

**AN ORDINANCE AMENDING ARTICLE III and PORTIONS OF ARTICLE V OF  
THE URBANA CITY CODE RELATING TO CONSTRUCTION OF SIDEWALKS**

BE IT ORDAINED BY THE URBANA CITY COUNCIL that the following sections of the Urbana City Code are amended to read as shown below.

Section 1. That Article III is amended as follows:

**"ARTICLE III. CONSTRUCTION OF SIDEWALKS**

**Sec. 20-29. Supervision.**

Construction and materials under this article shall be subject to the supervision of the City Engineer or any representative. Upon the issuance of a permit for the construction of a sidewalk in the city, the City Engineer, shall establish the grade for such sidewalk, and inspect the construction of the same and require the construction of such sidewalk in accordance with this article.

**Sec. 20-30. Specifications.**

- (a) Except as provided in subsection (b) below, sidewalks constructed or reconstructed upon any public right-of-way in the city shall be of portland cement concrete mixed in the proportions and constructed in the manner specified in the State of Illinois, Department of Transportation, Standard Specifications for Road and Bridge Construction (January 1, 2002). Each sidewalk shall have a minimum width of four (4) feet. The inner edge of each sidewalk (that edge away from the street) shall be placed a distance of one foot toward the street from the property line and the sidewalk shall be of a minimum thickness of four (4) inches, except at street or alley crossings and driveways, where the thickness shall be increased to a minimum thickness of six (6) inches for the width of the driveway or alley plus at least one foot on both sides of the alley or driveway.
- (b) Exceptions to paragraph (a):
  - (1) When the city council has approved a general design plan by motion, resolution, or ordinance, the provisions of paragraph (a) above shall not apply to the extent such would interfere with the approved general plan. Furthermore, in such instances, the City Engineer may, without further city council approval, authorize deviations from the standards set forth in paragraph (a) above where an individual or unique field circumstance exists so long as such deviation conforms to good engineering practices and the substance of

the general design plan is adhered to. Further exception to paragraph (a) may be approved by the City Engineer without city council approval to accommodate existing utilities, trees, fences and other fixed objects, provided the resulting sidewalk area extends at least three (3) feet in width despite the intrusion of such fixed objects.

- (2) When the existing sidewalk is constructed of brick, replacements shall be as required under Section 20-31."

**Sec. 20-31. Existing Brick Sidewalks.**

(a) When any portion of the public sidewalk that is constructed of brick is reconstructed or replaced, that portion shall be replaced with brick, unless all of the following conditions are found by the City Engineer to exist:

- (1) The particular section of sidewalk constructed of brick to be replaced is not located within a "major brick walk block" as defined below, nor in a "downtown streetscape area", and
- (2) the particular section of sidewalk or adjacent property has not been designated "historic" by the city council under the City's Historic Preservation Ordinance, and
- (3) The adjacent property owner has agreed to replacing the brick walk with a concrete walk.

(b) Major brick walk block is defined as any block zoned R1, R2 or R3 on a local street in "Old West" or "Near East" as such areas are defined below, where the sidewalk on one side or the average of both sides is 60% or more brick sidewalk.

- (1) *Old West* is defined as that area encompassed as follows: from the south curb of University Avenue to the north curb of Washington Street and from the east curb of Lincoln Avenue to the west curb of Vine Street; and
- (2) *Near East* area is defined as that area encompassed by the south curb of University Avenue and the north curb of Washington Street and the east curb of Vine Street and the west curb of Cottage Grove Avenue

(c) Notwithstanding the restrictions set forth in this section concerning the retention of brick sidewalks, those sections of brick sidewalk need not be retained where the city council finds that due to changes in the vicinity of a specific request for waiver, brick sidewalk no longer serves as an enhancement. In such cases, waiver may be granted by a motion passed by a majority vote of the alderpersons then holding office.

**Sec. 20-32. Construction pursuant to permit.**

Except for sidewalks constructed by the City of Urbana, no sidewalk shall be constructed in any public right-of-way in the city without a permit first having been obtained therefore. Before a permit shall be granted, a permit fee shall be paid at the rate of twenty cents per linear foot of sidewalk to be constructed, which fee shall be collected for engineering, supervision, and inspection and for establishing the grade of the sidewalk."

(NOTE: There are no changes to be made to Article IV. Obstructions.)

Section 2. That Article V is amended as follows:

**"ARTICLE V. CURB CUTS.**

**Sec. 20-59 to 20-66 reserved.**

**Sec. 20-67. Required.**

- (a) No person shall make (a) make any excavation within the public right-of-way, or (b) cut any curbing for the purpose of a driveway entry, or (c) construct or reconstruct any driveway between the property line and the pavement without a written permit for such work. A permit shall not be required for any construction performed by the City of Urbana.
- (b) The location and design of all driveways require the review and permit approval of the Urbana City Engineer.

**Sec. 20-68. Application.**

Any person desiring to do any of the work described in section 20-67(a) shall first apply for a permit. The application shall state the nature of the work, the place where such work is proposed to be done and the manner in which such work is proposed to be constructed, together with a plan thereof, and shall be accompanied by the requisite fee.

Section 3. Existing designation of subsections (c) and (d) of 20-68 shall be changed to (b) and (c) respectively.

Section 4. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

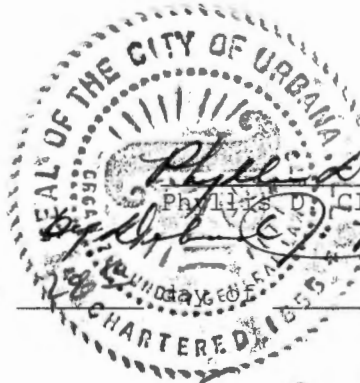
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council.

PASSED by the City Council this 18th day of February,  
2002 .

AYES: Chynoweth, Hayes, Huth, Otto, Patt, Whelan, Wyman

NAYS:

ABSTAINS:



APPROVED by the Mayor this 18th day of February,  
2002 .

Phillips D. Clark  
Phillips D. Clark, City Clerk  
Robert  
Deputy Clerk  
Tod Satterthwaite  
Tod Satterthwaite, Mayor



## CERTIFICATE OF PUBLICATION IN PAMPHLET FORM



I, PHYLLIS D. CLARK, certify that I am the duly elected and acting  
Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the 18<sup>th</sup> day of February, 2002, the  
Corporate Authorities of the City of Urbana passed and approved Ordinance  
No. 2002-02-014, entitled:

**"AN ORDINANCE AMENDING ARTICLE III AND  
PORTIONS OF ARTICLE V OF THE URBANA CITY CODE  
RELATING TO CONSTRUCTION OF SIDEWALKS"**

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2002-02-014 was  
prepared, and a copy of such Ordinance was posted in the Urbana City Building  
commencing on the 28<sup>th</sup> day of February, 2002, and continuing for at  
least ten (10) days thereafter. Copies of said Ordinance were also available for public  
inspection upon request at the Office of the City Clerk.

Dated at Urbana, Illinois, this 28<sup>th</sup> day of February,  
2002.



*Phyllis D. Clark*  
City Clerk  
by *Robert J. Robert*  
Deputy Clerk