

CHAPTER XIII. STREETS AND SIDEWALKS

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ARTICLE 1. GENERAL PROVISIONS

13-101. GENERAL SUPERVISION. The supervision and control of the construction, alteration, maintenance and repair of all streets, bridges, tunnels, sidewalks, curbs and gutters, driveway entrances, storm sewers and street lights, and other public right-of-way and thoroughfares of the city shall be under the direction of the director of public works, who shall, in addition to the provisions of this chapter, enact such regulations by resolutions of the governing body as are required.

(Ord. 1845C, 1-17-00)

13-102. INCORPORATING SPECIFICATIONS AND STANDARDS. There is hereby incorporated by reference that certain publication known as "Public Improvement Construction Standards," prepared and published by the City of Leawood, March 1, 2015. No fewer than three copies of said publication shall be marked or stamped "Official Copy as Adopted by Ordinance No. 2722C" with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours; provided further, that the police department, judge and all administrative departments of the city charged with the enforcement of this ordinance shall be supplied, at the cost of the city, such number of official copies of this publication similarly marked, as may be deemed expedient.

(Ord. 1847C; 02-07-00)

(Code 2000)

(Ord. 1885C; 03-05-01)

(Ord. 2722C; 03-02-15)

- 13-103. PERMIT.** A permit to excavate and/or construct within public right-of-way is required and application for the permit shall be made at the director of public works' office. A separate permit shall be required for each separate phase of work. All information required by the permit must be completed prior to the approval and issuance of the permit.
- (Ord. 1845C; 01-17-00)
- 13-104. PERMIT FEES.** All permit fees shall be established by the city administrator in the following manner:
The fees and/or deposits for any permit issued under the provisions of this chapter are as set forth in the City's Fee Schedule established and maintained by the city administrator.
- In addition to the permit fees required by this section, the city administrator, at his or her discretion, may require the person seeking a permit to post a bond in an amount set by the city administrator.
- (Ord. 1845C; 01-17-00)
- 13-105. CUTTING, EXCAVATING OR TUNNELING OF PUBLIC RIGHT-OF-WAY.** No person shall make or cause to be made any cut, excavation or tunnel in, through or under any street, sidewalk, alley or other public place or public rights-of-way in the city for any purpose whatsoever, except for as provided by Article 3 of this Chapter re: the Use and Excavation of the Public Right-of-Way.
- (Ord. 1845C; 01-17-00)
- 13-106. BUILDING MATERIALS IN PUBLIC RIGHT-OF-WAY.** Any person desiring to use the sidewalk, street or any other part of the public right-of-way for the temporary deposit of building material during the construction or repair of any building, or during the temporary use of the same while excavating any cellar, shall apply to the director of public works for permission for such use. Upon such an application, the director of public works may grant permission to use the street, sidewalk and/or right-of-way temporarily for the purpose to be named. Not more than 1/3 of the width of the street shall be used, and in case the sidewalk is obstructed, a temporary walkway shall be provided around such obstruction, and the gutter shall be kept open for flow of water. No person shall use or temporarily appropriate any street, sidewalk and/or right-of-way or any material part thereof without the consent of the director of public works. Upon the completion of any building, the material in the street shall be removed within 10 days. Any such obstruction shall be adequately lighted from ½ hour after sunset to ½ hour before sunrise to give warning to the drivers of vehicles.
- (Ord. 1845C; 01-17-)
- 13-107. COMMERCIAL USE OF PUBLIC RIGHT-OF-WAY.** No person may use any portion of any sidewalk, street or any other part of the public right-of-way for the purpose of displaying or offering for sale wares, goods, merchandise or other items. Nothing in this article, however, shall be construed as prohibiting the governing body from waiving the prohibition of this section in connection with community promotions or community-wide celebrations when such waiver is considered to be in the best interest of the city.
- (Ord. 1845C; 01-17-00)

13-108. DANGEROUS OBJECTS IN PUBLIC RIGHT-OF-WAY. It shall be unlawful for any person to place, throw or cause to be placed or thrown in or on any sidewalk, street, alley, public right-of-way or other public grounds of the city, any glass, tacks, nails, bottles, wire or other dangerous objects that might wound any person or animal, or cut or puncture any pneumatic tire while passing over the same.

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

13-109. HARMFUL PRODUCTS IN PUBLIC RIGHT-OF-WAY. It shall be unlawful for any person to deposit or throw any waste oil, fuel oil, kerosene, gasoline or other products of petroleum or any acids into or upon any sidewalk, street, alley, public right-of-way or other public grounds of the city, or willfully to permit the same to be spilled, dripped or otherwise to come into contact with the surface of the same.

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