

AN ORDINANCE AMENDING PARKVILLE MUNICIPAL CODE TITLE IV, CHAPTER 404, SECTION 404.040 TO ADD CROSS SLOPE REQUIREMENTS FOR SIDEWALKS AND DRIVEWAYS IN ORDER TO BE COMPLIANT WITH REQUIREMENTS SET FORTH BY THE AMERICANS WITH DISABILITIES ACT

WHEREAS, in 2009, President Obama launched "The Year of Community Living", that directed federal agencies to vigorously enforce rights of Americans with disabilities; and

WHEREAS, the Americans with Disabilities Act (ADA) has implemented numerous building requirements for construction projects in order to make them as accessible as possible for those disabled and with limited/restricted mobility; and

WHEREAS, Parkville Municipal Code Section 404.040 includes requirements for sidewalk construction, which includes cross slope; and

WHEREAS, Parkville Residential Construction Guidelines require that concrete sidewalk and drive approaches within city limits must be designed to meet construction requirements such as grade, cross slope, width, and surface type; and

WHEREAS, for new construction, contractors are required to request an inspection of the driveway approach and sidewalk from the City staff, both prior to pouring and after pouring concrete; and

WHEREAS, staff realized inconsistencies with the construction requirements listed in Parkville Municipal Code Section 404.040, the Parkville Residential Construction Guidelines and American Public Works Association standard details with ADA; and

WHEREAS, the Board of Aldermen adopted Ordinance No. 2847 amending previous zoning code Chapter 505 to include these requirements and said zoning code was subsequently amended by Ordinance No. 2884 to create a new Development Code; the revised code did not include the amendments adopted in Ordinance No. 2847.

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

SECTION 1. Parkville Municipal Code Section 404.040, Subsection D.4 shall be amended to read as follows:

Sidewalks. SW-2. Sidewalks shall be constructed at the time of street construction along arterial and collector streets, but may be deferred until building permits are issued on local streets provided the developer enters into an agreement of with the City to construct all sidewalks within 3 years for the date of acceptance of the street, and record the agreement with the final plat. The agreement shall provide that upon notification by the City to the property owner that sidewalks shall be built within 60 days, weather permitting. Should sidewalks not be completed with that time period the City may proceed with sidewalk construction and by ordinance levy a special assessment against the property for the cost of construction. Sidewalks across private and commercial approaches will be the same thickness as the paved approach and will maintain less than 2.0% cross slope. Accessible routes across side streets and alleys will be less than 2.0% on new construction and

reconstruction projects. Less than two 2.0% cross slope will be maintained across streets and alleys where feasible on all alteration projects.


SECTION 2. Parkville Municipal Code Section 404.040, Subsection D.8 shall be amended to read as follows:

Driveway approaches shall conform to the design specified in APWA 1997 Edition Standard Drawing D-1. Approaches must conform to one-quarter ($\frac{1}{4}$) inch to one-half ($\frac{1}{2}$) inch max slope within the right-of-way. The cross slopes of driveway approaches and sidewalks must measure a 1% minimum to a 2% maximum. Colored concrete or decorative driveway approaches may be installed to the curb with the following conditions:

- a. Owner must pay for the special improvement and must be otherwise installed according to APWA standards.
- b. Owner agrees to have continuing responsibility for contracting and installation of all such approaches requiring repairs due to utility, street, sewer or other such work; however, said utility, contractor or municipal contractor shall pay the amount of a standard APWA approach replacement to said owner; or if the owner does not want a decorative driveway any longer, a standard replacement approach will be installed in the affected drive by the said contractor.

SECTION 3. This ordinance shall be effective immediately upon its passage and approval.

PASSED and APPROVED this 7th day of March 2017.


Mayor Narette K. Johnston

ATTESTED:


City Clerk Melissa McChesney

