

**AN ORDINANCE OF THE CITY OF KIMBERLING CITY, MISSOURI,
ESTABLISHING THE CONSTRUCTION OF SIDEWALKS AND SHARED
USE PATHS WITH THE ADOPTION OF THE FOLLOWING**

WHEREAS, The City of Kimberling City is dedicated to the health and safety of our citizens; and

WHEREAS, the citizens and businesses of the City should have safe sidewalks and paths to travel; and

WHEREAS, the Board of Alderman recognizes the importance of sidewalks and paths for future community development and growth; and

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

SECTION ONE The City Code Chapter 510 Miscellaneous Regulations is hereby amended adding one new section: 510.060 Duty to Construct Sidewalks/Shared Use Paths.

Section 510.060 DUTY TO CONSTRUCT SIDEWALK/SHARED USE PATH:


- A. Definition: For the purpose of this section the following term, phrase, word and its derivatives, shall have the meaning as stated in this section.
 - 1. SIDEWALK: A path designated for pedestrians at the side of a street or road. A sidewalk requires a minimum of 5-foot width.
 - 2. SHARED USE PATH: A path designated to accommodate pedestrians, bicyclists and other modes of non-motorized transportation at the side of a street or road. A shared use path requires 10-foot width. A sidewalk is considered a shared use path if the width of the sidewalk can accommodate non-motorized multi-mode use.

- B. Policy: It is the policy of the City of Kimberling City that sidewalk or shared use paths be constructed along public street frontage with the following goals:
 - 1. Promoting the safety of pedestrian access, movement and protection for the physically able, physically challenged, children and seniors within the community.
 - 2. Promoting that minimum ADA guidelines being met for all sidewalk or pathway installations, existing and proposed.

3. Ensuring that all development including new construction, reconstruction or rehabilitation actively implements the construction of sidewalks or shared use paths in locations identified as a need in the City of Kimberling City's Active Transportation Plan.
- C. Sidewalks are required to be constructed on all public street frontages as identified as a pedestrian need or bicycle need in the City of Kimberling City's Active Transportation Plan.
- D. If adequate right of way does not exist to construct the required width of sidewalk for the location as identified in the City of Kimberling City's Active Transportation Plan, a public sidewalk easement will be required.
- E. Pedestrian access required. Pedestrian walkways shall be required in accordance with the current adopted Building Codes of the City of Kimberling City for accessible routes between public streets and sidewalks and accessible building entrance served.
- F. General requirements. The following general requirements shall apply for the construction of sidewalks within the City of Kimberling City:
1. Sidewalks shall be constructed along public street frontage of all new primary building construction sites.
 2. Sidewalks will be required at the time of platting or subdivision if new streets are involved. If no new streets are involved, sidewalks will be required at development.
 3. Sidewalks shall be constructed along public street frontage of all new construction and any redevelopment of a site with existing uses or structures involving site work including but not limited to parking lot changes or additions or landscaping that require a building permit.
 4. An occupancy permit will not be granted until sidewalk as required is constructed and accepted by the City of Kimberling City.
- G. Sidewalk placement. When sidewalks are required to be constructed, they shall be located as determined by the Public Services Manager and/or City Administrator. Sidewalks are required as follows:
1. Where possible, sidewalks shall be located 1-foot from the right of way line and 1-foot from the edge of pavement.
 2. A route called out in the City of Kimberling City Active Transportation Plan as a Pedestrian needs will be classified as a sidewalk and must be a minimum of 5-foot wide.

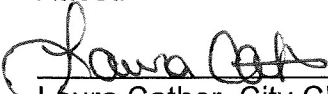
3. A route called out in the City of Kimberling City Active Transportation Plan as a Bicycle need will be classified as a shared use path and must be a minimum of 10-feet wide.
4. All sidewalk construction within the Public Right of Way must meet minimum standards as set forth in the Public Rights of Way Accessibility Guidelines (PROWAG) published by the United States Access Board.

PASSED, APPROVED, AND ADOPTED BY THE MAYOR AND BOARD OF ALDERMAN OF THE CITY OF KIMBERLING CITY, MISSOURI, this 17th day of July, 2024.



Robert E. Fritz, Mayor

Attest:



Laura Cather, City Clerk
(SEAL)

First Reading: 6/4/2024
Second Reading: 7/17/2024