



## Legislation Details (With Text)

**File #:** ID 19-245      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Passed  
**File created:** 4/19/2019      **In control:** City Council  
**On agenda:** 5/20/2019      **Final action:** 5/20/2019  
**Title:** Ordinance - Second Reading & Public Hearing - Amending Section 42-36 of the City Code - Duty of Abutting Property Owners to Construct and Maintain Sidewalks

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance 19-13

Date	Ver.	Action By	Action	Result
5/20/2019	1	City Council	approved	Pass
5/6/2019	1	City Council	approved	Pass

Agenda Item: 11(A)	Prepared By: Timothy E. Pinter, P.E., Director
Business: Ordinance - Second Reading	Department: Public Works Department Engineering

**Subject:**

Ordinance - Second Reading & Public Hearing - Amending Section 42-36 of the City Code - Duty of Abutting Property Owners to Construct and Maintain Sidewalks

### BACKGROUND:

Sidewalks are an important safety and quality of life element of any community. They provide a safe, convenient, health promoting and energy efficient means of transportation. During the March 18<sup>th</sup> City Council meeting, staff presented options and solutions to help correct problems encountered in attempting to enforce the current Code requirements. City Manager Harden advised Council that staff would take the recommendations accepted by Council and translate them into Code amendments.

Those recommendations were as follows:

1. Vacant Lots with No Sidewalks - Option #3: Amend the Code to no longer require sidewalks on vacant lots, but to consider Safe Routes to Schools as a separate issue.
2. Improved Lots with No Sidewalks - Combine Options #2 & #3: Amend the Code to exempt Hideaway, Key Marco and Olde Marco. In other areas require owners of improved lots to build sidewalks within a specified period. Commercial 18-months. Residential 24-months.
3. Materials - Option #2: Amend the Code to allow existing asphalt sidewalks to be repaired, but when a new building is built on the abutting lot, asphalt must be replaced with concrete.
4. Maintenance Standards - Amend the Code to clarify that if more that 50% of the total linear footage of sidewalk needs repair, then it must be replaced in total to current standards. Concrete leveling with a flowable material will be permitted as an alternate to replacement. Sidewalk grinding will be considered on a case by case basis. The Construction Standards

Handbook will be revised to reflect this change.

During the first reading of this proposed Ordinance at the May 6<sup>th</sup>, 2019 City Council meeting, Council requested that City Manager make several revisions and clarifications to this Ordinance. The City Attorney has made all of those changes and the attached Ordinance reflects the requested revisions and clarifications.

City Council approved this Ordinance on first reading with the suggested revisions 7-0.

**FUNDING SOURCE / FISCAL IMPACT:** N / A

**RECOMMENDATION:**

Staff recommends that the City Council approve this Ordinance.

**POTENTIAL MOTION:**

"I move to approve Ordinance 19-13 on second reading."