

## CHAPTER 58-16

### SIDEWALKS AND STREETLIGHTS IN UNINCORPORATED TOWNSITE

**58-16-01. Petition for construction of sidewalks or installation of streetlights in unincorporated townsites - Contents - Ordering construction or installation.** When a majority of the lot owners on any street in any block within the platted limits of an unincorporated townsite shall petition the board of supervisors of the township in which the unincorporated townsite, or the greater portion thereof, is situated, praying that a sidewalk be constructed or streetlights be installed along the side of a street or thoroughfare within the platted limits described in the petition, the board, by resolution, shall order the construction of the sidewalk or a portion thereof by the owner of the land along which the sidewalk is to be built, if it appears that the sidewalk described and prayed for in the petition is necessary to connect sidewalks already built or that public convenience and necessity require its construction, and shall order and make all necessary contracts and arrangements for the installation of streetlights if the public convenience or necessity require the installation.

**58-16-02. Notice to owner to construct sidewalk - Failure to construct.** Two publications of the resolution provided in section 58-16-01 in a paper printed or published in the unincorporated townsite are sufficient notice to the owner of the land along which the sidewalk is to be built to construct the same. If no newspaper is published in the unincorporated townsite, the resolution must be published in a newspaper in the municipality nearest to the unincorporated townsite. If the owner fails to construct a fully completed sidewalk within thirty days after the last publication of the resolution, the board of township supervisors shall cause such portion of the sidewalk as has not been built by the owners of the lands to be built at the expense of the owners upon contract or in such manner as the board may determine.

**58-16-03. Assessment and levy upon property - Form.** The board of township supervisors shall assess and levy upon each lot or parcel of land along which the sidewalk has been built by the township a sum sufficient to cover the cost of the construction thereof and shall assess and levy against each lot or parcel of land benefited by the installation of streetlights by the township. The assessment must be in substantially the following form:

The board of supervisors of the township of \_\_\_\_\_ assesses upon and levies against the several parcels of land hereinafter described the respective sums of money set against each lot or parcel. This assessment is made to defray the cost of a \_\_\_\_\_ sidewalk or streetlights along the \_\_\_\_\_ side of \_\_\_\_\_ to \_\_\_\_\_ in accordance with the resolution of the board of township supervisors passed on \_\_\_\_\_, \_\_\_\_\_, and duly published in \_\_\_\_\_ on \_\_\_\_\_, \_\_\_\_\_. The amount assessed against and levied upon each lot or parcel being the amount that it cost to construct or reconstruct the sidewalk along and fronting upon the same lot or parcel of land. When streetlights are installed the cost of the installation must be assessed and levied against all lots or parcels of land that benefit from the streetlights.

Name of Owner, if known	Description of land		Amount	
	Lot	Block	Dollars	Cents

Done at a meeting of the board of supervisors of the township of \_\_\_\_\_ on \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Chairman

Attest:

\_\_\_\_\_  
Township Clerk

**58-16-04. Petition for repair or reconstruction of a sidewalk or streetlights - Procedure followed.** If the petition described in section 58-16-01 prays for the repair or reconstruction of a sidewalk or streetlights, the same procedure must be had as is prescribed for the construction of new sidewalks or streetlights.

**58-16-05. Township supervisors to prescribe material for construction or repair of sidewalks or streetlights and the type of light fixture to be used.** The board of township supervisors shall prescribe the material of which the sidewalks must be constructed or with which they must be repaired, or the type of light fixture or equipment used or with which they must be prepared. Whenever a sidewalk to be constructed as provided in this chapter connects sidewalks already in existence, the new sidewalk must be constructed, as nearly as practicable, of the same material as the sidewalks which it connects.