

LEGISLATIVE BILL 992

Approved by the Governor April 3, 1984

Introduced by Hannibal, 4

AN ACT relating to public improvements; to amend section 14-3,103, Reissue Revised Statutes of Nebraska, 1943; to require the construction of certain sidewalks as prescribed; to provide powers and duties related to sewer and drain connections and driveway approaches; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 14-3,103, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

14-3,103.

construction or repair; required, assessment of cost; equalization. The city shall have the power to construct or repair sidewalks along any street or part thereof, or any boulevard or part thereof, of such material and in such manner as it deems necessary and assess the cost thereof upon abutting property. 7 Provided, that the city shall require property owners along a through street and boulevard to construct sidewalks for the public within ninety days after May 12, 1971. Such assessments except for temporary sidewalks and sidewalk repairs shall be equalized and levied as other special assessments. The city shall cause the construction of sidewalks on at least one side of every major traffic street and main thoroughfare in the city, excluding freeways, expressways, controlled-access facilities, and other streets deemed by the city to demonstrate no or very limited demand for pedestrian use, and may assess the cost thereof upon abutting property. Such construction shall be completed within a reasonable time, based upon an annual review of construction program priorities and available funding sources, following either the effective date of this act or the creation or annexation of such major traffic street or main thoroughfare, whichever is later.

Sec. 2. Any city or village may require the owner of any property which is within such city or village and connected to the public sewers or drains to repair or replace any connection line which serves the owner's property and is broken, clogged, or otherwise in need of repair or replacement. The property owner's duty to repair or replace such a connection line shall include those portions upon the owner's property and those portions upon

public property or easements up to and including the point of junction with the public main.

Any city or village may require the owner of property served by a driveway approach constructed or maintained upon the street right-of-way to repair or replace any such driveway approach which is cracked, broken, or otherwise deteriorated to the extent that it is causing or is likely to cause damage to or interfere with any street structure including pavement or sidewalks.

The city or village shall give the property owner notice by registered letter or certified mail, directed to the last-known address of such owner or the agent of such owner, directing the repair or replacement of such connection line or driveway approach. If within thirty days of mailing such notice the property owner fails or neglects to cause such repairs or replacements to be made, the city or village may cause such work to be done and assess the cost upon the property served by such connection or approach.

Sec. 3. That original section 14-3,103, Reissue Revised Statutes of Nebraska, 1943, is repealed.