

**TITLE 28****ESTABLISHING THE BRICK PROJECT**

Section 1: It is a finding of the Common Council of the City of Sturgis that it is in the best interest of the citizens of Sturgis to enter into an agreement to sell bricks within the City of Sturgis for purposes of beautification; and, pursuant to SDCL 9-46, the City has jurisdiction to regulate its sidewalks and, therefore, this ordinance is hereby entered to regulate the installation of engraved brick pavers and granite blocks on the sidewalks within the City of Sturgis.

Section 2: Sidewalks within areas, designated by the Council, shall be constructed of brick pavers or granite block. The Council, by resolution, shall designate which areas shall have sidewalks which are to be constructed of said material, giving regards to business needs, and the amount of travel in the vicinity of each.

Section 3: In areas which have been designated to have sidewalks made up of pavers or granite, the City of Sturgis will be responsible for the removal of snow and ice from said sidewalks. Said property owners will be encouraged to keep the sidewalks clean of snow and debris, however, the City will provide snow removal for the same. Prior to any property owner using pressure equipment or chemicals to remove snow and ice from their buildings, they will contact the City and advise them of the type of equipment and chemical deicer they plan on using. The City must give approval of the same, before the landowner is allowed to use said chemicals or equipment.

Section 4: It shall be illegal for any person to deface or destroy a brick paver from the sidewalk. Violation of this ordinance is a Class 2 misdemeanor. In addition, the City may recover from the offending party the cost to replace and/repair the sidewalk.

Section 5: In the event it is necessary to remove sidewalk for purposes of utility repair or replacement, the adjacent owner shall give the City twenty-four (24) hours notice so that the City may remove and replace any pavers or granite. Expenses of labor and materials for removing said pavers or granite shall be the responsibility of the adjacent building owner and the City of Sturgis may assess costs against the adjacent building landowner.

Section 6: Maintenance monies to repair or maintain said sidewalks shall be financed from the Sturgis Brick Beautification Project. The City shall grant all necessary services as set forth in the Agreement between the City of Sturgis and Mato Paha Fund Raisers, L.L.C., a copy of which is attached hereto and by reference made a part hereof.

**(Established May 26, 2000 Ordinance 2000-04)**