

### **ARTICLE III. SIDEWALKS**

#### Sec. 66-71. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Department means the department of public works of the city.

Sidewalk means the portion of the street right-of-way designed for pedestrian travel.  
(Code 1980, 4.51)

Cross reference- Definitions generally, 1-2.

#### Sec. 66-72. Construction, repair, permit required.

No person shall construct, rebuild or repair any sidewalk except in accordance with the line, grade, slope and specifications established by the building inspector nor without first obtaining a written permit from the building inspector, except that sidewalk repairs of less than 50 square feet of sidewalk may be made without a permit. The written permit shall be prominently displayed on the construction site. The fee for the permit shall be \$0.02 per square foot up to 275 square feet and a minimum of \$2.00; \$0.015 per square foot from 275 square feet to 800 square feet; and \$0.01 per square foot in excess of 800 square feet.

(Code 1980, 4.52)

#### Sec. 66-73. Line and grade stakes.

The building inspector shall furnish line and grade stakes as may be necessary for proper control of the sidewalk work, but this shall not relieve the owner of responsibility for making careful and accurate measurements in constructing the work to the lines furnished by the building inspector. Where it is necessary to replace engineer's stakes disturbed or destroyed without fault on the part of the city or its employees, a charge of \$1.00 per stake shall be paid.

(Code 1980, 4.53)

#### Sec. 66-74. Specifications.

Sidewalks shall not be less than four inches in thickness and expansion paper shall be placed in the joints. All concrete used in sidewalk construction shall, 28 days after placement, be capable of resisting a pressure of 3500 pounds per square inch without failure. The building inspector may establish additional detailed specifications in addition to and not inconsistent with the above.

(Code 1980, 4.54)

#### Sec. 66-75. Permit revocation.

The city manager may suspend any permit issued under the terms of this article for incompetency or failure to comply with the terms of this article, or the rules, regulations, plans and specifications established by the building inspector for the construction, reconstruction or repair of any sidewalk. The city manager may cause work to be stopped

under any permit for the construction, reconstruction or repair of any sidewalk for any of the causes enumerated in this section, which stop order shall be effective until the next regular meeting of the city council. If confirmed by the council, at its next regular meeting, such stop order shall be permanent and shall constitute a revocation of the permit.

(Code 1980, 4.55)

Sec. 66-76. Order to construct.

The city council may, by resolution, require the owners of lots and premises to build sidewalks in the public streets adjacent to and abutting upon such lots and premises. When such resolution shall be adopted, the city clerk shall give notice thereof, in accordance with section 1-14, to the owner of the lot or premises requiring him to construct the sidewalk within 20 days from the date of the notice.

(Code 1980, 4.56)

Sec. 66-77. Construction by city.

If the owner of any lot or premises shall fail to build any particular sidewalk as described in the notice, and within the time and in the manner required by the notice, the city manager is authorized and required, immediately after the expiration of the time limited for the construction by the owner, to cause the sidewalk to be constructed and the expense thereof shall be charged to the premises and the owner thereof, and collected as provided for single lot assessments in section 1-15.

(Code 1980, 4.57)

Sec. 66-78. Maintenance.

No person shall permit any sidewalk which adjoins property owned by him to fall into a state of disrepair or to be unsafe. (Code 1980, 4.58)

Sec. 66-79. Repair.

Whenever the building inspector shall determine that a sidewalk is unsafe for use, notice may be given to the owner of the lot or premises adjacent to and abutting upon the sidewalk of such determination, which notice shall be given in accordance with section 1-14. Thereafter, it shall be the duty of the owner to place the sidewalk in a safe condition. Such notice shall specify a reasonable time, not less than seven days, within which such work shall be commenced, and shall further provide that the work shall be completed with due diligence. If the owner of the lot or premises shall refuse or neglect to repair the sidewalk within the time limited therefor, or in a manner otherwise than in accordance with this article, the building inspector shall have the sidewalk repaired. If the building inspector determines that the condition of the sidewalk is such that immediate repair is necessary to protect the public, he may dispense with the notice. The cost of such repairs shall be charged against the premises which the sidewalk adjoins and the owner of the premises (except that for years prior to December 31, 1974, when the sidewalk repairs abut side street frontages of corner lots, as distinguished from interior lots, then the cost of repairs shall be charged against the premises which the sidewalk abuts, the owner of the premises and the city in such proportions as shall be determined and authorized by the council and set forth in a resolution duly adopted by council), and shall be collected as provided for single lot assessments in section 1-15.

(Code 1980, 4.59)

Sec. 66-80. Snow and ice control.

No person shall permit any snow or ice to remain accumulated on sidewalks within the public right-of-way in the front, rear or sides of any business, house, building or lot owned, occupied or controlled by him longer than 24 hours after the same has fallen. Where either snow or ice has fallen or formed on any such sidewalk, the owner, occupant or agent shall, within 24 hours after it has fallen or formed, remove the snow or ice or cause a sufficient quantity of salt, or salt substitute be strewn thereon in such a manner as to render the sidewalk safe for persons thereon. Any violation of any portion of this section shall be fined upon first conviction, \$25.00; second conviction, \$50.00; third and subsequent convictions in accordance with provisions of section 1-13.

(Code 1980, 4.60)