

**ORDINANCE NO. 5688**

**AN ORDINANCE TO INCREASE THE WIDTH OF SIDEWALKS BY AMENDING SECTION 12.16.070 OF THE RAPID CITY MUNICIPAL CODE.**

WHEREAS, Rapid City has adopted a comprehensive plan and zoning regulations pursuant to the authority granted to it in Chapter 11-4 of the South Dakota Codified Laws; and

WHEREAS, Chapter 12.16 of the Rapid City Municipal Code regulates the Sidewalk Construction and Repair; and

WHEREAS, sidewalks are currently required to be four feet in width ; and

WHEREAS, the Common Council of the City of Rapid City has determined that it is in the City's best interests to require the width of all sidewalks to be a minimum of 5 feet in width with the exception of lane/place and local roads by amending Section 12.16.070 of the Rapid City Municipal Code.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that, Section 12.16.070 of the Rapid City Municipal Code be and hereby is amended to read as follows:

**12.16.070 Width.**

- A. The width of all sidewalks, except in the business district described in subsection B. of this section, shall be 4 feet on lane/place and local roads and 5 feet on all other roads. Sidewalks shall be constructed in the right-of-way 1 foot from the property line, unless otherwise directed or approved by the City Engineer. ~~;- provided, hH~~ ~~that,~~ however, in any block in which the majority of the sidewalks have been constructed at a greater width, all newly constructed sidewalk shall be constructed at the same width as those existing sidewalks. ~~;-s~~ Sidewalks to be constructed adjacent to the curb in accordance with subsection C. of this section shall be 5 feet in width for lane/place and local roads and 6 feet for all other roads. Any proposed ~~4-foot wide~~ sidewalk to be constructed which will abut an existing wider sidewalk shall be constructed to provide a transition between the different widths as approved by the City Engineer.
- B. In the business district, Rapid Street to Kansas City Street and East Boulevard to West Boulevard, sidewalks shall be constructed from the curb line to the property line.
- C. In the event the property owner wishes to place a sidewalk contrary to the city ordinances, the property owner must file in the city's Finance Officer's office a petition stating the specific reasons for the request. The Common Council shall act on the petition at its next regular scheduled meeting. The petitioner shall pay any expenses incurred as a result of their application, including any costs of engineering and surveying.

(Prior code § 26-54)

CITY OF RAPID CITY

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Mayor

ATTEST:

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Finance Officer

(SEAL)

First Reading:

Second Reading:

Published:

Effective: