

RESOLUTION NO. 05182015-1

**A RESOLUTION FUNDING SIDEWALK REPAIR AND REPLACEMENT PROGRAM
OF THE NEW CASTLE BOARD OF PUBLIC WORKS AND SAFETY**

WHEREAS, on March 16, 2015, the Common Council of the City of New Castle passed Ordinance No. 3717 after public hearing; and,

WHEREAS, said ordinance appropriated the sum of \$90,000.00 from riverboat proceeds received by the City for various projects; and,

WHEREAS, one of the projects this Council wishes to fund from this appropriation is a Sidewalk Repair and Replacement Program.

NOW THEREFORE BE IT RESOLVED by the Common Council as follows:

1. The sum of \$15,000.00 shall be deposited by the Clerk-Treasurer in the "Sidewalk Construction, Repair and Replacement Non-Reverting Fund" as previously established by this Council.

2. That the Board of Works shall utilize this sum to fund a sidewalk improvement program. The Board of Works shall make it known that the City is providing a match of not greater than half the cost of a repair project or \$500.00, whichever is less, to property owners who wish to make improvements, repair, replace or maintain of their sidewalks.

3. Any property owner wishing to take advantage of this program must submit an application to the City Board of Works. That application must include a photograph of the sidewalk to be repaired, a statement of the work to be performed, and estimate of the cost of labor and materials.

The Board of Works shall prepare a form to be utilized by the citizens for application for reimbursement funds pursuant to this resolution.

4. The applicant must own the property on which the improvements take place or reside at that location.

5. Upon receipt of the application, the City Building Inspector shall go to the site and make a pre-construction inspection of the site. Thereafter he will report to the Board of Works which will then consider the application. If the application is approved, the applicant will be notified in writing of the approval and the amount that will be paid upon completion of the work referred to in the application. After completion of the work, and prior to payment, the applicant will provide the Board of Works with proof of payment for the improvements or repairs made. Further, the building inspector will complete a post-construction inspection. Provided the sidewalk passes the City inspection, and all work has been paid, an amount equal to that which has been previously approved by the board, will be made payable to the applicant.

6. The City of New Castle will not be a party to any contract with contractors or third-party for repairs. The City of New Castle does not warrant the work that will be performed. This provides reimbursement of sums mentioned above to the property owner after work has been completed.

7. All work performed must meet City specifications, be preapproved by the City Building Inspector, and receive final approval and inspection from the City Building Inspector after completion of the work.

8. Once an application is granted and the owner receives written notice of same, the applicant will have forty (40) days

to complete the work and request reimbursement. After the forty (40) days, the City reimbursement offer shall expire and those funds will made available to other applicants. Upon exhaustion of the \$15,000.00 referred to herein above, this reimbursement program shall expire unless funded by further appropriations of the Common Council.

This Sidewalk Reimbursement Program shall not be available to any elected official of the City of New Castle or any of the immediate family members of said elected officials.

An applicant may only apply for this grant once in any four (4) year period.

REPEALER: All resolutions or parts of resolutions in conflict herewith are hereby repealed.

SEVERABILITY: Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation shall be inapplicable, shall be deemed omitted but the rest and remainder of this resolution, to the extent feasible, shall remain in full force and effect.

EFFECTIVE DATE: This resolution shall become effective immediately upon passage.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS ____ DAY OF _____, 2015.

Greg York, PRESIGING OFFICER
COMMON COUNCIL, NEW CASTLE, IN

ATTEST:

CHRISTY YORK, CLERK-TREASURER

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NAY

APPROVED BY ME THIS ____ DAY OF _____, 2015.

Greg York, Mayor
City of New Castle, Indiana

