

ORDINANCE NO 21-09

**ORDINANCE AMENDMENT TO THE VERNON VILLAGE
CODE OF ORDINANCES STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES
CHAPTER 54**

The Village of Vernon ordains:

Section 1. That the Vernon Village Code is hereby amended by adding sections to Chapter 54, Streets, Sidewalks, and Other Public Places be numbered 54-37, to read as follows:

Sec. 54-37. Sidewalk repair or construction chargeable to owners of adjacent property.

(a) *Service of notice to adjacent property owners.* Before any sidewalk shall be repaired or constructed by the Village, to be thereafter charged to the owners of the adjacent property, or when any existing sidewalk in the Village shall be determined to be in need of repair by the DPW Director, and which repair shall be chargeable to the owner of the adjacent property, the Village shall cause to be served a notice upon the owner of the adjacent property, or upon the occupant of the property, or, in case the owner is a nonresident of the Village and the adjacent property is vacated and unoccupied, by posting such notice and mailing a copy thereof to the owner at his last known place of residence, that the Village intends to build or repair the sidewalk at the expense of the owner of the adjacent property. The notice shall be served or posted and mailed at least five days before the commencement of the work of the building or the repairing of the sidewalk by the Village.

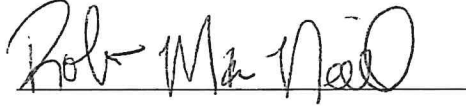
(b) *Cost and expense, when due.* The cost and expense of such sidewalk is due not 30 days after work is completed and billed by the Village office. Property owners wishing to establish annual payments may do so by contacting the Village office upon receipt of the bill. Such annual installments shall not exceed five years, the first installment being due 60 days from the date of the invoice, with deferred installments due annually thereafter or in discretion of the Council, may be spread upon and made part of each annual Village tax roll thereafter until all are paid. Interest shall be charged on all deferred installments at a rate not to exceed seven percent per annual, commencing on the due date of the first installment and payable on the due date of each subsequent installment. Failure to comply with the above ruling will result in the cost and expense together with a penalty of not more than ten percent in addition thereto to be made a special assessment upon the adjacent property, or the same may be collected by an action of assumpsit against the owner of the adjacent property.

(Ord. No. 12-155)

Section 2. Savings Clause. This Ordinance shall in no manner affect pending litigation, either civil or criminal, founded or growing out of any ordinance, resolution, order or parts thereof, hereby repealed, and this ordinance shall in no manner affect any rights, claims, privileges, immunities or causes of action of the Village, County or other person, either criminal or civil, that may have already occurred, accrued or grown out of any ordinance, resolution, order or policy, or any part thereof, hereby repealed. This Ordinance shall in no manner affect pending litigation, either civil or criminal, founded or growing out of any ordinance, resolution, order parts thereof, hereby repealed.

Section 3. Validity and Severability. Should any portion of this Ordinance be found invalid for any reason, such a holding shall not be construed as affecting the validity of the remaining portions of the Ordinance.

Section 4. Effective Date. This Amendment shall be effective from and after the date of its publication.



Robert Mac Neill, Village President



Krista E. Goodman, Village Clerk

Village Council Member Ethington offered the foregoing Amending Ordinance, and moved its adoption. The motion was seconded by Village Council Member Pfeiffer, and upon being put to a vote, the vote was as follows:

Robert Mac Neill, President	Absent
Carah Warren, President Pro-Temp	Yes
Scott Ethington, Trustee	Yes
Carolyn Pfeiffer, Trustee	Yes
John Rosser, Trustee	Absent
Linda West, Trustee	Yes

The President thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Vernon this 21 day of July, 2021.

I hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. 21-09 adopted by the Village Council of the Village of Vernon, County of Shiawassee, Michigan, at a regular meeting held on July 21, 2021.



Krista E. Goodman, Village Clerk