

11/03/2011

Resolution

492-2011

RESOLUTION NO. 492 -2011

A RESOLUTION APPROVING AND ADOPTING REGULATIONS FOR THE DIVISION OF CODE ENFORCEMENT FOR SIDEWALK VIOLATIONS, REPLACEMENT AND REPAIR PURSUANT TO SECTION 17-148 OF THE CODE OF ORDINANCES OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT.

BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That Regulation 17-148. Sidewalk Violations; Replacement and Repair, attached hereto and incorporated herein by reference, be and hereby is adopted.

Section 2 - That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: November 3, 2011

MAYOR



ATTEST:


CLERK OF URBAN COUNTY COUNCIL

Regulation 17-148. Sidewalk Violations; Replacement and Repair.

The following regulations shall apply to Chapter 17, Article IV. Sidewalk Repairs, of the Code of Ordinances, Lexington-Fayette Urban County Government.

Section 1. Standards for Determining Violation

The following defects related to the condition of a sidewalk shall support the issuance of a notice to repair or replace the sidewalk (or portions thereof) or any related civil penalty by the Lexington-Fayette Urban County Government:

1. Any defect which is likely to result in injury or harm to a person or property, including but not limited to a tripping or falling hazard;
2. A crack(s) with one-half of one inch (1/2") or greater horizontal displacement;
3. A vertical displacement(s) of three-quarters of one inch (3/4") or greater;
4. A slope of greater than one inch (1") to twelve inches (12");
5. A hole(s) or popout(s) one inch (1") or greater in diameter measured across the width and one inch (1") or greater in depth;
6. Severely spalled area(s) having loose gravel or pieces and/or that are capable of holding or ponding water or ice; or
7. A missing or loose piece(s) that creates a hazard, allows the growth of vegetation, or otherwise impedes pedestrian traffic.

Section 2. Standards for Replacement or Repair.

Unless replacing the defective sidewalk is the only reasonable method of correcting the defects(s), the owner or person responsible for the condition of the sidewalk shall have the option of repairing, rather than replacing the defective sidewalk.

Section 2.1. Replacement.

Any sidewalk that is replaced shall be built in accordance with LFUCG specifications (Standard Drawings and Engineering Manuals) and any necessary permits shall be obtained prior to commencement of any work.

Section 2.2. Repair.

Any material used in the repair of a sidewalk shall be of similar grade and texture to that used in the construction of the sidewalk.

ADOPTED BY THE URBAN COUNTY COUNCIL ON _____, 2011.