

Repealed 6-23-1980

74-2

220.4

SMITHS GROVE CITY ORDINANCE NO. 28, relating to Street Assessments (This ordinance supercedes any Ordinance which may have been passed relating to Street Assessments.)

WHEREAS, the City of Smiths Grove recognizes the authority given Cities of the Sixth Class by the Kentucky Revised Statutes, and

WHEREAS, Section 94.290 through Section 94.990 enables local units of government to make public improvements for the benefit of all of its citizens; and

WHEREAS, the City of Smiths Grove recognizes the need to upgrade all the streets of the City; and

WHEREAS, the City of Smiths Grove is now eligible to receive funds from Federal Revenue Sharing and Kentucky Municipal Aid through the gasoline taxes, and in order to add to these funds to be able to give more people more benefit from them, and to better be able to do a better quality of street improvement;

NOW THEREFORE,

Be it ordained by the City of Smiths Grove:

Section 1. The City of Smiths Grove hereby declares its intention to insure a decent street for everyone within the City limits, beginning with the ones which are deemed the most in need of resurfacing and continuing until all the streets are in good, passable condition and free from dust and debris which causes them to be an eyesore and annoyance to all the citizens of the City.

Section 2. This program was begun in the month of October, 1973, and shall continue until the goal is attained and under Section 94.294 Kentucky Revised Statutes it shall be considered a stage improvement.

Section 3. In order to treat each of its citizens equally and without discrimination as to race, color or creed each property owner will be charged an assessment in accordance with the footage of his or her property and according to the tonnage of materials used in said street. One half of the cost of the streets will be paid for from the assessments of property owners while the other half will come from the City funds excepting streets which run along City owned property (i.e. water works, fire station, cemetery, alleys, etc.) the portion of which will be paid entirely from City funds.

Section 4. In accordance with Section 94.314 each improvement tax, together with the interest thereon, shall constitute a lien on the lot or parcel of benefitted property against which it is assessed and the entire Section of the Kentucky Revised Statutes shall apply.

Section 5. The Board of Trustees, City of Smiths Grove, Kentucky, shall, upon recommendation of the duly appointed street commissioner, designate the streets which will be paved within a certain paving season. The Board of Trustees shall invite bids from approved contractors for the work to be done subject to the approval of the District Engineer, Kentucky Department of Highways. The successful bidder shall be notified in due time to arrange his schedule to fit the season and when he has completed the job or jobs he shall submit an itemized statement of his work. When the work has been properly inspected and accepted by the committee or appointed board the Board of Trustees shall then approve payment.

Section 6. The Board of Trustees, City of Smiths Grove, Kentucky, shall submit to the District Engineer, Kentucky Department of Highways, a statement and the required forms of the cost of surfacing the streets approved by them for municipal aid under the Municipal Aid-Program and they, in turn, if approval is given, will reimburse the City of Smiths Grove the cost of paving the designated streets.

Section 7. Complete records of all street work and financial payments pertaining thereto shall be kept by the City Clerk-Treasurer, City of Smiths Grove, and shall be available to the Commonwealth of Kentucky, Department of Highways and the applicable agency of the United States Government or to any citizen of the City of Smiths Grove, Kentucky, who has just cause to examine same.

ADOPTED this 26th day of August , 1974

APPROVED:

Robert A. Baum

Chairman, Board of Trustees
City of Smiths Grove, Kentucky

ATTEST:

Lillian E. Glora

City Clerk-Treasurer,
City of Smiths Grove, Kentucky