ORDINANCE NO. 2019 - 23

AN ORDINANCE TO AMEND SECTION 6-1A-2 OF THE VILLAGE OF POPLAR GROVE CODE OF ORDINANCES REGARDING SIDEWALKS IN NEED OF REPAIR

WHEREAS, the Village of Poplar Grove, Illinois ("Village") has adopted a Code of Ordinances ("Code"); and

WHEREAS, Section 6-1A-2 governs sidewalks in need of repair; and

WHEREAS, the Village Board of Trustees desires to amend Section 6-1A-2 as set forth herein; and

WHEREAS, the Village Board of Trustees finds that such amendments are in the best interest of the Village and its citizens.

NOW, THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Village of Poplar Grove, Boone County, Illinois, as follows:

Section 1. The foregoing recitals are incorporated herein by reference.

Section 2. Section 6-1A-2 of the Code regarding "Sidewalks in Need of Repair" shall be amended to read as follows (added language shown as underlined and bold, deletions shown as strike through):

"6-1A-2: SIDEWALKS IN NEED OF REPAIR:

A. ~~Owner~~ **Village** To Repair; Costs: All sidewalks which may become out of repair **due to ordinary wear and tear or acts of God or nature** shall, upon the discretion of the village **public works director (or his/her authorized designee)** ~~president or street committee~~, be repaired by the **Village** ~~owner of adjacent property within such time as said village board deems necessary.~~ The cost of **such** repairs **shall be the responsibility of the Village.** ~~are to be made equally between the property owners and village and the work done under the direction and approval of the village board.~~

B. Owner to Repair; Costs: Notwithstanding the provisions of Subsection A above, to the extent the owner of the property adjacent to a sidewalk (or the owner's relatives, agents, contractors, invitees, guests or representatives) causes the sidewalk adjacent to their property to be in need of repair, such owner shall be responsible for the repair of the sidewalk and the costs thereof. Any and all repairs shall be performed in conformance

with any and all applicable federal, state and local laws, rules, regulations and ordinances. Any person failing to comply with this subsection shall be fined not less than five dollars ($5.00) nor more than twenty five dollars ($25.00) for each and every day he shall fail to repair such sidewalk after written notice from the village board.

~~B. Decision To Repair Or Replace: The decision of the village board as to whether or not any old sidewalk may be repaired or is in such condition as it may be repaired and can be rebuilt shall be left with the sole writing and be placed on file with the village clerk~~"

Section 3. Except as amended in this Ordinance, all other provisions and terms of Village Code of Ordinances shall remain in full force and effect as previously enacted except that those ordinances, or parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. This Ordinance shall be in full force and effect after its approval, passage and publication in pamphlet form as required by law.

PASSED UPON MOTION BY _____

SECONDED BY _____

BY ROLL CALL VOTE THIS _____ DAY OF _____, 2019

AS FOLLOWS:

VOTING "AYE": _____

_____

VOTING "NAY": _____

_____

ABSENT, ABSTAIN, OTHER _____

APPROVED_____, 2019

ATTEST:

_____ _____

CLERK VILLAGE PRESIDENT