

3
4 **AN ORDINANCE AMENDING CHAPTER 99:**
5 **STREETS AND SIDEWALKS, OF THE CITY OF FORT**
6 **WAYNE CODE OF ORDINANCES FOR THE PURPOSE OF**
7 **REQUIRING CERTAIN MAINTENACE AND REPAIR**

8 **WHEREAS,** the City of Fort Wayne has an interest in preservation of brick
9 streets and alleys having adopted Ordinance G-17-11 requiring such preservation;
10 and,

11 **WHEREAS,** Community Development Division has inventoried existing
12 brick alleys and recommends that certain brick alleys with historic integrity in or
13 adjacent to multiple historic districts be maintained and preserved; and,

14 **WHEREAS,** Community Development Division recommends identifying
15 these alleys on an official map and adopting said map, attached hereto and marked
16 as Exhibit A, as a part of Ordinance G-17-11,

17 **NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE**
18 **CITY OF FORT WAYNE, INDIANA:**

19 **SECTION 1.** Delete Sec. 99.051 "Brick Alleys" and replace with the
20 following:

21 The City of Fort Wayne will also preserve and maintain brick alleys identified
22 on an official map, provided by the Community Development Division, which shall
23 not be changed without prior Council approval. Nothing is intended to mandate
24 that the city has any greater obligation to make or pay for the brick alley repairs
25 beyond that which is undertaken for non-brick alleys in the normal course, rather
26 this subchapter is merely evidencing an obligation to maintain the structural and
27 aesthetic integrity of the alley as brick alleys when a decision is made to repair or
28 replace brick alleys in the normal course.
29
30

RED LINE COPY

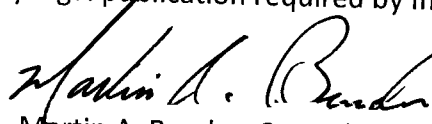
§ 99.051 BRICK ALLEYS.

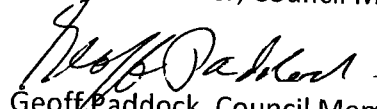
The City of Fort Wayne will also preserve and maintain brick alleys, located in and adjacent to national and local historic districts. A map identifying the location of national and local historic districts will be provided by the Community Development Division.

Nothing is intended to mandate that the city has any greater obligation to make or pay for the brick alley repairs beyond that which is undertaken for non-brick alleys in the normal course, rather this subchapter is merely evidencing an obligation to maintain the structural and esthetic integrity of the alleys as brick alleys when a decision is made to repair or replace brick alleys in the normal course.

1 **SECTION 2.** The City of Fort Wayne, by and through the Division of Public
2 Works and City Utilities, will notify all City Departments and Utility Companies of
3 the changes to this Ordinance and the Community Development Division will
4 provide maps showing the designated alleys for maintenance and preservation.

5 **SECTION 3.** These amendments to this Ordinance shall be in immediate
6 full force and effect upon all necessary approval by the Mayor, or an override of a
7 Mayoral veto, and any legal publication required by Indiana law thereof.

8 
9 Martin A. Bender, Council Member

10 
11 Geoff Paddock, Council Member

12
13 **APPPROVED AS TO FORM AND LEGALITY**

14 
15 Joseph G. Bonahoom, Council Attorney
16
17
18
19

Public Hearing Date, if applicable

Read the first time in full and on motion by Councilman *Glynn Hines*
Read the second time by title and referred to the *Regulations*
Committee. Read the third time in full and on motion by Councilman
Hines, placed on passage by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	9			
BENDER	✓			
CRAWFORD	✓			
DIDIER	✓			
HARPER	✓			
HINES	✓			
JEHL	✓			
PADDOCK	✓			
SHOAFF	✓			
SMITH	✓			

DATED: *1/22/13* *Sandra E. Kennedy*
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
(ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE
(RESOLUTION) NO. *G-2-13* on the *22nd* day of
January, 2013

ATTEST:
Sandra E. Kennedy
SANDRA E. KENNEDY,
CITY CLERK

Thomas F. Didier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the *28th* day
of *January*, 2013, at the hour of *9* o'clock *A.M.* . E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this *29th* day of *JANUARY*
2013, at the hour of *5:30* o'clock *AM* . E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR

BILL NO. G-12-12-07

REPORT OF COMMITTEE ON REGULATIONS

DECEMBER 18, 2012

**MARTY BENDER - CHAIR
JOHN CRAWFORD - CO-CHAIR
ALL COUNCIL MEMBERS**

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN ORDINANCE AMENDING CHAPTER 99: STREETS AND SIDEWALKS, OF THE CITY OF FORT WAYNE CODE OF ORDINANCES FOR THE PURPOSE OF REQUIRING CERTAIN MAINTENANCE AND REPAIR. COMMITTEE ON REGULATIONS HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Marty Bender
John Crawford
Thomas F. Widener
W. J.
F. J. Sparta
John A. Campbell
Paul D. Puller
Mr. J.

SANDRA E. KENNEDY
CITY CLERK