

ORDINANCE NO. 75.
An Ordinance to Regulate the Construction of Sidewalks in the Village of Birmingham and to Repeal an Ordinance of the Board of Commissioners With or Contravening the Provisions of This Ordinance.
Section 1. That all sidewalks hereafter built within the corporate limits of the Village of Birmingham shall be built upon the grade established by the surveys of the Village Engineer, and shall be accepted by the Village Council.

Section 2. That all sidewalks hereafter built within the corporate limits of the Village of Birmingham shall be constructed under and in accordance with the provisions of this ordinance and shall be of the width of four (4) feet, except as otherwise ordered by the Village Council. The sidewalks shall be constructed of Portland cement, with not less than three and one-fourth inches of reinforcement cement as a first course or grouting, composed of not less than one part cement to seven parts of broken stone or gravel of broken stone and one part second course of not less than two parts of cement, and a top course of clean sharp sand. The material entering into such construction shall be subject to the inspection of the street commissioner or the sidewalk committee of the Village Council who shall have authority to reject any material by him or them deemed to be unsatisfactory for such use within the meaning of the provisions of this ordinance.

Section 3. Whenever the Village Council shall in its discretion determine that it is desirable or necessary that a sidewalk be built, repaired or placed in any public or private alley within the corporate limits of the Village of Birmingham, it shall exercise such determination by resolution, and if such walk or walks shall be or be adjacent to privately owned property, it shall cause a notice to be posted forth the name of the owner or occupant, together with a description of the property, and the extent upon such proposed improvement. It shall thereupon become the duty of the Village Clerk to cause to be placed in the street commissioner of said resolution, and to forthwith give written notice to the owner or occupant of the premises, and according to the specifications provided in this ordinance or until a protest is made in accordance with the provisions of this ordinance. Section 12. That no proposed sidewalk shall be accepted until sidewalks have been laid along the property lines in accordance with the provisions of this ordinance or until a protest has been filed in accordance with the provisions of this ordinance or until a protest has been filed in accordance with the provisions of this ordinance.

Section 4. At any time after five days from the date of the posting of the notice as provided in this ordinance, the street commissioner shall cause said sidewalk to be built in accordance with the provisions of this ordinance, and he shall keep a correct account of the cost and expense thereof, which account shall be in the first instance payable from the highway or street fund of said village, and if the cost and expense thereof shall exceed the amount of the highway or street fund, the Village Clerk, such cost and expense, together with the name of the owner or occupant of the premises abutting said improvement, and the number of square feet of walk laid.

Section 5. The cost and expense of constructing said walk in excess of ten cents (\$10) per square foot shall be paid by the owner or occupant of the premises abutting said improvement, and shall be specially assessed against the premises abutting said improvement in accordance with the provisions of this ordinance, and the Board of Assessors of the Village of Birmingham shall have authority to assess the same against the premises abutting said improvement, and to report the same to the Board of Assessors of the Village of Birmingham to be paid and borne by the Village of Birmingham.

Section 6. Upon receiving the report of the Street Commissioner as aforesaid of the cost and expense of the construction of such sidewalk, the Clerk shall file the same in his office and give it a number, and thereupon by resolution direct the Board of Assessors of the Village of Birmingham to assess the same against the premises abutting said improvement, and to report the same to the Board of Assessors of the Village of Birmingham to be paid and borne by the Village of Birmingham.