BILL 2012-22

****** Third Reading ******

AGENDA ITEM

TO: Mayor and City Council

FROM: Drew Bontrager, Public Works Director

DATE: April 16, 2012

RE: Amendments to the City Code, Chapter 10, Section 10-116, Sidewalks

PURPOSE

The attached bill would amend Section 10-116, of the City Code Chapter 10.
The Planning and Zoning Commission has requested an amendment for the addition of a time limit of five years for installation of sidewalks in new subdivisions. The commencement of the five-year limit for sidewalk installation is based on the acceptance date of the Final Plat. Three existing subsections also have amendments redefining a Missouri Revised State Statute reference, construction materials, and ADA requirements.

DISCUSSION

A public hearing was conducted at the regular February and March Planning and Zoning Meetings. The hearings were conducted to gather input from the public regarding concerns of sidewalk non-connectivity. Safety issues and complaints have occurred from lack of sidewalks in subdivisions due to undeveloped lot(s).

Current City Code only requires sidewalks to be constructed prior to the issuance of an Occupancy Permit, or by the purchaser of a lot from the developer within three years. However, if the developer does not sell the lot, there is no requirement or time frame to install a sidewalk; consequently creating a break or gap in the sidewalk infrastructure. The new amendment would require sidewalk installation within five years from the date of the acceptance of the Final Plat on all new subdivisions.

The Commission conducting multiple public hearings, reviewed a report from Mr. Han on other communities, and had discussions at length about benefits and detriments of sidewalk installation before construction. After considering all the information, the Commission determined the best interest of the public was to place a time limit on developers for installation of sidewalks. Not only are sidewalks and sidewalk connectivity crucial components of infrastructure for pedestrian circulation and safety as well as the overall livability of community, but also were identified in the 2007 Comprehensive Plan.

We are also taking this opportunity to clarify three other subsections of Section 10-116. Subsection (b) specifically references RSMo Section 88.880. In order to ensure we reference all the correct and relevant Sections of the Missouri Revised Statutes, we are requesting a change to reference RSMo Chapter 88.

Subsection (c) references construction standards. The current code requires a specific type of reinforcement, wire mesh, to be placed in the sidewalk. We no longer require this for construction of sidewalks in the right-of-way. The portion of the sidewalk crossing the driveway does require

reinforcement. We also added the type of material, portland cement concrete, and an aggregate sub-base. We did not call out any details of the sub base because construction methods, materials and standards do change over time.

Subsection (i) required compliance with the Americans with Disabilities Act (ADA) for only a portion of the constructed sidewalk. All portions of any sidewalk constructed in the right-of-way need to meet ADA specifications.

Bill 2012-22

AN ORDINANCE AMENDING SECTION 10-116 SIDEWALKS, OF CHAPTER 10, SUBDIVISIONS OF THE CAMERON CITY CODE AND ESTABLISHING NEW STANDARDS FOR SIDEWALKS WITHIN THE PUBLIC RIGHT-OF-WAY

WHEREAS, public safety and maintaining the connectivity of public property are proper purposes of municipal government and improve community livability; and

WHEREAS, sidewalks within the public right-of-way are crucial for pedestrian circulation and safety; and

WHEREAS, the Planning and Zoning Commission has reviewed, researched and conducted public hearings in February, March and April of this year relating to this matter;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI AS FOLLOWS:

Section 1 Enact new subsection (a), subsection (b), subsection (c) and subsection (i) of Section 10-116, Sidewalks, of Division II, Streets, of Article 4, Design Standards, of Chapter 10, Subdivisions of the Cameron City Code as follows:

(a) Any subdivision established after the enactment of this section shall have no longer than five (5) years from the date of acceptance of the "Final Plat" to install required sidewalks. If a lot is sold within this time period, the new owner of each lot shall have no longer than three (3) years from the date of purchase to install required sidewalks.

(b) In the event that any owner fails to install sidewalks as required herein, the city may install said sidewalks and place a special tax assessment upon the property for the cost of said installation as permitted by RSMo Chapter 88.

(c) Sidewalks shall be a minimum four (4) inches thick portland cement concrete on aggregate sub base; driveway crossings shall be a minimum six (6) inches thick, with reinforcement.

(i) All sidewalks shall conform to current accessibility standards of the Americans with Disabilities Act (ADA).

Section 2 The Mayor is authorized to sign this Ordinance approving it on behalf of the City of Cameron.

Section 3 The City Clerk is hereby directed to attest to the Mayor's signature.

Section 4 This Ordinance shall be in full force and effect from and after its passage.

Passed and approved on first reading this 16th day of April 2012.
Passed and approved on second reading this 7th day of May 2012.

Third Reading

Passed and approved on third and final reading this 21st day of May 2012.

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Mayor Dennis M. Clark

ATTEST:

_____
City Clerk

Third Reading