

## **ORDINANCE RELATING TO INSTALLATION, REPAIR AND MAINTENANCE OF SIDEWALKS**

BE IT ORDAINED by the Town Council of the Town of Plainville in meeting duly assembled, that:

**SECTION 1:** An ordinance entitled “An Ordinance Providing for the Construction and Repair of Sidewalks in the Town of Plainville as Amended”, adopted by the Town Council on October 15, 1962, and an ordinance captioned “Streets and Sidewalks”, adopted by the Town Meeting on October 10, 1921 and amended by the Town Council on December 18, 1967, are hereby repealed.

**SECTION 2: AUTHORITY.** The construction, repair and maintenance of all sidewalks situated within the Town of Plainville, except such sidewalks as may be under the jurisdiction of the State or some other government agency, shall be under the direction of the Director of Public Works, who is hereby authorized to make such rules and regulations and to perform such duties as are necessary to carry out the provisions of this ordinance. He may cause to be constructed, or repaired and brought to safe condition, such sidewalks as he deems necessary, subject to the provisions of this ordinance.

**SECTION 3: NEW CONSTRUCTION.** Before proceeding with the construction of any sidewalk, the Director of Public Works shall notify the Chairman of the Town Planning and Zoning Commission, designating the location, extent and estimated cost of such sidewalk, and the Chairman of the Town Planning and Zoning Commission shall thereupon cause to be issued a call for a public hearing upon such proposed construction, by publication in a newspaper having circulation in the Town of Plainville. Within ten (10) days following such hearing, the Town Planning and Zoning Commission shall submit to the Town Council a report on such hearing together with their recommendations as to whether the public convenience and necessity will be served by construction of such sidewalk. The Director of Public Works shall not proceed with the construction of such sidewalk until he has received notification of approval by the Town Council of such construction. All sidewalks constructed under this section shall be of cement concrete or bituminous concrete as approved by the Director of Public Works. Sidewalks constructed pursuant to this section shall be paid for out of the Town of Plainville General Fund, sidewalk appropriation.

**SECTION 4: SUBDIVISIONS.** The provisions of Section 3 of this ordinance shall not be applicable to the construction of any sidewalks in any subdivisions or re-subdivisions under the jurisdiction of the Town Planning and Zoning Commission, whose applicable regulations on provision of sidewalks shall be controlling.

**SECTION 5:** Specifications set forth in Section 4 of an ordinance entitled “Ordinance with Regard to Building of Driveways and Sidewalks (as amended)”, adopted by the Town Council on September 3, 1963, shall not be mandatory for sidewalks installed by the Director of Public Works pursuant to Section 3 of this ordinance.

**SECTION 6: REPAIRS.** Whenever in the opinion of the Director of Public Works any sidewalk shall be in need of repair, he shall cause said sidewalk to be repaired, the expense for which shall be paid out of the Town of Plainville General Fund, sidewalk appropriation.

**SECTION 7. SEPARABILITY.** If any provision of this ordinance shall be declared invalid, such action shall not affect the validity of any other provision hereof.

Adopted by Town Council June 2, 1975.

Amended June 19, 1978, March 21, 1983