

BILL NO. 2369-09

ORDINANCE NO. 2334-09

AN ORDINANCE AMENDING THE CODE OF THE CITY OF CAMDENTON, TITLE V- BUILDING AND CONSTRUCTION, CHAPTER 520- STREETS, SIDEWALKS AND PUBLIC PROPERTY, ARTICLE II- SIDEWALKS, CURB AND GUTTER AND DRIVEWAY ENTRANCES BY DELETING SECTIONS 520.050: SIDEWALK, DRIVEWAY ENTRANCES AND CURB CONSTRUCTION; 520.070: CULVERTS; AND 520.080: PERMITS AND IN LIEU THEREOF INSERTING NEW SECTIONS 520.050: SIDEWALK, DRIVEWAY ENTRANCES, OFF STREET PARKING, CITY RIGHT OF WAY AND CURB CONSTRUCTION; 520.070: CULVERTS; AND 520.080: PERMITS

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CAMDENTON AS FOLLOWS:

Section 1. The Code of the City of Camden is hereby amended by deleting Sections 520.050: Sidewalk, Driveway Entrances and Curb Construction; 520.070: Culverts; and 520.080: Permits and in lieu thereof inserting new Sections 520.050: Sidewalk, Driveway Entrances, Off Street Parking, City Right of Way and Curb Construction; 520.070: Culverts; and 520.080: Permits; a copy of which is attached hereto and made a part of, identified as Exhibit A.

Section 2. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 3. This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.

Read the first time this 17th day of November, 2009

Read the second time and passed and approved this 17th day of November, 2009.

Gentry D. North, Mayor

ATTEST:

Renee Kingston, City Clerk

SECTION 520.050: SIDEWALK, DRIVEWAY ENTRANCES, OFF STREET PARKING, CITY, CITY RIGHT OF WAY AND CURB CONSTRUCTION

Definition: As used in this section, the term "Driveway" shall mean an area used by vehicles or intended to be used by vehicles to access property from the paved portion of city streets or state highways.

A. *Concrete Construction.* All sidewalks and, where streets are hard-surfaced construction, all curb and gutter constructed, reconstructed or repaired shall be of concrete material.

B. *Grade.* Sidewalks and curb and gutter shall conform to the established grade of the street and surrounding terrain and shall comply with the Americans with Disabilities Act (ADA) requirements where applicable.

C. *Width.* All sidewalks shall be not less than five (5) feet in width and shall comply with the Americans with Disabilities Act (ADA) requirements where applicable.

D. *Supervision.* All work of constructing, reconstructing or repairing of sidewalks, curb and gutter, installation or repair of culverts and installation or repair of driveway entrances shall be done under the supervision of the Director of Public Works.

E. *Driveway Entrances.* ~~Upon~~^{On} construction, alteration or reconstruction of driveway entrances landowners, tenants or contractors constructing such entrances shall be required to pave with asphalt or construct of concrete those portions of driveway entrances a distance of at least ten (10) feet from the edge of an existing street or road along the full width of the driveway. Concrete or asphalt driveways and entrances shall meet the specifications (thickness and base) required for parking areas within the zoning district in which they are located. The first two (2) feet of the driveway shall follow the general slope of the roadway leading into the driveway and shall direct runoff water to the ditch and not into the roadway, where applicable, to the edge of the City or State right of way. ~~When the right of way area cannot be determined precisely, ten (10) feet shall be paved or concreted from the edge of the existing street.~~ Persons constructing such driveway entrances shall complete the hard surface requirements within 60 days from the date their permit application is approved. Such driveway entrances shall be maintained by the owner of the property in good condition.

F. *Improvements in City Right of Way.* No person shall place or cause to be placed any building material, wiring, plumbing, piping, fence or other type of materials or improvement within the City or State of Missouri road right of way with the exception of mailbox structures as approved by the United States Postal Service (placed no less than 6" back from the edge of the street) or utilities (phone, cable, etc.) placed by authorized personnel. Such objects may be removed by City personnel. Parties violating this section may be cited with an ordinance violation under this section and every day such violations continue to exist may be treated as a separate ordinance violation.

G-~~(Ord. No. 2049-04 §1, 12-7-04).~~ *Off Street Parking.* Off street parking on the City right of way may be allowed in the discretion of the City. In all such cases, all vehicles or other items parked in the City right of way shall be at least one foot away from the paved portion of the street. In the following instances a determination may be made that off street parking is not allowed: 1) If the

off street parking causes damage to the edge of pavement of City street or other damage as determined by the Director of Public Works (unless the owner or tenants makes provision to repair such damage and cause improvements to improvements to be made which will prevent future damage); or 2) If a determination is made by the Chief of Police that the parking is a danger to the safe flow of traffic. In the event such a determination is made, the owner and/or occupant shall given written notification by the City Administrator which may be appealed to the Board of Aldermen within ten (10) days following receipt of the notice. Subsequent to the time the owner or occupant is given written notification not to park in such areas, whether an appeal is pending or not, the area will be considered a no parking area, whether marked or not, and the Police Department may issue illegal parking tickets for parking in such area.

SECTION 520.070: CULVERTS

Culverts may be required by the Director of Public Works for entrances to City streets and right-of-ways and State highway right-of-ways. Culverts may be installed by the City Public Works Department personnel but must be purchased by the property owner and delivered to the site. Corrugated steel or equal as approved by the Public Works Director are required. The culvert shall be of such size as determined by the Director of Public Works a minimum of fifteen (15) inches in diameter unless a smaller diameter is approved for use by the Director of Public Works. (Ord. No. 2049-04 §1, 12-7-04)

SECTION 520.080: PERMITS

Prior to work or changes taking place within City or public right of way, an application shall be made for a permit on a form provided by the City. A permit approved by the Public Works Director shall be required prior to any the following work taking place on City or public right-of-way: Constructing, reconstructing or repairing of sidewalks, curb and gutter, installation of culverts and construction, repair or modification of driveway entrances. All such work shall be done under the supervision of the Director of Public Works. A deposit of \$500 shall be required with the submission of the application which shall be refunded within 30 days upon approval of the City Administrator or the Director of Public Works. The City Administrator may approve the waiver of the deposit required in this section, upon the recommendation of the Director of Public Works, Works, in situations such as minor repairs being made or in the event other construction or deposits are sufficient.... In the event that the requirements of this and other sections are not met, the City may remove driveways, culverts, fill material and other obstructions or changes to the City right of way, as well as forfeiting any deposit made.

(Ord. No. 2049-04 §1, 12-7-04)