

and issue authorization to the City Clerk's Office to pay the individual property owner the amount based on running foot of sidewalk.

(h) Unusual situations that are not covered by these general conditions, will be referred to the city governing body for resolution.

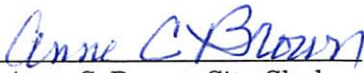
SECTION 3. This Ordinance No.895 shall rescind Ordinance No. 807 and any ordinances in conflict.

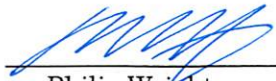
SECTION 4. That this Ordinance shall become effective and be in full force and effect after its passage and publication once in the official newspaper.

PASSED by the Governing Body of the City of Burlington, Kansas and **APPROVED** by the Mayor of the City of Burlington, Kansas, this 5th day of July, 2023.

(seal)


Robert S. Luke, Mayor

ATTEST: 
Anne C. Brown, City Clerk

APPROVED AS TO FORM:  City Attorney
Philip Wright

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ORDINANCE NO. 895

AN ORDINANCE AMENDING CHAPTER XIII STREETS AND SIDEWALKS, ARTICLE 1. GENERAL PROVISIONS AND ARTICLE 2. SIDEWALKS, OF THE CODE OF THE CITY OF BURLINGTON, KANSAS; EDITION JUNE 1997, AND REPEALING ORDINANCE 807 AND ALL ORDINANCES IN CONFLICT.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BURLINGTON, KANSAS:

SECTION 1. That the following Section 13-105. REMOVAL OF OBSTRUCTIONS. of CHAPTER XIII. STREETS AND SIDEWALKS, ARTICLE 1. GENERAL PROVISIONS, of the Code of the City of Burlington, Kansas is hereby amended to read:

13-105 REMOVAL OF OBSTRUCTIONS.

(a) Where any sign, structure, building or street obstruction is located or maintained in violation of this code, the street superintendent may give notice to the person responsible for placing or maintaining same to remove the same. The responsible person may request a hearing before the governing body, which may by resolution, direct the removal of any such sign, structure, building, curb pump or other obstruction from any street or traveled way in the city. Where the same shall not be removed within time specified by the governing body, the street superintendent shall remove the obstruction at the expense of the person placing or maintaining the same. The city clerk shall render a bill for the cost of removal and upon failure to pay the same; he or she shall assess the same as in the case of sidewalk assessments and certify the claim of the city to the county clerk for collection as in the case of special assessments.

(b) No person shall continue any obstruction or make any use of any sidewalk, street or public way in the city which is prohibited by this article after being notified by a city official to remove the same or cease the prohibited use.

SECTION 2. That the following Section 13-217. COST SHARING OF SIDEWALK REPLACEMENT. of Chapter XIII. STREETS AND SIDEWALKS, Article 2. SIDEWALKS, of the Code of the City of Burlington, Kansas is hereby amended to read:

13-217 COST SHARING OF SIDEWALK REPLACEMENT.

(a) The City Council shall appropriate annually \$13,000 from the City/County Infrastructure Grant for cost sharing of sidewalk replacement within the city. The city shall pay \$15 per linear foot on a cost-sharing basis for sidewalk.

(b) The construction guidelines on sidewalks will be 5½ sack cement strength, four inches in thickness, and five feet in width. *Regarding replacing sections of existing sidewalk, the Street Superintendent has the authority to allow new sidewalk to match the width of the existing sidewalk for aesthetic purposes.* Where sidewalks cross driveways, alleys or streets, the thickness of the cement will be six inches.

(1) A copy of the concrete invoice must be presented for verification of the cement mix before any reimbursement is made.

(c) A contractor may be secured by the property owner to do the sidewalk construction or the property owner can complete the installation himself or herself. Either the contractor or the property owner will be responsible for form materials for the sidewalk construction.

(d) The property owner or contractor shall be responsible for disposal of the old sidewalk material

(e) The city Street Superintendent will review the installation of the individual sidewalks to ensure the applicants have met all the requirements of the City Codes.

(f) This program shall be for replacement of old sidewalk and for new sidewalk along the horizontal front footage in front of residence or in the case of a corner lot along the side yard.

(g) Payment to individual property owners shall be made by the city after inspection of the completed project. The city Street Department Superintendent will inspect the completed sidewalk