

ORDINANCE NO. 514

AN ORDINANCE REQUIRING PERMIT FOR THE CONSTRUCTION, IMPROVEMENT AND REPAIR OF SIDEWALKS, AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF  
BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HAVEN, KANSAS:

Section 1. Permits Required. No public sidewalk shall be repaired or installed by any person without first having a written permit from the City.

Section 2. Application Forms. Application for a sidewalk repair or installation permit shall be made on forms furnished by the City.

Section 3. Fees and Installation. Fees for a sidewalk installation permit payable in advance shall be \$5.00. The permit shall cover only contiguous construction and the work to be done as one continuous operation.

Section 4. Permit Expiration. A permit shall expire for work not started within thirty (30) days or completed within sixty (60) days after issuance of a permit.

Section 5. Grade and Alignment Standards. Applicants shall follow the standard provisions herein set forth for sidewalk construction.

(a) Minimum Width - 48 inches

(b) Minimum Thickness - 3 1/2 inches

(c) Grade - Follow a line sloping up and away from the top of the curb at a slope of 1/4" per foot.

Section 6. Variance from Standards. The City Inspector may authorize variances from standard sidewalk provisions where no curb exists, or when unusual topographical conditions, nature of existing construction, or similar factors would make adherence to standards provisions unreasonable.

Section 7. Grade and Line Required. No sidewalk shall be installed unless a grade and line are established therefor, if no grades or lines are available, sidewalks may be installed, but they shall be removed, modified or replaced to conform to the grades and lines when established by the city at the sole cost of the property owner abutting said sidewalk. New sidewalks must be constructed in line with existing walks but may be constructed curbside in areas without existing walks; however, all owners must agree on one style. (i.e. curbside or 10-20 foot set back)

Section 8. Handicap Accessibility. All sidewalks installed must be accessible to the handicapped, including curb cuts and the elimination of any steps.

Section 9. Construction Standards. Sidewalks shall be constructed in accordance with details and specifications as established by the building inspector.

Section 10. Inspection of Work. All work shall be subject to inspection by the City, during construction and upon completion. The street and sidewalk inspector shall be notified by permittee after forms are set and no concrete shall be poured or further construction started until approved by the inspector.

Section 11. Repair of Sidewalks by Abutting Owners; Failure to Repair; No Permit Fee Required. All owners or agents of owners with property abutting and fronting upon any street or alley within the corporate limits of the City are required to keep the public sidewalks immediately abutting their property in good order and repair, and free to permanent blockage. Each such owner shall be liable to the City for all losses to the City or recoveries from the City for damages to person or property of others caused by his failure, or that of his agents to repair and keep in good order and reasonably safe condition all such sidewalks abutting and fronting his property upon any street or alley within the corporate limits of the City. The City, may at its discretion through its building inspector, notify such owner that repairs are necessary to put such sidewalk in good order and such owner shall, within ten (10) days after such notification, under the supervision of the Building Inspector, complete such repairs as specified in such notice. If the person fails to make the required repairs, the City may repair the same, and the owner shall be liable to the City for the costs of the repair.

No permit shall be required to make repairs pursuant to this section.

Section 12. Penalty. Any person, firm, or corporation violating any provision of this Ordinance shall upon conviction be fined not less than \$25.00 nor more than \$200.00 for each offense.

Section 13. Publication. This Ordinance shall be of full force and effect from and after its publication once in the official City newspaper.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

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Mayor

Attest:

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City Clerk