

ORDINANCE 2018-07

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF EAGLE GROVE, IOWA, BY AMENDING PROVISIONS PERTAINING TO SIDEWALK MAINTENANCE LIABILITY

BE IT ENACTED by the City Council of the City of Eagle Grove, Iowa:

SECTION 1. SECTION MODIFIED. Section 136.04 of the Code of Ordinances of the City of Eagle Grove, Iowa, is repealed and the following adopted in lieu thereof:

136.04 RESPONSIBILITY FOR MAINTENANCE. It is the responsibility of the abutting property owners to repair, replace or reconstruct or cause to be repaired, replaced, or reconstructed, all broken or defective sidewalks and to maintain in a safe and hazard-free condition any sidewalk outside the lot and property lines and inside the curb lines or traveled portion of the public street. The abutting property owner may be liable for damages caused by failure to maintain the public right of way located between the edge of the street or curb line and the property line. The abutting property owner may be liable for damages caused by failure to maintain the sidewalk.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed by the Council the 7th day of July, 2018, and approved this 7th day of July, 2018.

Sandra McGrath

Sandra McGrath
Mayor

ATTEST:

Bryce Davis

Bryce Davis
City Administrator/Clerk

First Reading: 7-2-18

Second Reading: 7-16-18

Third Reading: waived

I certify that the foregoing was published as Ordinance No. 2018-07 on the 26th day of July, 2018.

Bryce Davis

City Clerk

PUBLIC NOTICE
City of Eagle Grove

**SUMMARY OF
ORDINANCE NO. 2018-07**
AN ORDINANCE AMENDING THE
CODE OF ORDINANCES OF THE CITY
OF EAGLE GROVE, IOWA, BY AMEND-
ING PROVISIONS PERTAINING TO
SIDEWALK MAINTENANCE LIABIL-
ITY. On July 16, 2018, the City Council
of Eagle Grove, Iowa passed the afore-
mentioned ordinance and a summary is
as follows:

SECTION 1: SECTION MODIFIED.
Section 136.04 of the Code of Ordinanc-
es of the City of Eagle Grove, Iowa is re-
pealed and the following adopted in lieu
thereof.

**136.04 RESPONSIBILITY FOR MAIN-
TENANCE.** It is the responsibility of the
abutting property owners to repair, re-
place or reconstruct or cause to be re-
paired, replaced, or reconstructed, all
broken or defective sidewalks and to
maintain in a safe and hazard-free con-
dition any sidewalk outside the lot and
property lines and inside the curb lines or
traveled portion of the public street. The
abutting property owner may be liable for
damages caused by failure to maintain
the public right of way located between
the edge of the street or curb line and the
property line. The abutting property own-
er may be liable for damages caused by
failure to maintain the sidewalk.

SECTION 2. REPEALER. All ordinanc-
es or parts of ordinances in conflict with
the provisions of this ordinance are here-
by repealed.

SECTION 3: SEVERABILITY CLAUSE:
If any section, provision, or part of this or-
dinance shall be adjudged invalid or un-
constitutional, such adjudication shall not
affect the validity of the ordinance as a
whole or any section, provision, or part
thereof not adjudged invalid or unconsti-
tutional.

SECTION 4. WHEN EFFECTIVE. This
ordinance shall be in effect from and af-
ter its final passage, approval, and publi-
cation as provided by law.

Bryce Davis, City Clerk

Published in the Eagle Grove Eagle on
July 26, 2018.

PROOF OF PUBLICATION

STATE OF IOWA }
Wright County } ss.

I, the undersigned, being duly sworn, depose and say,
that I am Pamela J. DeVries, President of the Eagle
Grove Eagle, a weekly newspaper printed in the
English language, published at Eagle Grove in Wright
County, State of Iowa, and that the annexed _____

City of Eagle Grove -
Ordinance No. 2018-07

notice was published in said paper once each week for
_____ consecutive weeks, the first publication thereof

was on the 26th day of July, 2018,

the second on the _____ day of _____, 20____,

the third on the _____ day of _____, 20____,

the fourth on the _____ day of _____, 20____,

Pamela J. DeVries

Pamela J. DeVries, President

Subscribed and sworn to before me and in my presence

the 26th day of July, 2018,

Lynnette M. Richardson

Notary Public; In and for the State of Iowa



LYNNETTE RICHARDSON
Commission Number 771667
My Commission Exp FEB. 14, 2021

Printer's Fees, \$

18.70