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ORDINANCE NO. 1333

AN ORDINANCE IMPOSING CERTAIN DUTIES AND REQUIREMENTS WITH RESPECT TO SIDEWALKS AND CURBS, MAKING THE ABUTTING PROPERTY OWNERS LIABLE FOR DEFECTS IN SIDEWALKS AND CURBS, PROVIDING THAT THE CITY MAY REPAIR AND CORRECT DEFECTS IN THE SIDEWALKS AND CURBS AND CHARGE THE COST THEREOF TO ABUTTING PROPERTY OWNER, AND REVOKING ORDINANCES NO. 522 AND 1188.

THE CITY OF HOOD RIVER ORDAINS AS FOLLOWS:

Section 1: It shall be the duty of the owner or owners of lots or tracts of land abutting or adjoining the streets within the City of Hood River to maintain the sidewalks and curbs extending along, in front of, or abutting or adjoining said streets in a condition that is serviceable and safe and all such owners are hereby declared to be liable for all damages to whomsoever resulting, arising from their fault or negligence and failing to keep and to put such sidewalk or curb in a serviceable and safe condition.

Section 2: Whenever any sidewalk or curb shall have deteriorated to such an extent as to render the same unserviceable or unsafe the City Engineer of the City of Hood River shall give notice of such condition by personally serving a printed or written notice upon the owner or owners thereof, or if such personal service cannot be made on the owner or owners, similar service shall be made upon the person or persons living in or upon the said premises, or if said premises be vacant, then upon the person or persons having charge and custody of such premises; or if service of notice cannot be made upon any of the persons named in the manner above provided then by posting the notice in a conspicuous place upon the premises, and in all such cases where notice is not made personally upon at least one of the owners, a copy of the notice shall be mailed to the owner or owners of record at their address as shown by County Tax Records. Such notice shall demand that such defective sidewalk or curb or both shall be repaired or rebuilt as shall be required

to make the same both serviceable and safe within the time stated, which time shall not be less than 24 hours nor more than 30 days, or, if the same shall not be so done within the time setforth in the notice, the City of Hood River shall proceed to repair or rebuild such sidewalk or curb, or both, and assess the cost thereof to the property and the same shall be a lien upon the said premises under the authority and in the manner contained in this Ordinance. Any such sidewalk or curb, or both, shall when so repaired and rebuilt conform to any rules, regulations or requirements for the same then in force within the City of Hood River.

Section 3: If, within the time fixed in said notice, said sidewalk or curb, or both, have not been rebuilt or repaired as required by said notice, then the City Engineer shall cause such sidewalk or curb to be rebuilt or repaired and placed in good condition to meet the standards required by the City of Hood River; the City of Hood River shall then cause the costs of such repair and placing in good condition to be charged against the lot, lots or tracts of land abutting such sidewalk and curb, or either, and to be a municipal lien as provided in the same manner as in an assessment for street improvement. Said assessment shall be declared by Ordinance and shall be entered in the Docket of City Liens and shall thereupon become a lien against the property and the creation of said lien and the collection and apportionment of said lien shall be done and performed substantially in the same manner as in the case of the costs of street improvements, but irregularities or informalities in the procedure shall be disregarded.

Section 4: Ordinance No. 522, passed by the Common Council on March 1, 1915, and Ordinance No. 1188 passed by the Common Council and approved by the Mayor November 1, 1965, and all other ordinances and parts of ordinances in conflict herewith are

repealed.

Read for the first time: July 9, 1973.

Read for the second time: July 23, 1973.

PASSED by the Council of the City of Hood River,
this 23rd day of July, 1973.



City Recorder

APPROVED by the Mayor of the City of Hood River,
Oregon, this 23rd day of July, 1973.



Mayor