

ORDINANCE #3878

AN ORDINANCE AMENDING CHAPTER 98.49 OF THE NEW CASTLE CITY CODE

WHEREAS, the Common Council has previously enacted Chapter 98.49 *Sidewalk Repair and Replacement Program* of the New Castle City Code, which allocates a specific sum of money to a non-reverting fund and establishes a program that allows the reimbursement of a portion of the costs incurred by a property owner in repairing or replacing sidewalks located adjacent to the property owner's real estate; and

WHEREAS, the repair or replacement of defective sidewalks should be encouraged; and

WHEREAS, the cost of repairing or replacing sidewalks has increased; and

WHEREAS, in order to incentivize the repair or replacement of sidewalks within the City, and to account for the increased cost to repair or replace a sidewalk, the amount allocated to the fund should be increased and the amount of reimbursement offered to a property owner should be increased.

NOW THEREFORE, BE ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE AS FOLLOWS:

Section 98.49 of the New Castle City Code is hereby amended as follows:

1. Subsection (A) shall be replaced with the following text:

The Clerk Treasurer shall allocate an amount sufficient to increase the balance in the "Sidewalk Construction, Repair, and Replacement Non-Reverting Fund" to the sum of Fifty Thousand Dollars (\$50,000).

2. Subsection 98.49(B) shall be replaced with the following text:

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 of New Castle is providing a match of not greater than seventy-five percent (75%) of the costs of a repair project, or one thousand dollars (\$1,000), whichever is less, to property owners who wish to make improvements, repair, replace, or maintain their sidewalks.

3. All other provisions of § 98.49 of the New Castle City Code shall continue in effect.

REPEALER: All ordinances or parts of ordinances in conflict herewith are hereby repealed.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 of law shall be inapplicable, shall be deemed omitted but the rest and remainder of this ordinance, to the extent feasible, shall remain in full force and effect.

EFFECTIVE DATE: This Ordinance shall become effective upon passage.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS
____ DAY OF _____, 2022.

Greg York, Presiding Officer,
Common Council, City
of New Castle, Indiana

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ATTEST:

Brenda Grider, Clerk-Treasurer

APPROVED BY ME THIS ____ DAY OF _____, 2022.

Greg York, Mayor of the City
of New Castle, Indiana