

BILL NO. 22-016

ORDINANCE NO. 4901

FIRST READING 06.21.2022

SECOND READING 07.05.2022

**AN ORDINANCE REVISING CHAPTER 28, STREEST SIDEWALKS AND OTHER PUBLIC PLACES, ARTICLE III – CONSTRUCTION, MAINTENANCE AND IMPROVEMENTS, DIVISION 2. – SIDEWALKS OR PARKWAYS, BY REVOKING AND REMOVING SECTION 28-105, SPECIFICATIONS FOR SIDEWALKS IN RESIDENTIAL DISTRICTS**

**WHEREAS**, the City Council has determined that section 28-105, regarding specifications for sidewalks in residential districts is unclear, cumulative and could be interpreted in such a manner as to violate Federal Law, specifically the Americans with Disabilities Act, and

**WHEREAS**, the council wishes to comport their ordinances to the requirements of federal law, and have determined that the said section is unnecessary as sidewalk requirements are otherwise regulated in the code and by state and federal law.

**NOW THEREFORE, BE IT ORDAINED**, the City Council hereby revises Chapter 28 as follows:

**SECTION ONE:** Section 28-105 is hereby revoked, and ordinances 28-106 through 28-112 shall be renumbered to keep the numbering is said Division 2 consistent.

**SECTION TWO:** All ordinances and parts of ordinances in conflict with this ordinance, in so far as they conflict, are hereby repealed.

**SECTION THREE:** That this Ordinance shall be in full force and effect from and after its passage and approval.

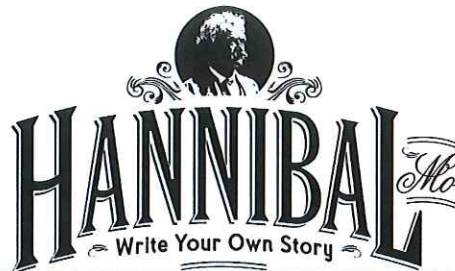
Adopted this 5<sup>th</sup> day of July, 2022

Approved this 5<sup>th</sup> day of July, 2022

  
James R. Hark, Mayor

ATTEST:

  
Angelica, N. Zerbonia, MRCC, CMO – City Clerk



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**To: City Council**  
**From: Lisa Peck – City Manager**  
**Re: Code Amendment**  
**Date: June 14, 2022**

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Planning and Zoning Commission held their public hearing on Thursday, April 21, 2022, to amend Chapter 28, Article 111- Construction, Maintenance and Improvements, Section 28-105, Specifications for Sidewalks in Residential Districts requesting the following to be removed:

"On all sidewalks in residential districts of the city, where the width of sidewalks has been fixed by ordinance at more than four feet, the paved portion of the sidewalk may be four feet wide; provided, however, that the inner edge of the paved portion or the edge nearest the building line of the property along or in front of which sidewalk is constructed, shall be at least and not greater than one foot and from the building line."

P& Z unanimously agreed upon removing this section and is now requesting Council's approval.

