

AN ORDINANCE

establishing a sidewalk maintenance and construction policy; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Policy Resolutions PR 354-82, PR 93-91A, R 386-80 and R 387-80 are hereby repealed and replaced with this ordinance.

SECTION 2. The City Manager shall periodically submit a list of sidewalk maintenance, repair and reconstruction priorities and funding recommendations to the City Council.

SECTION 3. The Director of Public Works is authorized to use city employees without specific City Council authorization to repair hazardous sidewalks less than one-half block in length.

SECTION 4. The following policies shall apply to maintenance, repair and construction of sidewalks in the central business district, which consists of the area bounded by College Avenue on the east, Elm Street and Elm Street extended on the south, Garth Avenue on the west, and Park Avenue and Park Avenue extended on the north:

- (1) Improvements shall conform to specifications for sidewalk, curb and guttering; plantings (including standard grates, soil mix and types of trees); conduits and outlets; and sidewalk furnishings established by the Director of Public Works.
- (2) Abutting property owners in the central business district shall be required to pay for fifty percent (50%) of defective sidewalk and curb and guttering replacement. Property owners shall also provide trenching for required conduits.
- (3) Unless donated by the abutting property owner, the City shall provide and pay for installation of: non-defective sidewalk replacement; trees and soil mix; grates; conduits, outlets; and street furnishings.
- (4) The City shall maintain all beautification projects within the right-of-way in the central business district.

(5) Approval by the Director of Public Works shall be required before any beautification project or improvement within the public right-of-way in the central business district is begun.

SECTION 5. The City shall be responsible for construction or repair of handicap ramps at the intersection of public streets or alleys.

SECTION 6. The City shall develop and maintain a Master Sidewalk Plan. Sidewalks shown on the plan shall be constructed at the City's expense, subject to the availability of funds, except that this provision shall not relieve any property owner of responsibilities for sidewalk construction associated with new development.

SECTION 7. Sections of sidewalks shown on the Master Sidewalk Plan in need of reconstruction shall be reconstructed at the expense of the property owner except that the City may pay up to one hundred percent (100%) of the cost of reconstruction subject to the availability of funds.

SECTION 8. Sections of sidewalks in single family areas or "affordable housing" areas shall be reconstructed up to one hundred percent (100%) by the City without tax billing the adjacent property owners.

SECTION 9. Sections of sidewalks in the Community Development Block Grant (CDBG) area will be constructed or reconstructed in the same manner as other areas except that CDBG funds will be used for the construction or reconstruction of sidewalks in the eligible areas whenever possible and property owners may obtain relief from any tax bills in the form of CDBG grants provided they meet residency and income eligibility requirements.

SECTION 10. Sections of sidewalks in subdivisions, platted after the enactment of the subdivision regulations requiring sidewalks on both sides of all streets shall be constructed at the property owners' expense, and if property owners fail to construct such sidewalks within a reasonable time after receiving notice, the sidewalks may be constructed by the City with special assessments levied against the properties for the entire cost of the construction.

SECTION 11. The cost for sections of sidewalks constructed or reconstructed as part of a street construction project will not be tax billed against adjacent property owners.

SECTION 12. This ordinance shall be in full force and effect from and after its passage.

PASSED this 3rd day of December, 2007.