

TITLE V: PUBLIC WORKS

Chapter

49. Construction of New Public Works Facilities
50. Sewage Service and Regulations
51. Water Service and Regulations
52. Sanitation Service and Regulations

DECATUR - PUBLIC WORKS

CHAPTER 49: CONSTRUCTION OF NEW PUBLIC WORKS FACILITIES

Section

GENERAL PROVISIONS

§ 49.01 GENERAL

It is the basic position of the City that public works facilities and improvements, hereinafter defined as streets, curbs, alleys, walks, street lights, storm sewers, sanitary sewers and water lines, shall be constructed for the convenience of the properties that said public works facilities serve. Furthermore, that the cost of constructing said public works facilities shall be the primary responsibility of those properties receiving the benefit from such facilities and such facilities shall be constructed according to City specifications. It is not the policy of the City to provide these public works facilities for any property or at any location at no cost to the properties receiving the benefit from said facilities.

POLICY

§ 49.20 STREETS, CURBS AND ALLEYS

Each property owner and/or property developer receiving the service and use of streets, curbs and alleys shall pay on a prorata share cost basis for the initial improvement or construction of these public works facilities. Once constructed and accepted by the City, the City shall be responsible for routine and periodic maintenance. The City will use, wherever possible, Motor Vehicle Highway, Local Roads and Streets or other funds or taxes for the maintenance and, when appropriate, reconstruction of improved streets, curbs and alleyways.

§ 49.21 WALKS

The cost and installation of sidewalks shall be the responsibility of the underlying property owner. Furthermore, all property owners are responsible for maintenance of the walks. Developers, including developers of new subdivisions, multi-family dwellings and apartments, are responsible for the cost and installation of sidewalks.

§ 49.22 STREET LIGHTS

The City may provide street lighting as funds permit in a standard street lighting form. These shall be single alley or street lights installed on the City's standard poles with overhead wiring. If any property owner or owners should desire to have ornamental lighting in lieu of the standard lighting, they shall then be required to pay the increased cost. Developers, including developers of new subdivisions, multi-family dwellings and apartments, are responsible for the cost and installment of street lighting.

§ 49.23 STORM SEWERS

Storm sewers shall be designed and constructed to serve the watershed area. The cost of storm sewers shall be prorated over the benefitted property owners in a manner consistent with the Barrett Law or other assessment procedures provided by State Statute to the City. The City will seek Federal and State Funding where possible to assist in these costs. Developers, including developers of new subdivisions, multi-family dwellings and apartments, are responsible for the cost and installation of storm sewers.

§ 49.24 SANITARY SEWERS

Sanitary sewers will be available to be extended for the benefit to serve additional properties. The cost shall be prorated to the property owners in a manner consistent with the Barrett Law or other assessment procedures provided by State Statute to the City. The City will also seek Federal and State Funding where possible to assist in these costs. Developers, including developers of new subdivisions, multi-family dwellings and apartments, are responsible for the cost and installation of sanitary sewers.

§ 49.25 WATER LINES

Water lines will be available to be extended for all benefit to serve additional properties. The cost shall be prorated to the property owners in a manner consistent with the Barrett Law or other assessment procedures provided by State statute to the City. The City will also seek Federal and State Funding where possible to assist in these costs. Developers, including developers of new subdivisions, multi-family dwellings and apartments, are responsible for the cost and installation of water lines.

PROCEDURE FOR REQUESTING THE
CONSTRUCTION OF PUBLIC IMPROVEMENTS

§ 49.30 PETITION BOARD OF WORKS

Whenever a property owner or owners should desire the construction of public improvements, they shall first petition the Board of Works. This petition shall clearly state the type of public improvements desired, their location, and shall be signed by the property owners making such a request.

§ 49.31 REVIEW BY BOARD OF WORKS

Upon receiving the petition, the City Engineer and Board of Works will review existing facilities in the area, and prepare a preliminary cost estimate for the public facilities requested, and make a determination of available funds to assist in the cost sharing of these public improvements. Upon completion of this determination, the Board of Works shall then inform the petitioner(s) and other affected property owners, who will be expected to cost share in the project of the proposed project, of its findings including estimated cost.

§ 49.32 VOTE BY PROPERTY OWNERS

The property owners affected will then have the right to vote on whether or not they wish to proceed with the project. If the sixty-one percent (61%) or more of the affected property owners wish to proceed, then the Board of Works will then follow the applicable State statutes for construction of public improvements and complete the project accordingly. (Ord. 1989-21, passed 11-7-89)