

ORDINANCE NO. 622

AN ORDINANCE REGULATING THE CONSTRUCTION, IMPROVEMENT AND REPAIR OF SIDEWALKS
WITHIN THE CITY OF HAVEN, KANSAS AND
REPEALING ORDINANCE NO. 514 PASSED AND APPROVED THE 2ND DAY OF JUNE, 1997

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HAVEN, KANSAS:

SECTION 1. Construction Standards. Property owners shall follow the standard provisions herein set forth in Appendix A for construction and repair of all sidewalks and ADA curb ramps on public right-of-way.

SECTION 2. Variance from Standards. The City may authorize variances from standard sidewalk provisions where no curb exists, or when unusual topographical conditions, nature of existing construction, or similar factors would make adherence to standard provisions unreasonable.

SECTION 3. Grade and Line Required. New sidewalks must be constructed in line with existing walks. No sidewalk shall be installed unless a grade and line are established therefor. If no grades or lines are available, sidewalks may be installed, but they shall be removed, modified or replaced to conform to the grades and lines when established by the City at the sole cost of the property owner abutting said sidewalk.

SECTION 4. Handicap Accessibility. All sidewalks installed, or repairs to sidewalks, on public right-of-way, must conform to current ADA standards and be accessible to the disabled, including curb cuts and the elimination of any steps.

SECTION 5. Inspection of Work. All work shall be subject to inspection by the City, during construction and upon completion. The property owner shall notify the City after forms are set and no concrete shall be poured or further construction started until approved by the City.

SECTION 6. Repair of Sidewalks by Abutting Owners Required; Failure to Repair. All owners or agents of owners with property abutting and fronting upon any street or alley within the corporate limits of the City are required to keep the public sidewalks immediately abutting their property in good order and repair, in accordance with the Sidewalk Repair Policy established by resolution of the City of Haven, Kansas. Each such owner shall be liable to the City for all losses to the City or recoveries from the City for damages to person or property of others caused by his/her failure, or that of his agents, to repair and keep in good order and reasonably safe condition all such sidewalks abutting and fronting his property upon any street or alley within the corporate limits of the City. The City may, at its discretion, notify such owner that repairs are necessary to put such sidewalk located on public right-of-way in good order and such owner shall, within sixty (60) days after such notification, cause repairs to be completed as specified in such notice. If the property owner fails to make the required repairs within sixty (60) days, the City may repair, or engage a contractor to repair, the same and the owner shall be liable to the City for the entire cost of the repair. The City may collect the costs of repair through a special assessment on the property owner's property tax.

SECTION 7. Removal of Sidewalk Prohibited. Sidewalks or portions of sidewalks on public right-of-way shall not be removed, except to repair or replace such sidewalk or portion of sidewalk. Aforementioned repair or replacement must be completed within ten (10) days of removal.

SECTION 8. Ordinance No. 514 passed and approved by the Governing Body of the City of Haven, Kansas on the 2nd day of June, 1997 and any other ordinances or resolutions in conflict with this ordinance are hereby repealed.

SECTION 9. Publication. This Ordinance shall be of full force and effect beginning one-hundred-eighty (180) days after its publication once in the official City newspaper.

PASSED AND APPROVED this 7th day of October, 2013.

/s/
Mike Alfars, Mayor

Attest:

/s/
Leslie Warden, City Clerk

APPENDIX A

SIDEWALK AND ADA ACCESSIBLE CURB RAMP SPECIFICATIONS

Sidewalk and Ramp Specifications

Each sidewalk and ADA accessible curb ramp must meet all current standards of the American's With Disabilities Act as to location, slope, surface, curb cuts, etc.

Minimum Width - 48 inches

Minimum Thickness - 3 ½ inches

Minimum Thickness crossing driveways - 5 ½ inches

Grade - Follow a line sloping up and away from the top of the curb at a slope of 1/4" per foot

Site Preparation

The area is to be barricaded to prevent pedestrian and vehicle traffic.

The existing concrete is to be demolished, removed and disposed of by the property owner or his/her agent.

All tree roots impinging on the subsoil to be removed to a depth of 8" below the concrete.

Subsoil and fill sand to be uniformly compacted.

Subsoil and fill sand to be moist at the time of placement of concrete.

Concrete Specs

Compressive strength: 3000 psi at 28 days

Slump: 3 inch to 5 inch slump

Air entrainment: 5% to 7%

Aggregate: ¾ inch

No water added on site in mixing or finishing.

Reinforcement

Required only where a sidewalk crosses a driveway.

6x6 W1.4/1.4 (6x6 - 10/10) minimum welded wire mesh.

Reinforcement steel to be covered by minimum of one inch of concrete at all points.

Doweling

Newly placed concrete is to be doweled to adjacent existing concrete with ½ inch rebar

Expansion Joints

Expansion/isolation joints are to be installed on one end of any newly placed sidewalk or ramp adjacent to existing sidewalk, curb or ramp. Expansion joints are to be constructed of fiberboard or comparable material and sealed with joint sealing compound.

Placement

Concrete to be placed as nearly as possible to final location with care taken to prevent disturbing fill and contaminating concrete.

Care to be taken to prevent low areas that would result in ponding of water.

Concrete to be protected from rapid drying conditions by placement when ambient temperature, wind and humidity are acceptable.

Finish

Concrete to be troweled to a smooth uniform surface and then lightly broomed to a uniform finish.

Concrete edges to be finished with ¼ inch radius. ***ADA approved detectable warning strips (ADA-compliant paving bricks or ADA-compliant ramp panels) are to be incorporated into any ramp.***

Curing

Immediately after final finish, concrete is to be barricaded for 7 days.

Control Joints

Control/contraction joints to be tooled immediately or cut within 24 hours.

Control joints to be 1-inch minimum in depth.

RESOLUTION NO. 273

SIDEWALK REPAIR POLICY FOR THE CITY OF HAVEN, KANSAS

WHEREAS the City of Haven seeks to promote the safety and well being of its residents and guests, and

WHEREAS unsafe or deficient sidewalks pose a threat to the public safety,

BE IT THEREFORE RESOLVED BY THE GOVERNING BODY OF THE CITY OF HAVEN, KANSAS that the following Sidewalk Repair Policy be enacted and put into effect for all sidewalks on public right-of-way within the corporate limits of the City of Haven, Kansas.

1. All sidewalk repairs shall comply with Ordinance No. 622 of the City of Haven, Kansas
2. Sidewalk Deficiencies Requiring Repair

(a) Vertical Variations of one (1) inch or more



(b) Holes or depressions of one (1) inch or more and at least four (4) inches in diameter



(c) Cracking such that no part of a particular section of sidewalk is greater than one square foot



(d) Parts of sidewalk missing to the full depth



(e) Changes from design or construction grade of one (1) inch per foot or greater



3. Sidewalk repairs required or being performed adjacent to a curb must incorporate an ADA accessible curb cut ramp.
4. The City of Haven will reimburse property owners for sidewalk repair in the amount of the cost for the concrete for all deficient sections of sidewalks repaired under the conditions of this Sidewalk Repair Policy. Property owners seeking reimbursement must provide a paid receipt for said concrete. Other materials and labor will not be reimbursed.
5. Property owners failing to repair sidewalks, or repairing sidewalks in a manner not in accordance with this Sidewalk Repair Policy shall be liable for the full cost of replacement by the City. Such cost may be added as a special assessment to the owner's property tax.

PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY OF HAVEN, KANSAS

ON THE 7th DAY OF OCTOBER, 2013

/S/
MIKE ALFERS, MAYOR

ATTEST:

/S/
LESLIE WARDEN, CITY CLERK