ORDINANCE NO. 86-74

CITY OF CENTERVILLE, OHIO

Sponsored by Councilman Leonard Stubbs on the 18th day of November, 1974.

AN EMERGENCY ORDINANCE TO AMEND CODIFIED ORDINANCE NO. 1123.01(b) RELATING TO SIDEWALK REQUIREMENTS.

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1.   Codified Ordinance No. 1123.01(b) is hereby amended to read as follows:
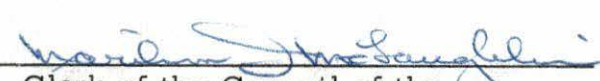
"(b) Sidewalks. Sidewalks shall be constructed of concrete and in accordance with the specifications referred to in sub-Section (a)(3) hereof. Sidewalks shall normally be required on both sides of the street. [In subdivisions where the majority of the lots are not less than 90 feet in width, the Commission may waive the requirements.] The Commission may, upon proper application by a subdivider, waive the requirement of sidewalks on both sides of the street and may order sidewalks on only one side of the street or eliminate a requirement of sidewalks throughout all or part of the plat. In acting upon an application for waiver, the Commission shall give primary consideration to the requested waiver's effect on public safety. The Commission shall also consider any special factors existing which justify the granting of the waiver. The Commission may grant the waiver as requested or may grant such modified waiver as it deems best giving consideration to public safety and the special factors which exist."

Section 2.   This Ordinance is hereby declared to be an emergency measure and shall become effective immediately upon passage. An emergency affecting public safety is hereby declared to exist by virtue of the fact that some regulation of sidewalks is essential within all subdivisions affected by the subdivision regulations.

PASSED this 18th day of November, 1974.

_____
Deputy - Mayor of the City of Centerville, Ohio

ATTEST:

_____
Clerk of the Council of the
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 86-74, passed by the Council of the City of Centerville, Ohio, on the 18th day of November, 1974.

11/13/74 (rb)

Approved as to form, consistency with existing ordinances, the charter & constitutional provisions.
Department of Law
Robert N. Farquhar
Municipal Attorney

_____
Clerk of the Council