

TITLE 5

STANDARDS AND SPECIFICATIONS

Section

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Title 5 was recodified by Ordinance 711, effective 4-20-81.

5-1-1. Standards Adopted. - Construction of all curbs, gutters, sidewalks, streets, sewers, storm drainage facilities, and water facilities in the City of Lander shall conform to the standards and specifications as adopted by resolution of the City Council. A copy of such standards and specifications shall be kept on file at all times with the engineering supervisor for public inspections.

5-1-2. Other Designs Acceptable. - If it can be shown to the satisfaction of the engineering supervisor that other designs, materials, or procedures will provide performance equal to or better than those specified in Section 5-1-1 and written specifications and diagrams showing the alternative means of construction bearing written approval of the engineering supervisor are filed in the engineering supervisor's office, the provisions of Section 5-1-1 shall be deemed satisfied.

5-2-1. Construction and Cost of Sidewalks. - All sidewalks hereafter constructed, rebuilt, or repaired within the City shall be at the expense of the abutting landowners in proportion to the linear feet that such property abuts such sidewalk.

5-2-2. Enforcement; Engineering Supervisor. - When, in the opinion of the engineering supervisor, any sidewalk within the City shall be deemed unsafe for public travel, the engineering supervisor is authorized to send written notice to the landowner abutting such sidewalk that such sidewalk shall be repaired within 45 days of the date of such notice to conform with the specifications adopted in Section 5-1-1. If the landowner shall fail to repair such sidewalk within the time allotted, the engineering supervisor may have such repairs done by the City, with all costs therefor being assessed to the abutting landowner. The expenses so incurred shall be a lien against such property.

If such expenses are not paid by the owner within 30 days of the date that a notice specifying the amount and reason for the assessment are mailed to the owner at his most

recent address as shown on the records of the County Assessor, they shall draw interest at 12% per annum, and the recordation of such notice shall be a lien on such property which may be foreclosed in the same manner and subject to the same periods of redemption as for collection of delinquent property taxes. Such expenses, together with interest and costs of collection, including reasonable attorney fees, may also be collected by civil action filed in the name of the City against the property owner.

5-2-3. Construction of Sidewalks at Request of Landowners or Direction of City Council. - Whenever a majority of the resident owners of property along any street shall, by written petition, request the Council to construct or build sidewalks along any such street or whenever the Council shall, upon a vote of three-fourths of all the members thereof, order the making, construction, rebuilding, or repair of any sidewalk along any street in the City, the Council shall, by resolution, proceed to establish such an improvement district in accordance with Wyoming Statutes Section 15-6-201, et. seq. (1977).

5-2-4. Permit Required for Sidewalk Construction or Repair. - It shall be unlawful for any person to lay, construct, rebuild, or repair any sidewalk within the City without first having obtained a permit therefore. This section shall not apply to persons holding a valid building permit. The persons performing any sidewalk construction or repair within the City shall notify the City Building Inspector within 48 hours after completion of such work that the same is ready for inspection. If such work has not been constructed in accordance with the standards and specifications adopted in Section 5-1-1 of the Municipal Code, the Building Inspector may refuse to approve such work, and may order the same corrected to meet such standards and specifications. Failure of the permit holder to correct such work as ordered within 30 days shall be deemed a violation of this section.

5-2-5. Same; Permit Fee. - The fee for a permit issued under this Chapter shall be \$2.00.

5-3-1 - Reimbursement for damage done to Main Street surfacing improvements including but not limited to: concrete pavement, asphaltic pavement, crushed base, subgrade, curb and gutter, refusal, assessment of costs.

- (a) Definitions - for the purpose of this section the following definitions shall apply:

Damages - Damages to concrete shall include, but is not limited to: concrete removal for repairing or installing utilities; surface gouges, cracks or other damage to the appearance or structural integrity. Damage to crushed base and subgrade material shall include, but is not limited to: contamination with deleterious material, mud, rocks, bituminous asphalt pavement or water damage that results in exceeding the optimum moisture content for that material.

Restoration - Restoring any damage done, as defined above, to its original condition as set forth below.

- (b) **Procedure** - Any person or entity who, whether intentionally or otherwise, causes damage to any portion of Main Street Surfacing Improvements as above defined shall, in writing, immediately notify the City Building Inspector and the Director of Public Works. If the damage is deemed intentional by the City, the person or entity shall arrange for and pay the costs to restore the damaged item(s) to original condition. If the damage is deemed to be unintentional by the City, the person or entity, together with the City, shall arrange to restore the damaged item(s) to original condition. For unintentional damage, the person or entity shall pay for the work necessary to correct the area actually damaged and the City shall pay any additional cost to restore the area to natural joints as provided below. Prior to beginning any removal or restoration work, the person or entity shall prepare a traffic control plan and submit it to both the City of Lander and the Department of Transportation for approval.

Restoration of the item(s) to original conditions shall be done in accordance with the construction specifications and Record Drawings for the Lander Main Street Reconstruction Project as filed with the City Building Inspector. Any pavement slab or curb and gutter section that is damaged or which has a trench wall less than one foot from its edge shall be removed in its entirety to the original sawcut or construction joint. Trench walls shall be a minimum of one foot from all existing joints in the concrete. In the event that trench walls are less than one foot from the joint, removal and restoration shall be taken to the next joint. All replacement joints shall conform to Wyoming Department of Transportation specifications 414-03A, as attached in Exhibit A. Existing joints that are removed shall be replaced in kind. Restoration of subgrade and base shall conform to Wyoming Department of Transportation specifications.

- (c) In the event any person or entity fails or refuses to comply with the provision of Section (a) hereof within ten (10) days after receipt of notice from the City, the City, through its representative, may cause the same to be restored and assess the costs therefor against the person or entity causing such damage. If such costs are not paid within the next thirty (30) days of mailing the notice, they shall draw interest at the rate of 10% per annum. Such costs of collection, including a reasonable attorney's fee, may be collected by civil action filed in the name of the City against the person or entity causing the damage. This remedy

shall be in conjunction with any other remedy provided for by law. *(Section 5-3-1 created by Ordinance 936, effective 8-29-94).*