

**CITY OF FLAT ROCK**

**WAYNE COUNTY, MICHIGAN**

**Ordinance No. 338-B**

**AN ORDINANCE TO AMEND SECTIONS 78-81 AND 78-82  
OF THE CODE OF THE CITY OF FLAT ROCK RELATING  
TO CHARGES FOR THE CONSTRUCTION OR  
RECONSTRUCTION OF SIDEWALKS.**

**THE CITY OF FLAT ROCK ORDAINS:**

**SECTION I.** Section 78-81 of Article III of Chapter 78 of the Code of the City of Flat Rock is hereby amended to read as follows:

**Sec. 78-81. Charge for construction; special assessments.**

Upon completion of the construction or reconstruction of any sidewalk or the construction, reconstruction or replacement of any driveway approach, except for the construction of any sidewalk required by the 50 percent rule, by the city in accordance with the provisions of this article, a bill for the entire cost thereof shall be mailed by the city treasurer to the owner of the property improved, if his address be known or can be with reasonable diligence ascertained, demanding payment of the amount due. If the amount is not paid to the city within 30 days from the date of such bill, the amount shall be assessed plus ten percent administrative fee of the entire cost against such property as a special assessment. Notwithstanding the foregoing, in the event the city council has on or before July 1<sup>st</sup> of the budget year in which the construction or reconstruction was completed made an appropriation for expenditure of funds for the construction or reconstruction of sidewalks making specific reference to Sections 78-81 and 78-82 of this Code, and there remains sufficient funds appropriated for the expenditure, then one-half of the cost for the construction or reconstruction shall be mailed by the city treasurer to the owner of the property improved, with the balance to be paid by the city from such appropriation, and if not paid as provided above, shall be assessed plus ten percent administration fee of the entire cost against such property as a special assessment.

**SECTION II.** Section 78-82 of Article III of Chapter 78 of the Code of the City of Flat Rock is hereby amended to read as follows:

**Sec. 78-82. Charge for replacement; special assessments.**

Except for sidewalks required to be installed under the provisions of Section 78-74, upon the completion of any sidewalk replacement or construction of any sidewalk required by the 50 percent rule by the city in accordance with the provisions of this article, a bill for the entire cost thereof, shall be mailed by the city treasurer to the owner of the property improved, if his address be known or can be with reasonable diligence ascertained, demanding payment of the amount due. If the amount is not paid to the city within 30 days from the date of such bill, the amount plus ten percent administration fee against the entire cost shall be assessed against the property as a special assessment. Notwithstanding the foregoing, in the event the city council has on or before July 1<sup>st</sup> of the budget year in which the construction or reconstruction was completed made an appropriation for expenditure of funds for the construction or reconstruction of sidewalks making specific reference to Sections 78-81 and 78-82 of this Code, and there remains sufficient funds appropriated for the expenditure, then one-half of the cost for the construction or reconstruction shall be mailed by the city treasurer to the owner of the property improved, with the balance to be paid by the city from such appropriation, and if not paid as provided above, shall be assessed plus ten percent administration fee of the entire cost against such property as a special assessment.

**SECTION III.** That all ordinances or parts of ordinances, Code of the City of Flat Rock, or parts of the Code of the City of Flat Rock, not consistent herewith are hereby repealed.

**SECTION IV.** This ordinance shall be published in the News Herald newspaper as required by Charter on the 26<sup>th</sup> day of September, 2010, but in no event shall be effective earlier than ten (10) days after enactment.

**Jonathan D. Dropicwski, Mayor**

**Lorene Butski, City Clerk**

I hereby certify that the foregoing is a true copy of the ordinance adopted by the Council of the City of Flat Rock at a meeting thereof on September 20, 2010, the original of which proceedings is on file in my office.

**Lorcnc Butski, City Clerk**