SEC. 5. And be it further ordained, That when the whole work provided for in this ordinance is finished and accepted by the City Engineer, all sums then remaining unpaid shall be paid to the contractor.

Repealing clause.

SEC. 6. And be it further ordained, That all ordinances and parts of ordinances heretofore passed, which are inconsistent with this ordinance or any of its provisions, be and they are hereby repealed.

Approved May 1, 1902.

THOMAS G. HAYES, *Mayor.*

No. 51.

An ordinance to provide for the construction and repairing of the footways on the unpaved streets, lanes and avenues of the annexed portion of the City of Baltimore.

SECTION 1. Be it ordained by the Mayor and City Council of Baltimore, That the City Engineer be and he is hereby authorized and directed whenever any unpaved street, lane or avenue in the annexed portions of the City of Baltimore, used as a public thoroughfare, is without a proper footway, or the footway along said street, lane or avenue is out of repair or in a bad, unsafe and dangerous condition, to notify the owner of the lot fronting upon such unpaved street, lane or avenue in the same manner as notice is now required to be given to the owners of lots fronting on paved streets where the footways binding on such lots are required to be repaved or repaired, requiring said owner to construct a footway out of cinders, crushed stone, wood or other suitable material along such unpaved street, lane or avenue, or repair or put in good

Construct footways.

condition any footway already constructed or existing along said street, lane or avenue within five days from the time of giving said notice.

Grade.

SEC. 2. And be it further ordained, That the said City Engineer be and he is hereby authorized to have such footways as he may construct, or as may be constructed in compliance with the provisions of this ordinance, brought to proper grades, either by excavating where too high or filling in where too low.

Provision in case of failure.

SEC. 3. And be it further ordained, That upon failure of any owner or owners of a lot or lots fronting upon any unpaved street, lane or avenue in the annexed portion of the City of Baltimore, to comply with the notice provided for in Section 1 of this ordinance, the City Engineer be and he is hereby authorized and directed to construct such footways and make any and all repairs and grading necessary to be done with the force under him in his department, and to charge the cost thereof, which said costs shall be a debt against the property fronting or abutting on the footways so constructed, graded or repaired, to the owner or owners to whom such notice shall have been given; these costs shall be given into the hands of the City Collector, to be collected by him as the other claims of the city are collected.

SEC. 4. And be it further ordained, That this ordinance shall take effect from the date of its passage.

Approved May 2, 1902.

THOMAS G. HAYES, *Mayor.*