

**ORDINANCE # 63**

**SIDEWALK CONSTRUCTION AND REPAIR**

AN ORDINANCE FOR SIDEWALK CONSTRUCTION AND REPAIR  
REQUIREMENTS IN THE VILLAGE OF COCHRANE

The Board of the Village of Cochrane do ordain as follows:

1. **OWNER TO CONSTRUCT.** It shall be the duty of the abutting owner to build, repair, construct, and perpetually maintain sidewalks along or upon any street, alley or highway in the Village and to pay the entire cost thereof. Whenever the Council shall by resolution determine that a sidewalk be laid, rebuilt, repaired, lowered or raised along or upon any public street, alley, or highway within the Village, it shall proceed according to Section 66.615, Wis. Stats.
2. **PERMIT REQUIRED.** No person shall hereafter lay, remove, replace, or repair any public sidewalk within the Village unless he or she is under contract with the Village to do such work or has obtained a permit therefore from the Village Clerk at least seven days before work is proposed to be undertaken.
3. **SPECIFICATIONS.**
  - A. ***Concrete sidewalks.*** Concrete sidewalks and sidewalk ramps shall be four (4) inches in thickness, four (4) feet in width, and unless otherwise directed by the Board, constructed of non-reinforced concrete.
  - B. ***Joints.*** Unless otherwise directed by the Board, the sidewalk shall be cut into blocks five (5) feet in length.
  - C. In cases where the grade exceeds 15%, steps or special construction shall be required to fit the existing conditions. Such details shall be prepared by the Village Superintendent and approved by the Board before construction of the walk is started.
  - D. The expense of constructing sidewalks shall be borne entirely by the owner of the abutting property.
  - E. All sidewalks constructed shall conform to these specifications. Any sidewalk not built to these specifications shall be ordered removed and reconstructed in accordance with these specifications.
  - F. Concrete for sidewalks shall have a minimum of 5 sacks (94 pounds) of cement per cubic yard. Concrete shall have a minimum compressive strength of 3,000 psi in 28 days.
4. **BOARD MAY ORDER CONSTRUCTION AND REPAIR.**
  - A. ***Authority of Board.*** The Board may from time to time by ordinance or resolution determine where sidewalks shall be constructed and establish the width, determine the material and prescribe the method of construction of standard sidewalks, and the standard so fixed may be different for different streets, and may order by ordinance or resolution sidewalks be laid as provided in this subsection.
  - B. ***Defective Sidewalks.*** The Board may order any sidewalk which is unsafe, defective, or insufficient to be repaired or removed and replaced with a sidewalk in accordance with the following standard:
    1. A sidewalk is considered defective if the sidewalk meets one or more of the following enumerated characteristics:

- a. One (1) inch or more vertical difference between adjacent sidewalk blocks or sections.
  - b. One (1) inch or more horizontal difference between adjacent sidewalk blocks or sections.
  - c. Deterioration of the surface to a vertical depth of one-half inch or more within any individual sidewalk block or section.
  - d. A block section that is depressed or raised 1” and has more than three cracks.
2. If seventy-five percent (75%) of the sidewalk in front of any parcel is defective, the entire sidewalk in front of the parcel shall be replaced.

C. **Notice.** A copy of the ordinance, resolution, or order directing such laying, removal, replacement, or repair shall be served upon the owner, or any agent, of each lot or parcel of land in front of which such work is ordered. Service of the notice may be made by:

1. Personal delivery; or
2. Certified or Registered Mail.

D. **Default of Owner.** Whenever any such owner shall neglect for a period of 30 days after such service to lay, remove, replace, or repair any such sidewalk the Village may cause such work to be done at the expense of such owner.

E. **Minor Repairs.** If the cost of repairs of any sidewalk in front of any lot or parcel of land does not exceed the sum of \$100.00, the Board may immediately repair such sidewalk without notice or letting the work by contract and charge the cost thereof to the owner of such parcel of land, as provided in this section.

5. **SPECIAL ASSESSMENT.** The expense of such repairs shall be a special assessment against each lot or parcel of land abutting said sidewalk and collected in all respects like other assessments upon real estate. The Board may provide that the expense so incurred shall be paid in up to five annual installments with interest.

6. **REPAIR—FAILURE TO COMPLY.** Any person whose duty it is to keep any sidewalk in good order and repair, who having received the notice provided for in subsection (4), fails or neglects for the space of 30 days from the date of service of such notice to repair such sidewalk, and to restore the same to a suitable condition for travel, shall be subject to a forfeiture of not less than \$10.00 nor more than \$200.00 for each offense.

## **SECTION 2.**

This ordinance shall be effective upon passage and publication as provided by law.

/s/ Blaine Proue, President

/s/ Lois Fetting, Village Clerk