

Ordinance No. 65482

AN ORDINANCE relating to the construction and reconstruction of sidewalks; providing for the payment of the cost thereof by owners of abutting property, and for the application and enforcement of Chapter 203, Laws of Washington, 1927 (Rem. Rev. Stat., Sections 9332-1, et seq.).

Council Bill No. 50390

INTRODUCED: JUN 24 1935	BY: STREETS & SEWERS
REFERRED: JUN 24 1935	TO: STREETS & SEWERS FINANCE
REFERRED:	
REPORTED: JUL 1 1935	VETO:
SECOND READING: JUL 1 1935	PUBLISHED:
THIRD READING: JUL 1 1935	VETO SUSTAINED:
SIGNED: JUL 1 1935	PASSED OVER VETO:
PRESENTED TO MAYOR: JUL 2 1935	APPROVED: JUL 5 1935
FILED: JUL 5 1935	PUBLISHED: JUL 11 1935
ENGROSSED: VOL. 291 PAGE 22	BY: F. D. ✓
COMPARED BY: AND	

45712 report renewal of federal title
file 215678 - assignment Roll - Res 15782
B 15996 - hearing on roll
O-80959 - Create L & D 6012 & appurtenances roll

Res: 16314 - ne West Seattle

ORDINANCE NO. 65482

AN ORDINANCE relating to the construction and reconstruction of sidewalks; providing for the payment of the cost thereof by owners of abutting property, and for the application and enforcement of Chapter 203, Laws of Washington, 1927 (Rem. Rev. Stat., Sections 9332-1, et seq.).

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Whenever a portion, not longer than one block in length, of any street (the word "street", as used herein, to include any boulevard, avenue, alley, way, lane, square or place) shall not be improved by the construction of a sidewalk thereon (the word "sidewalk", as used herein, to include any and all structures or forms of street improvement included in the space between the street margin and the roadway), or the sidewalk thereof shall have become unfit or unsafe for purposes of public travel, and such street adjacent to both ends of said portion shall be so improved and in good repair, and the City Council shall by resolution find that the improvement of such portion by the construction or reconstruction of a sidewalk thereon is necessary for the public safety and convenience, the duty, burden and expense of constructing or reconstructing such sidewalk shall devolve upon the property directly abutting upon such portion (which term "property directly abutting" or "abutting property", as used herein, shall be deemed to be all property having a frontage upon the sides or margins of any such portion); provided, that such abutting property shall not be charged with any costs of construction or reconstruction in excess of fifty per cent. (50%) of the valuation of such abutting property, exclusive of improvements thereon, according to the valuation last placed upon it for purposes of general taxation.

Section 2. Whenever the City Council shall have adopted such resolution, the Board of Public Works shall cause to be served on the owner of the abutting property a notice instructing said owner to construct or reconstruct a sidewalk on such portion in accordance with

plans and specifications which shall be attached to such notice. Such notice shall be served by delivering in person to the owner or leaving at his home with a person of suitable age and discretion then resident therein, or with an agent of such owner authorized to collect rentals on such property, or, if such owner is a nonresident of the State of Washington, by mailing a copy to his last known address, or, if such owner be unknown or if his address be unknown, then by posting a copy in a conspicuous place on such portion of said street where such improvement is to be made. Such notice shall specify a reasonable time within which such construction or reconstruction shall be made, and shall state that in case the owner shall fail to make the same within such time, the City will proceed to make the same through the Board of Public Works, and at a subsequent date, to be definitely stated in said notice, the Board of Public Works will report to the City Council an assessment roll showing the lot or parcel of land directly abutting on such portion of such street so improved, the cost of such improvement, the name of the owner, if known, and that the City Council at the time stated in said notice, or at the time or times to which the same may be adjourned, will hear any and all protests against the proposed assessment. Upon the expiration of the time fixed within which the owner is required to construct or reconstruct such sidewalk, if the owner has failed to perform such work, the Board of Public Works shall proceed to perform such work and shall, within the time fixed in said notice, report to the City Council an assessment roll showing the lot or parcel of land directly abutting on such portion of such street so improved, the cost of such work, and the name of the owner, if known. The City Council shall, at the time in such notice designated, or at an adjourned time or times, assess the cost of such improvement against said abutting property and shall fix the time and manner for payment thereof, which said assessment shall become a lien upon said property and shall be collected in the manner provided by law for special assessments under Chapter 27, Title 60, Rem. Rev. Stat.

Section 3. This ordinance is enacted in order to enable the City of Seattle to exercise the powers and authority granted by Chapter 203, Laws of Washington, 1927, and to provide for the application and enforcement of said Act in said City.

Section 4. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed the City Council the 1 day of JULY, 1935,
and signed by me in open session in authentication of its passage this 1 day of
JULY, 1935 Frank J. Laube
President of the City Council.

Approved by me this 5 day of JULY, 1935.
Charles E. Smith
Mayor.

Filed by me this 5 day of JULY, 1935.

Attest: A. W. Cannon
City Comptroller and Ex-Officio City Clerk.

By C. M. Smith
Deputy Clerk.

(SEAL)

Published JUL 11 1935

City Comptroller and Ex-Officio City Clerk.

By _____
Deputy Clerk.

ASSISTANT CORPORATION COUNSEL

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THE CITY OF SEATTLE

LAW DEPARTMENT

A. C. VAN SOELEN, CORPORATION COUNSEL

CHIEF CLERK

R. B. MCCLINTON

SECRETARY

RUTH GRIFFIN

LAW CLERK

C. V. HOARD

CLAIM AGENT

JOHN F. COOPER

June 20, 1935.

RE: Proposed ordinance providing
procedure for sidewalk improve-
ments and assessment of cost
as authorized by Ch. 203, Laws
of 1927.

City Council,
Seattle.

Gentlemen:

Pursuant to your request we have prepared and herewith transmit proposed ordinance providing procedure for sidewalk improvements and the assessment of the cost thereof to abutting property owners in accordance with Chapter 203, Laws of Washington, 1927.

Comptroller's File No. 147170, which accompanied your request, is herewith returned.

Yours very truly,

A. C. VAN SOELEN,
Corporation Counsel,

By:

John A. Homer
JOHN A. HOMER,
Assistant.

JAH:AM
Encl.