

VILLAGE OF AUGUSTA

ORDINANCE NO. 92

Adopted: *August 14, 1967*

Effective: *September 3, 1967*

An Ordinance to repeal Ordinance Nos. 13, 17, 21, and 30 pertaining to sidewalks and streets; to amend Ordinance No. 63; to impose liability on adjoining or abutting landowners for injuries arising out of failure to repair or maintain sidewalks.

THE VILLAGE OF AUGUSTA, KALAMAZOO COUNTY, MICHIGAN,
ORDAINS:

Section 1. Ordinances 13, 17, 21, and 30, the first two having been enacted the 16th day of September, 1895, and the latter two having been enacted the 11th day of April, 1898 and the 17th day of September, 1902, respectively, pertaining to the construction and maintenance of sidewalks and streets, be and the same are hereby repealed.

Section 2. Ordinance No. 63, enacted on the 8th day of June, 1953, pertaining to sidewalk construction and maintenance, be and the same is hereby amended by adding thereto and inserting therein, following Section 5, thereof, the following to be known as Section 5 (a): Any owner or occupant of any such premises who shall allow any such sidewalk to remain out of repair, or in a dangerous condition, after the expiration of the number of days permitted for repairs as provided in any Sidewalk Repair Order as provided hereafter, shall be responsible and liable for injuries and damages arising out of the disrepair or unsafe condition of said sidewalk. Such owner or occupant shall further indemnify and reimburse the Village for any and all liability, costs, and expenses which the Village might incur as a result of any defective or dangerous sidewalk.

Section 3. Any Ordinance or part of an Ordinance in conflict herewith is hereby repealed.

Section 4. Severability. The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, paragraph, section or subsection is declared void or inoperable for any reason, it shall not affect any other part or portion thereof.

Wayne J. Berber
Wayne Terberg, President
Village of Augusta

Doris Brooks
Doris Brooks, Clerk,
Village of Augusta

Ordinance 92 was offered by Council Member Whitely,
supported by Council Member Brooks.

Vote on said Ordinance was unanimous.

I, Doris Brooks, Clerk of the Village of Augusta, did post notice of said Ordinance on the 15th day of August, 1967, at the U.S. Post Office, Village Hall bulletin board, and Askler's Pharmacy.

Doris Brooks
Doris Brooks, Clerk,
Village of Augusta