

waived and forfeited all rights and benefits under the foregoing provisions of this section.

VI

STREETS AND SIDEWALKS

56. The City of Hagerstown is hereby vested with authority to make, grade, pave, improve and maintain all streets, highways, lanes and alleys, now or hereafter condemned, ceded or opened as public thoroughfares; the Council shall provide by special ordinance for new construction, including repaving, and said ordinance may provide for assessing the costs of any such work, in whole or in part, pro rata, upon all the property binding upon any such thoroughfare, the said assessments to be collected as City taxes are collected; provided, however, that the Council may provide by general ordinance for new construction, including repaving of any street whenever the owners of a majority of the front feet abutting on such street shall apply for the same to the Council.

57. The Council is hereby authorized to require, by special or general ordinance, that, prior to the making or improving of any street or alley, public notice shall be given in at least one newspaper published in said City and by placards put up along said street, setting forth that thirty days after the date of said notice the work of said making and improving said street or alley will begin; said ordinance may also provide that all public service corporations and abutting property owners desiring to lay sewer, gas, water mains, conduits, or connections must do so within the period of notice, and that no corporation or person shall further disturb bed of such street for a period of five years; and the Council may provide appropriate penalties for violations of its ordinance.

58. The Council may levy a tax rate for purposes of paying all or the City's share of the costs of street construction or improvement; provided that the levy shall be made only once a year, at the time of the annual levy of taxes by the Council, and the streets levy shall be included in the general levy.

59. All grading, paving, repairing and improving of the sidewalks, curbs and gutter, or any of them, along with the public thoroughfares of Hagerstown shall be performed either by the City of Hagerstown or by the abutting property owner when directed by the Council, and