

ORDINANCE 2023- 15

AN ORDINANCE AMENDING CHAPTER 97, STREETS AND SIDEWALKS, OF
THE CODE OF ORDINANCES OF THE CITY OF COLUMBIA CITY, INDIANA

WHEREAS, the Common Council of the City of Columbia City, Indiana, after full investigation, deems it in the best interests of the citizens of Columbia City and to preserve their public safety and welfare to modify and amend Chapter 97 of the Code of Ordinances of the City of Columbia City.

NOW, THEREFORE, BE IT ORDAINED, ORDERED, AND ESTABLISHED by the Common Council of the City of Columbia City, Indiana, as follows:

Section 1. That 97.05, REPAIR OF STREETS AND ALLEYS be and hereby is amended in its entirety to state the following:

- (A) Any individual or private utility who decides it is necessary to disturb the existing condition of any street or alley within the corporate limits of the city in order to construct or repair gas, sewer, water, electric, or telephone lines shall be required to obtain a permit for making said repairs or improvements from the Community Development Director or Superintendent of Streets. At the time of permit application, the applicant shall pay the non-refundable permit fee established by the City from time to time.
- (B) Upon the completion of the project, the private utility or individual shall contact the Community Development Director or Superintendent of Streets shall inspect the project to determine whether or not the pre-existing condition of the street or alley so cut has been restored as nearly as practicable.
- (C) It shall be the duty of the private utility or individual to restore the surface to its condition as it existed previous to the project as nearly as practicable. The excavation shall be backfilled with sand or gravel and all excavating material shall be hauled away.

Section 2. That 97.06(D) shall be amended to state the following:

- (D) If the Board of Works approves a curb cut, the person, firm or corporation requesting the curb cut will have 45 days from the date of approval to complete the curb cut. If additional time is needed, the person, firm or corporation must request more time from the Board of Works and demonstrate good cause. If the curb cut is not finished within 45 days, the permit will be revoked and the person, firm or corporation will have to reapply for a new permit before work may commence. At the time of permit application, the person, firm or corporation seeking the permit shall pay the non-refundable permit fee established by the City from time to time.

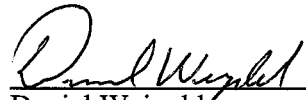
Section 3. That if any section, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance in which can be given effect without

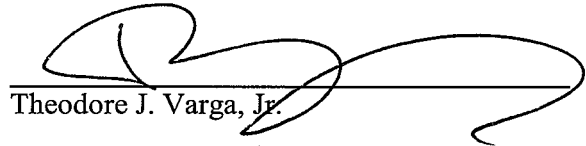
the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

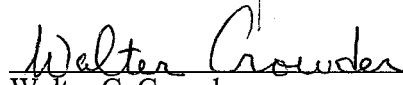
Section 4. This Ordinance shall be of full force and effect from and upon its adoption and in accordance with Indiana law.

PASSED AND ADOPTED by the Common Council of the City of Columbia City, Indiana, this 8 day of August 2023.

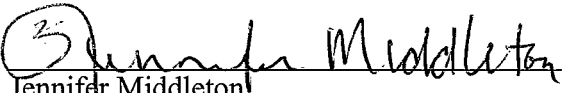
COMMON COUNCIL OF THE CITY OF COLUMBIA CITY, INDIANA, BY:

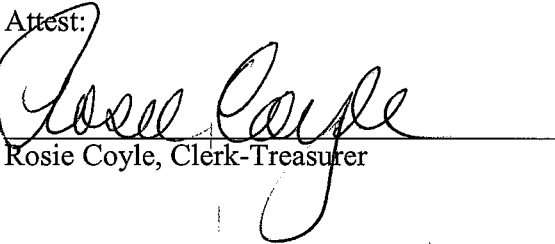

Daniel Weigold


Theodore J. Varga, Jr.


Walter C. Crowder

Jennifer B. Zartman-Romano


Jennifer Middleton

Attest:

Rosie Coyle, Clerk-Treasurer

Approved this 8 day of Aug, 2023.


Ryan L. Daniel, Mayor
City of Columbia City