

PREPARED BY:

**CITY OF NAPERVILLE
LEGAL DEPARTMENT
630/420-4170**

RETURN TO:

**CITY OF NAPERVILLE
CITY CLERK'S OFFICE
P.O. BOX 3020
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60566-7020**

ORDINANCE NO. 19- _____

**AN ORDINANCE PROVIDING FOR A SPECIAL TAXATION
OF PROPERTY FOR ADJOINING SIDEWALK
CONSTRUCTION, REPLACEMENT, AND REPAIR**

WHEREAS, the City of Naperville has established a sidewalk construction, replacement, and repair program under Section 9-1H-1 *et seq.* of the Naperville Municipal Code; and

WHEREAS, the sidewalk construction, replacement, and repair program authorizes the City to identify sidewalks in need of repair or replacement and to have the adjacent property owner participate in the cost of repairing or replacing the sidewalk with the City paying part of the cost and the adjacent property owner paying part of the cost; and

WHEREAS, the City Council of the City of Naperville has received the recommendation of the Transportation, Engineering and Development Group as to those properties set forth in **Exhibit A** in which existing sidewalks are substandard and are in need of repair or replacement; and

WHEREAS, the City Council has determined to accept the recommendation and proceed with the sidewalk construction, replacement, and repair program.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule authority, that:

SECTION 1: The list of properties for which the sidewalks are determined to be substandard as identified in **Exhibit A** is approved, and those sidewalks shall be repaired or replaced as provided by this Ordinance. The sidewalk replacement, repair, and construction shall be in accordance with the specifications set forth in Section 9-1H-7 of the Naperville Municipal Code and shall be financed in the manner provided by Sections 9-1H-5 and 9-1H-6 of the Municipal Code. The property owners abutting such sidewalk being repaired or replaced shall bear part of the cost of the sidewalk repair or replacement as required by Section 9-1H-5 of the Municipal Code.

SECTION 2: The cost of sidewalk construction, replacement, and repair required by this Ordinance shall be levied upon such lots, blocks, tracts or parcels of land fronting upon the sidewalks in proportion to their frontage upon such sidewalks. A special sidewalk tax shall be levied, and is authorized, as provided in Section 9-1H-5 of the Naperville Municipal Code.

SECTION 3: The materials used and the construction of sidewalks required by this ordinance shall be subject to compliance with and the approval of the City Manager or his designee and in compliance with Section 9-1H-7 of the Municipal Code.

SECTION 4: The Director of Finance shall administer and collect the special sidewalk tax in accordance with Section 9-1H-5 of the Municipal Code.

SECTION 5: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this ____ day of _____, 2019.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2019.

Steve Chirico
Mayor

ATTEST:

Pam LaFeber, Ph.D.
City Clerk

[https://cityofnaperville.sharepoint.com/sites/TED/staff/TNE/MIPCIP/19 Season/19-006_2019 SidewalkRR/200-DesignEngineering/206AgendaItems/2019SWRR_EnablingOrdinance.docx](https://cityofnaperville.sharepoint.com/sites/TED/staff/TNE/MIPCIP/19%20Season/19-006_2019%20SidewalkRR/200-DesignEngineering/206AgendaItems/2019SWRR_EnablingOrdinance.docx)