

# CHAPTER XIII. STREETS AND SIDEWALKS

## ARTICLE 1A. SIDEWALKS REGULATIONS

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**13-1A01. PETITION.** When a petition signed by not less than 10 citizens owning real estate in the city requesting construction of a sidewalk is filed with the director of public works the governing body may in its discretion, by a resolution, order such sidewalk constructed as herein provided.

(Ord. 1845C; 01-17-00)

**13-1A02. CONDEMNATION, RECONSTRUCTION.** When any sidewalk, in the opinion of the governing body, becomes inadequate or unsafe for travel thereon, the governing body may adopt a resolution condemning such walk and providing for the construction of a new walk in the place of the walk condemned.

(Ord. 1845C; 01-17-00)

- 13-1A03. NOTICE; PUBLICATION.** The resolution providing for the construction or reconstruction of a sidewalk, as the case may be, shall give the owner of the abutting property not less than 30 days nor more than 60 days after its publication one time in the official city paper in which to construct or cause to be constructed or reconstructed the sidewalk at his or her own expense. If the sidewalk is not constructed by the property owner within the time specified, the governing body shall cause the work to be done by contract.  
(Ord. 1845C; 01-17-00)
- 13-1A04. RIGHT OF ABUTTING OWNER.** Nothing in this article shall be construed to prohibit the owner of property abutting on a street, who desires to construct or reconstruct a sidewalk at his or her own expense and in accordance with official plans and specifications for the purpose and which meet such other requirements as would have to be met if the sidewalk were constructed or reconstructed by the city, to construct or reconstruct a sidewalk without any petition or a condemning resolution by the governing body. If such property owner desires the sidewalk to be constructed and reconstructed by the city and an assessment levied as provided by law in other cases, he or she shall file a request with the governing body. The governing body, in its discretion, may provide for the construction or reconstruction of the sidewalk requested in the same manner as in other cases where citizens or taxpayers petition the governing body.  
(Ord. 1845C; 01-17-00)
- 13-1A05. REPAIRS BY OWNER OR CITY.** It shall be the duty of the owner of the abutting property to keep the sidewalk in repair, but the city may, after giving five days' notice to the owner or the owner's agent, if known, of the necessity for making repairs or without notice if the lot or piece of land is unoccupied, make all necessary repairs at any time. The same shall be done and the cost thereof assessed against the lot or piece of land abutting on the sidewalk so repaired as may be provided by law.  
(Ord. 1845C; 01-17-00)
- 13-1A06. CONTRACTS.** The director of public works shall cause to be prepared a form or forms of contracts for work to be performed by independent contractors. The form or forms of such contracts shall be approved by the city attorney and adopted by resolution of the governing body.  
(Ord. 1845C, 1-17-00)
- 13-1A07. PERFORMANCE, STATUTORY BOND.** In any case where the reconstruction or construction of a sidewalk is required to be done by contract as provided in section 13-1A06 hereof, the governing body may require the contractor to give a bond for the faithful performance of the contract and for the construction of the sidewalk in accordance with the plans and specifications, ordinances of the city or laws of Kansas, and for all contracts exceeding \$10,000 entered into by the city for any such purpose a statutory lien bond required by K.S.A. 60-1111 shall be furnished.  
(Ord. 1845C, 1-17-00)

- 13-1A08. WORK ACCORDING TO SPECIFICATIONS.** Any person who shall construct or assist in constructing any sidewalk or crosswalk, or rebuild or assist in rebuilding any sidewalk or crosswalk, or make or assist in making any improvement whatever upon the streets avenues or alleys of the city shall do so in accordance with the maps, plans, specifications and profiles of the director of public works above mentioned, and the rules and directions herein contained.  
(Ord. 1845C, 1-17-00)
- 13-1A09. OBSTRUCTING SIDEWALKS.** It shall be unlawful for any person to build or construct any step or other obstruction, whether temporary or permanent, or to store, leave or allow to be left any implements, tools, merchandise, goods, containers, benches, display or showcases, on any sidewalks or other public ways in the city or to obstruct the same longer than is necessary for loading or unloading any such article or object.  
(Ord. 1845C; 01-17-00)
- 13-1A10. SAME; EXCEPTION.** The director of public works may authorize the granting of temporary permits in connection with a building or moving permit for limited times only to the owner of property abutting on any sidewalk to use or encumber such sidewalk or public way the city during the construction of any building or improvement thereon. No permit shall be issued for such purpose until plans for warning and safeguarding the public during such use of sidewalks shall have been submitted by the owner or his or her contractor and approved by the city council.  
(Ord. 1845C; 01-17-00)
- 13-1A11. SIDEWALKS COVERED WITH EARTH.** No lot or piece of land abutting on any sidewalk shall be allowed to become or remain in such condition that earth or other substance therefrom shall accumulate on the sidewalk and it shall be the duty of the owner of such lot or piece of land to place the same in such condition as to prevent the accumulation of such earth or other substance on such sidewalk.  
(Ord. 1845C; 01-17-00)
- 13-1A12. VIOLATION.** For the violation of sections 13-1A08 and 13-1A11:1A14 of this article each day that the work is left in a condition unsatisfactory to the city inspector shall be considered a separate violation under this article with the exception that each such day shall not be considered a separate violation where repair work in accordance with city specifications and requirements has been commenced.  
(Ord. 1845C; 01-17-00)

**13-1A13. SNOW AND ICE TO BE REMOVED.** It is hereby made the duty of the owner and/or the occupant of any lots abutting upon any sidewalks to cause all snow and ice to be removed from such sidewalks within forty-eight (48) hours after the end of a snow or ice event. If ice has accumulated of such character as to make removal thereof impossible, the sprinkling or placement of sand, ash or other noncorrosive material thereon within the time specified for removal in such a manner as to make such sidewalk safe for travel of pedestrians shall be deemed in compliance with the provisions of this Chapter.

(Ord. 1845C; 01-17-00)  
(Ord. 2517C; 11-07-11)

**13-1A14. SAME; REMOVAL BY CITY.** If any owner or occupant of any lot or lots shall refuse or neglect to clean or remove all snow and ice from the sidewalk abutting said lot or lots, within the time specified, the city may remove the snow and ice from sidewalks and the costs of the removal shall be assessed against such abutting lot or lots and such cost shall be collected in the same manner as other taxes.

(Ord. 1845C; 01-17-00)