

**AN ORDINANCE OF THE CITY OF COLE CAMP, MISSOURI
REPEALING AND REPLACING ARTICLE I OF CHAPTER 510 OF
THE CITY CODE OF COLE CAMP REGARDING THE
MAINTENANCE OF SIDEWALKS.**

WHEREAS, the Board of Alderman is authorized by Section 88.710 of the Revised Statutes of Missouri to provide for the construction and repair of sidewalks within the City of Cole Camp; and

WHEREAS, the Board has previously enacted Article I of Chapter 510 of the City Code which provides for the construction and repair of sidewalks; and

WHEREAS, the Board desires to update the relevant City Code provisions to comply with current Missouri law and modern practices.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF COLE CAMP, MISSOURI, AS FOLLOWS:

SECTION ONE. That Article I of Chapter 510 of the City Code of the City of Cole Camp is hereby repealed in its entirety and a new Article I is hereby enacted to read as follows:

Article I Sidewalk Maintenance

Section 510.010 Duty of Property Owner to Maintain Sidewalks.

- A. It shall be the duty of each and every owner of real property within the City of Cole Camp to maintain and keep in good repair sidewalks that exist within or abut the owner's lot, lots, or portions thereof. This duty includes but is not limited to keeping the sidewalk clear of ice, snow, debris, yard waste, and other hazards, repairing cracks or damage to the sidewalk, and repaving or replacing portions of the sidewalk that cannot reasonably be repaired.
- B. When carrying out the duties prescribed in this Section, property owners shall replace or repair sidewalks with concrete of suitable strength and grade for a pedestrian walkway. Property owners shall also comply with all other provisions of the City Code, including but not limited to permit and contractor insurance requirements.
- C. Notwithstanding the requirements of this Section, the owner of any property which includes or abuts an unconnected sidewalk may submit a request to the Street Commissioner to demolish an unconnected sidewalk in disrepair. The Street Commissioner shall provide a written response to all requests to demolish an unconnected sidewalk in disrepair within fourteen (14) calendar days of receiving such a request. For purposes of this Section, an "unconnected sidewalk" shall mean a sidewalk that does not run continuously through or adjacent to multiple parcels of land and terminates more than two parcels away from another sidewalk.

Section 510.020 Violations

It shall be a violation of this Article for any property owner or his/her agent to fail to maintain a sidewalk running through or adjacent to his/her property in accordance with this Article. Property owners and their agents may be held jointly and severally liable for violations of this Article. The punishment for violations of this Article shall be a fine of no more than five hundred dollars (\$500.00).

Section 510.030 Agent of Property Owner Defined.

For the purposes of this Article, any person occupying a property which abuts a sidewalk shall be deemed an agent of the owner of said property, provided that the owner is not a resident of the City.

Section 510.040 Copy of Notices to Be Kept.

It shall be the duty of the Street Commissioner to keep a copy of, and provide a copy to the City Clerk of, all correspondence required by this Article, including the date and manner in which said correspondence was dispatched or served.

SECTION TWO. Repeal of Conflicting Ordinances.

The provisions of any ordinance or code section in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

SECTION THREE. Severability.

Should any section, sentence, or clause of this Ordinance be declared invalid, unlawful, or unconstitutional by a court of competent jurisdiction, such declaration shall not affect the validity of the remaining sections, sentences, or clauses.

SECTION FOUR. Effective Date.

This ordinance shall be in full force and effect from and after the date of its passage and approval.

Read Twice and Approved by Roll Call Vote

Dated this _____ day of _____, 202__.

Diana Burdick, Mayor

Attest:

Dawn Paul, City Clerk