

**ORDINANCE NO. 313 3<sup>rd</sup> SERIES**

**AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, AMENDING CITY CODE TITLE XV ENTITLED "LAND USAGE" BY AMENDING CHAPTER 151 "SUBDIVISION REGULATION" SECTION 151.106(B) STREET WIDTH AND GRADE, (12), SIDEWALKS; AND BY ADOPTING BY REFERENCE CITY CODE TITLE I, CHAPTER 10 AND SECTION 10.99 WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS.**

THE CITY OF EAST GRAND FORKS ORDAINS:

Section 1. That Chapter 151 entitled "Subdivision Regulations" shall have the following changes:

(12) Sidewalks. The following are the requirements for sidewalks in all new subdivisions in the City.

(a) Sidewalk design. The following section explains the design requirement for all sidewalks built in the City.

(i) All sidewalks built are required to be in compliance with the most current Americans with Disabilities Act (ADA) standards.

(ii) All sidewalks will be built to the widths that follow: residential districts, five feet; commercial districts, eight feet; and industrial districts, five feet.

(iii) Sidewalks will be a minimum of four-inch thick concrete placed on a four-inch gravel base. The portion of the sidewalk that crosses a driveway must be a minimum of 6 inch thick concrete.

(iv) Sidewalks will be installed at a 2% grade towards the street. From the property edge to the back of the curb, the grade shall be 4%.

(b) Installation time. In new developments, all sidewalks are to be installed on each parcel within nine months of the day the building permit for that parcel is filed. Once 66% of the parcels in the subdivision are developed, all other parcels will have sidewalks installed, unless the property owner files a petition saying that they will build within one year.

(c) Location requirements. All sidewalks installed in areas in compliance with the following.

(i) Sidewalks will be located on both sides of the street.

(ii) Placement of the sidewalk will start 1 foot from the property line inside the road right-of-way and proceed 5 feet toward the curb.

(iii) Driveway area that contains the sidewalk must be constructed so that it provides a level passage of at least 5 feet wide for placement of a sidewalk across the driveway.

(d) Sidewalks on cul-de-sacs. Sidewalks will not be required in cul-de-sacs less than three hundred feet in length. Nothing in this section shall prohibit individual property owners or agreement from all property owners from installing a sidewalk on or adjacent to their property.

(e) Waiver of protest.

(i) Prior to the issuance of a building permit relating to properties designated for sidewalk construction, the owner must sign a request for sidewalk or a waiver of protest; said waiver shall be recorded with the recorder's office and shall deny the property owner, said owner's heirs or assigns the right to protest the installation of sidewalks on designated public rights-of-way.

(ii) The lots for which waiver of protest forms have been signed shall be counted as in favor of sidewalks in determining the percentage in 151.106B.12.b

Section 2. City Code Title I, Chapter 10 entitled "General Provisions" applicable to entire city code including penalty for violation and Section 10.99 entitled "General Penalty" are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 3. This ordinance shall take effect and be in force from and after its passage and publication and be given the Number 313, 3rd Series.

Voting Aye: Buckalew, Tweten, Gregoire, Pokrzywinski, DeMers, and Grassel.  
Voting Nay: None.  
Absent: None.

The President declared the Ordinance passed.

Passed: September 21, 2010

Attest:

\_\_\_\_\_  
City Administrator/Clerk-Treasurer

\_\_\_\_\_  
President of Council

I hereby approve the foregoing ordinance this 21<sup>st</sup> of September, 2010.

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Mayor