

to be a true copy of Ordinance  
No 33 as read before the town  
Council on the dates mentioned.

Wm W Eaton  
Town Clerk

Ordinance No. 34, 1911

An ordinance providing  
for the improvement of streets  
by grading and paving  
and construction of side-  
walks therein and thereon,  
in the town of Jacolt, and  
the manner in which  
special assessment therefor  
may be made and collected  
on property specially benefitted  
thereby, and the modes of  
collecting and paying for  
the same.

Be it ordained by the Town  
of Jacolt, as follows:

Section I- Whenever  
the town Council shall  
order the improvement of  
any street, by grading,  
paving and constructing  
sidewalks therein and  
thereon, or otherwise im-  
proving the same, which  
shall confer special benefits  
on any property <sup>in the town of</sup> Jacolt,  
and it is desired to pay the  
whole or any part of the  
costs and the expenses of  
the same by and through  
special assessment levied  
upon the property specially  
benefitted thereby, the proceeding  
for making such improvement  
and levying and collecting



special assessments for the purpose of paying the whole, or any part of the cost and expenses thereof, and for paying such costs and expenses may be had and conducted as provided in this ordinance.

Section II - The town council may order any such improvements as is mentioned in section I of this ordinance to be made, and may provide for defraying the whole or any part of the cost and expenses thereof made by the

collection of said assessment upon the property specially benefited thereby.

The amount to be borne by the district, and the amount to be paid from the current expense fund shall be determined by ordinance in each case when the improvement is ordered and such determination shall be final and conclusive.

Section III - When any such improvement is ordered as hereinbefore provided, the following proceedings shall be had to-wit:

The Town Council shall pass a resolution declaring its intention to order such improvement, notifying all persons who may desire to object thereto to appear at a meeting of the council at the time specified in such resolution not less than ten days after the first publication thereof and present their objections to the Council. Said resolution shall be published in the official newspaper of the town for not less than two consecutive weeks. At the time named in such resolution, any person interested may appear before the council and state his objection to the improvement. The council shall consider any objection interposed and may by ordinance authorize the same, or may refuse to proceed further therewith. Whenever the council shall order that such improvement be made, it shall, in ordinance ordering the same, establish a local improvement district to be called "Local Improvement District No. —" which shall consist of all the property to



be specially benefitted by such improvement within the limits fixed by statute, which district shall be described in such ordinance in such manner that it can be identified, and such ordinance shall declare what proportionate part of the cost and expenses of such improvement shall be paid for by assessment upon the property within the said district, and shall direct the special assessment to be made upon such property for such part of such cost and expenses.

Section IV Whenever the whole of the cost and expenses of such improvement shall not be ordered by an assessment upon the property specially benefitted thereby, the Council shall order that the portion of such cost and expenses which is not to be paid by such assessment to be paid out of the current expense fund.

Section V After the town has by ordinance authorized the making of such improvement, and not more than twenty days after the contract therefor has been let, the Town Clerk shall

report to the council the assessment roll prepared by him and shall contain the description of each lot or parcel of land or part thereof to be assessed, the number of feet of such lands and lots fronting on the improvement to be made and the name of the owner of each lot or parcel of land or part thereof to be assessed, the number of feet of such lands and lots fronting on the improvement to be made and the name of the owner of each lot or parcel of land if known, but in no case shall a mistake in the name of the owner be fatal where the description of the property is given.

Section VI The council on receipt of such roll shall levy an assessment on the property included within said district, the cost of which shall be assessed in proportion to the number of feet of such land and lots fronting on the said improvement and included in said improvement district, and in proportion to the benefit derived by said



improvements, and shall cause a notice thereof to be published in the official newspaper of the town for two consecutive issues, notifying all persons interested that such roll has been filed and requiring them to appear at a time fixed, not less than ten days from the date of such notice and make objection thereto.

The council shall at the time fixed, consider all objections made and shall make such corrections of such rolls as it deems just and shall approve such roll and shall levy an assessment against each lot or parcel of land or part thereof in accordance with the number of feet fronting on said improvement as above provided, and declaring the same a first lien thereon, which assessment shall take precedence of all other liens except general tax liens, and shall cause the roll to be delivered to the town clerk, who shall forthwith deliver to the Town Treasurer a certified copy thereof upon receipt of which, the Town Treasurer shall proceed to collect the same except such as devolves upon and is the duty of the clerk thereof

or some other officer to collect, provided that the treasurer shall give notice in the official newspaper for two consecutive issues that such roll has been made and delivered to him for collection and that such payment must be made within thirty days from the date of the first publishing of such notice, and that the assessment shall become delinquent, if not paid within <sup>the said</sup> thirty days, and shall bear interest not to exceed 6% per annum until paid and if not paid within the time fixed for the payment of the same, it shall be collected in the manner provided by law, and each lot or parcel of land so delinquent shall be sold for the amount of assessment with interest and costs at the time and in the manner prescribed by law.

Section VII Whenever any such improvement as is authorized in Section I of this ordinance shall be ordered there shall be created in the ordinance a special fund to be



known as the "Local Improvement Fund District No. \_\_\_\_\_" into which fund shall be paid all the money raised in the Improvement District to be assessed for such improvement and the proceeds of all collections thereon shall be applied on the cost and expense of such improvement, which is chargeable upon the property specially benefited thereby.

Section VIII. In making the estimate of the cost and expense of any improvement provided in this ordinance, there shall be included therein the estimated cost and expense of the necessary engineering and surveying necessary for said improvement to be done by and under the direction of the town authorities, and also the cost of ascertaining the ownership of the lots and parcels of land included in the improvement district and the cost of advertising and publishing all notices required to be published.

Section IX After the improve-

ment has been made and accepted by the town authorities and the same shall have become due under the contract, and collections have been made under the assessment thereon, the Treasurer shall pay over the same from the said "Local Improvement Fund District No. \_\_\_\_\_" above provided whenever there shall be on hand in said fund any amount exceeding the sum of \_\_\_\_\_ Dollars to the contractor or his assignees.

Section X Whenever the said Treasurer shall pay the portion of any amount due, as above provided from the said "Local Improvement Fund District No. \_\_\_\_\_", he shall enter the amount in the books stating the date and the amount so paid, and to whom paid, which transaction the Treasurer shall return and report to the town Council at its next meeting.

Section XI The regularity or validity of any such assessment made under the provisions of this ordinance.



cannot in any manner be contested or questioned in any proceeding whatsoever by any person not filing objections to such assessment prior to the confirmation or approval of the assessment roll.

Section XII In payment to the contractor of such part of the improvement as is to be paid by the property benefitted, the town may issue warrants from time to time as the work progresses upon the said "Local Improvement fund District No. —" which shall bear interest at a rate of not more than 6% per annum from date of delinquency of the assessments and this warrant shall provide thereon by endorsement on the back or on the face that the Town is not liable on the said warrants from its current expense fund but that the same shall be paid wholly from said "Local Improvement fund District No. —" and as far as practicable, such warrants may be made to correspond with the assessment against each

lot or parcel of land.

Section XIII This ordinance shall be in effect from and after its passage by the town Council, approval by the mayor and publication according to law.

Read first and second times  
June 5, 1911  
Read third time and passed  
June 19, 1911  
Approved by the mayor

(Signed) Vasco Christy  
Mayor

attest:  
Wm W Eaton  
Clerk

I certify that the foregoing is a true copy of ordinance No 34 read on the dates mentioned before the Town Council

Wm W Eaton  
Town Clerk