

SIDEWALK OBSTRUCTION
ORDINANCE # 3-27-2008

It was moved by Kenyon and supported by Coll that the following ordinance for the Village of Nashville be adopted.

AN ORDINANCE TO PROVIDE FOR THE REMOVAL OF SNOW, ICE, FILTH,
OBSTRUCTIONS OR NUISANCES FROM THE SIDEWALKS OF THE VILLAGE OF
NASHVILLE.

The Village of Nashville ordains as follows:

SECTION 1. REMOVAL OF SIDEWALK OBSTRUCTION:

No person occupying said premises, and no person owning any unoccupied premises shall fail to keep sidewalks clear of obstructions, snow, ice, filth or any nuisance on property occupied by or owned by him.

SECTION 2. DUTY OF OCCUPANT OR OWNER:

It shall be the duty of the occupant of every premises and the owner of unoccupied premises within the city, to remove all obstructions, snow, ice, filth or any nuisance by lawful means within 24 hours of the event causing the obstruction, snow, ice, filth, or other nuisance. In the case of a prolonged snow or ice event, snow/ice will be removed within 24 hours of cessation of the snow/ice fall.

SECTION 3. WHEN VILLAGE TO DO WORK:

If provisions of Section 1 and 2 are not complied with the Village President or the Village Clerk or either of their duly authorized representatives, shall notify the occupant, or owner of unoccupied premises, to comply with the provisions of said sections within a time to be specified in said notice, which notice shall be given as follows; either a) by delivering to the owner or occupant of said property either personally or by leaving it at his residence, office or place of business with some person of suitable age and discretion; b) by mailing said notice by certified mail to such owner at his last known address; or c) if the owner is unknown and the premises are unoccupied the posting of said notice in some conspicuous place on the premises for five days.

If said notice is not complied with, within the specified time therein, the Village shall cause such obstruction, snow, ice, filth, or other nuisance to be removed or destroyed and the actual cost of the removal plus 15% for inspection and other costs in connection therewith, shall be levied upon the property as a special assessment, and collected as other special assessments levied in the Village.

SECTION 4. SEVERABILITY

The provisions of this Ordinance are hereby declared to be severable and should any provision, section or part thereof be declared invalid or unconstitutional by any court of competent jurisdiction, such decision shall only affect the particular provision, section or part thereof involved in such decision and shall not affect or invalidate the remainder of such ordinance which shall continue in full force and effect.

SECTION 5. EFFECTIVE DATE

This Ordinance shall become effective within 21 days from the date of its passing. All ordinances or parts of ordinances in conflict herewith, including Ordinance #27 Sidewalk Obstruction dated 6-12-1911, are hereby repealed.

This Ordinance was adopted on 3-27-08.

Frank Dunham, Village President

Cathy Lentz, Village Clerk

CERTIFICATION

I, Cathy Lentz, hereby certify the foregoing to be a true copy of an Ordinance adopted at a regular meeting of the Village Council of the Village of Nashville held on 3-27-08, held pursuant to the required statutory procedures and notice.

Cathy Lentz, Village Clerk

Adopted 3-27-08
Published 4-5-08
Effective 4-17-08