated by publication in a newspaper published at the county seat, for not less than two weeks, of a notice to dais owners or occupants setting forth the nature of the work to be done and the material to be used by such owners or occupants and the time within which they are required to do the same.

SECTION 4.

If such work is not done and the sidewalks are not build or repaired in the manner or within the time prescribed, the board of trustees may order the same to be done under the supervision of the street commissioner or other suitable person appointed for that purpose, at the expense of the owners of the lots and parcels of land adjoining said sidewalks, and the expenses so incurred shall be apportioned ratably on the frontage of, and assessed upon such lots and parcels or tracts of land so chargeable therewith and the assessments so made shall become a lien upon said lots and parcels of land as in the case of county and state taxes.

SECTION 5.

If the assessment so made, as provided for in Section four hereof, be not paid to the village treasurer on or before the 20th day of August in each year, the board of trustees shall cause a statement of the same to be transmitted with the village taxes levied for that year, to the auditor of the county, on or before the first day of September in each year, and the said auditor shall levy the same against the property chargeable therewith as indicated in said statement with other taxes to be collected by the county treasurer, in like manner as county and state taxes are collected and the payment thereof enforced.

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SECTION 6.

The board of trustees shall prescribe the width of sidewalks and may establish different widths in different localities on the village, and determine and direct the kind of material of which they shall be constructed, having regard to the business and the amount of travel in the vicinity of the same.

SECTION 7.

The board of trustees may, in its discretion when deemed just and expedient, pay out of the village treasury a part of the expenses incurred in the construction of any sidewalk in front of private property in the form of a rebate not to exceed the sum of three (3) cents per square foot.

SECTION 8.

Whenever the owners of a majority of the number of feet frontage within a distance of three hundred (300) feet or a block or more, shall petition for the construction and maintenance of a sidewalk along said frontage it shall be the duty of the board of trustees to cause the same to be built along the entire distance thereof.

SECTION 9.

All ordinances and parts of ordinances inconsistent with this ordinance are hereby repealed.

SECTION 10.

This ordinance shall take effect and be in force from and after the 27th day of May A.D. 1905.

E. Holbrook, President

Attest

Wm. Guenther, Village Recorder

This ordinance was adopted this 15th day of May A.D. 1905

Attest

Wm. Guenther, Village Recorder

Herman J. Guenther, trustee

George Frey, trustee

E. Holbrook, President

STATE OF MINNESOTA)

COUNTY OF HOUSTON) ss

VILLAGE OF HOKAH) E. Holbrook being duly sworn upon oath says that on the 16th day of May A.D. 1905 he posted a true and correct copy of the foregoing ordinance in a conspicuous place at the Post office in the village of Hokah, county of Houston, and state of Minnesota, and that the place where he posted said ordinance, is the most public place in said village. E. Holbrook, President

Subscribed and sworn to

Before me this 18th day

Of May A.D. 1905

Wm. Guenther, Village Recorder