

ORDINANCE NO. 0-04-11

AN ORDINANCE AMENDING ORDINANCE B-425 AND SPECIFICALLY PART A – ZONING – CHAPTER V, “GENERAL PROVISIONS APPLYING TO ALL OR SEVERAL DISTRICTS”, ARTICLE 5-9, “SIDEWALKS”

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF ARKADELPHIA, ARKANSAS:

SECTION 1. Ordinance B-425, approved on March 3, 1983, and being the revised Land Use Ordinance of the City of Arkadelphia, Arkansas, is hereby amended as follows:

- A. Part A – Zoning – Chapter V, General Provisions Applying to All or Several Districts, Article 5-9, entitled “Sidewalks”, shall be revised as follows:

ARTICLE 5-9, SIDEWALKS. Sidewalks shall be built by the landowner or developer at the time of any new building construction, where property abuts any street or public square.

New building construction is defined as a building for either residential or commercial use. It includes plumbing facilities for human beings and, in rare cases, does not include plumbing for human beings, such as parking lots, warehouses, etc. This ordinance does not apply to such things as remodeling existing structures, accessory structures, garages, and other similar types of building construction.

Sidewalks shall be built as follows:

1. Sidewalks shall be built on other principal arterial, minor arterial, and collector streets. (Refer to Master Street Plan, Figure 4, Urban Functional Classification; and Regulations to Control Development of Land for current street classifications.)
2. Sidewalks shall be placed in the street easement and abut the property line of the landowner/developer or along the street curb line, or as determined by the Planning Commission.
3. Sidewalks shall be a minimum of four feet wide and on both sides of the street.
4. Sidewalks shall be built in accordance with Arkadelphia Ordinance B-313.
5. Property owners are required to rebuild, maintain, and repair foot pavements or sidewalk improvements and curbing *within 90 days after notice has been served on them. Notice served on the agent in charge of the property shall be binding on the owner. Notice to be legal under this section must be approved by a vote of at least four (4) members of the Board of Directors.*

SECTION 2. Severability - If any section of this ordinance shall be declared unconstitutional or unlawful, only that section of the ordinance shall be affected and all other provisions of the ordinance shall remain in full force and effect.

SECTION 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

PASSED this 7th day of October, 2004

APPROVED: C. T. Hollingshead
C.T. Hollingshead, Mayor

ATTEST: Rendi Currey
Rendi Currey, City Clerk