

VILLAGES

CHAPTER 136.

(H. B. No. 59.—Sims.)

SIDEWALKS.

AN ACT to Amend and Re-enact Section 3905 of the Compiled Laws of North Dakota for the year 1913, relating to the building and repairing of side walks by villages, the giving of notice thereof, the duties of real property owners, and the powers of the Board of Trustees in regard thereto.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That section 3905 of the Compiled Laws of North Dakota for the year 1913, is hereby amended and re-enacted to read as follows:

§ 3905. SIDEWALKS TO BE BUILT OR REPAIRED. NOTICE OF, HOW GIVEN, POWERS AND DUTIES OF TRUSTEES. DUTY OF OWNERS.] It is hereby made the duty of all owners of land adjoining any street, lane or alley in any incorporated village in this state to construct, reconstruct and maintain in good repair such sidewalks along the side of the street, lane or alley next to the lands of such owner respectively as may have been heretofore constructed or shall hereafter be constructed or directed by the board of trustees to be built, and of such material and width and upon such place and grade as the board of trustees may, by resolution, prescribe. Whenever the board of trustees shall deem it necessary that any sidewalk shall be constructed or reconstructed, it shall by resolution direct such construction or reconstruction, specifying the width thereof and the material of which the same is to be constructed or reconstructed. The publication of such resolution twice in some paper printed or published in said village, or if no paper is published in said village, the village board shall designate some other paper within the county wherein such resolution shall be printed, which shall be sufficient notice to the owner of the land along which such sidewalk is to be built to construct the same, and unless such owner shall each along his respective land, construct and fully complete such sidewalk within two weeks after the last publication of such resolution, as aforesaid, the board of trustees shall cause such portion of such sidewalk as have not been built by the owners of such lands to be built by the street commissioner, or upon contract, or in any other manner as the board may determine. The board of trustees shall assess and levy upon and against such lot and parcel of land along which such sidewalk has been constructed or recon-

structed a sum sufficient to cover the cost of such sidewalk along and fronting upon the same lots and parcels of land respectively, which shall be in the following form:

The board of trustees of the village of.....doth hereby assess and levy upon and against the several lots and parcels of land below described and respective sums of money set against each lot or parcel. This assessment is made to defray the cost of.....a sidewalk along the.....side of.....from.....to.....in accordance with a resolution of the board of trustees, passed the.....day of.....A. D. 19..... The amount assessed against and levied upon each lot or parcel being the amount that it cost to construct or reconstruct such sidewalk along and fronting upon the same lot or parcel of land.

.....
Name of Owner, if known

.....
Description of land Amount

.....
Lot Block Dollars Cents

.....
Done at a meeting of the board of trustees, this.....
day of.....A. D. 19.....

.....
President.

Attest:

.....
Village Clerk.

The village shall not be liable on any contract for the building or repairing of sidewalks to be paid by moneys raised by general taxation, except that where lots against which sidewalk special assessments are laid have become either the absolute property of the County because of a sale for delinquent taxes, or the absolute property of the village because of a sale for delinquent special assessments, the board of trustees shall, by resolution, direct the village treasurer to pay into the sidewalk special fund, out of the general funds of the village, the amount of the sidewalk special assessments against all such lots, with interest at 7% but without penalty or costs.

Approved March 11, 1921.