

CITY OF WARD
ORDINANCE No. O-2019-_____

**AN ORDINANCE TO AMEND ORDINANCE O-204. CITY OF WARD SUBDIVISION
REGULATION; TO REPEAL AND REPLACE SECTIONS 5.8 – SIDEWALKS;
AND FOR OTHER PURPOSES**

WHEREAS, it is the desire of the Ward Planning Commission to repeal and replace Sections 5.8 of the City of Ward Subdivision Regulation (WSDR) as delineated in Exhibit “A” attached hereto and incorporated herein by this reference, subject to the approval of this of this governing body; and

WHEREAS, Ark. Code Ann. §14-55-2207 (a) empowers municipal corporations to adopt ordinances to provide for the safety, health, comfort, and convenience of inhabitants of the city; therefore, the purpose for the amendment to the City of Ward Subdivision Regulation is to promote the safety, order, convenience, prosperity, and general welfare of the citizens of Ward.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Ward, Arkansas:

SECTION 1: ADOPTION: Section 5.8 of the City of Ward Subdivision Regulation, as delineated in Exhibit “A” attached hereto and incorporated herein by this reference, is hereby amended by the City of Ward and same provisions thereof shall be controlling from the date on which this ordinance shall take effect.

SECTION 2: NOTICE TO THE PUBLIC: Pursuant to Ark Code Ann 14-15-207(a)-(c) the public has notified by publication in a paper of general circulation with the City of Ward, that Public Hearings were conducted on March 25, 2019 and May 21, 2019, that not less than three (3) copies of the amendment to the WSDR have been and now filed in the office of the City Clerk and available for inspection and view by the public prior to passage of this ordinance.

SECTION 3: SEVERABILITY: If, for any reason, any portion or portions of the ordinance shall be held invalid, such invalidity shall in no way affect the remaining portions thereof which are valid, and such valid portions shall be and remain in full force and effect.

SECTION 4: REPEAL: Any portion or portions of the amendment to the WSDR adopted herein which are contrary to existing Ordinances of the City of Ward, Arkansas shall prevail and all Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of conflict.

PASSED AND ADOPTED THIS _____ OF _____, 2019

YEAS: _____

NAYS: _____

Charles Gastineau, Mayor

ATTESTED:

Courtney Ruble, City Clerk

DRAFT

**CITY OF WARD
SUBDIVISION REGULATION
EXHIBIT A**

SECTION 5.8: REQUIREMENT FOR SIDEWALKS: From the date this Ordinance takes effect, sidewalks are required on all Commercial and Residential projects in the City of Ward. Sidewalk design and placement requirement shall be governed by the following requirements:

- a. Sidewalks shall be required in accordance with the specifications of the City of Ward, except in the following circumstances:
 - 1) Sidewalks are not required on Local Streets which are dead ends less than **one thousand (1,000) feet.**¹
 - 2) Sidewalks are not required within a residential subdivision where the minimum lot size is greater than or equal to one (1) acre, or where the road frontage is greater than 150 feet, **on average.**
 - 3) Sidewalks are not required within subdivisions where natural features and topography will not allow for sidewalks to be built to ADA standards.
- b. Internalized pedestrian circulation system, in the form of paved pathways, may be substituted for sidewalks along streets upon the request of the applicant, and the approval of the Ward Planning Commission.
- c. Where conflicts with utilities and/ or topography limit the placement of grass buffer between the back of curb and sidewalk, said sidewalk will be allowed adjacent to said curb, with a minimum of sidewalk width of six (6) feet. A minimum of thirty six (36) inch clear area shall exist within the said sidewalk.
- d. Sidewalks are not required to be constructed at the same grade of the curb of the street nor are they required to be constructed in a straight line if such straight line constriction would damage trees or other desired natural features. Also, conflicts with existing utilities and other man made infrastructures may cause said sidewalk to depart from the straight line construction. Where the sidewalks exist at a higher elevation than the street, said sidewalk shall slope toward the street. The maximum cross grade

¹ **EXCEPTION:** Sidewalks are required on roads that are stubbed out for future expansion OR dead-end roads that could be extended.

(perpendicular to the centerline of the sidewalk) shall not exceed two percent (2%). This maximum cross grad shall be maintained through driveways.

e. Sidewalks and other walkways that incorporate pedestrian access routes must be designed with a maximum grade of five percent (5%). Reference should be made to the applicability of the City of Wards standards, AASHTO standards, Americans with Disabilities (ADA), Arkansas Department of Transportation (ARDOT), Federal Highway Administration guidelines, and other applicable standards when making design decisions concerning projects. The City of Ward may consult these referenced with determining deviations from this code.

f. **Waivers:**

- 1) Any deviations from the requirements in this document must be approved by the Ward City Council **upon recommendation of the Planning Commission.** Waivers will be considered where strict enforcement would be impractical due to circumstance unique to the individual property under consideration.
- 2) The owner must provide documentation defining the impracticability of sidewalk design and placement in the given circumstance.
- 3) The documentation must be provided to the City in a timely manner allowing for review prior to presentation to the City Council.

g. **Specifications**

- 1) **Grades:** All sidewalks, street grading and guttering, and driveway approaches shall be constructed in grades established by the Project Engineer, where applicable. It shall be the responsibility of the owner to establish property lines by competent survey at their own expense. The maximum centerline grade of sidewalks shall be five percent (5%), except where ramps are constructed. The maximum centerline sidewalk grade on ramps shall be eight and one third percent (8.33%). Length of ramps, including landing areas, shall be as per ADA requirements.
- 2) **Sidewalk Width:** The minimum width of a sidewalk shall be four (4) feet, where a grassy area **with a minimum width of two (2) feet** exists

between the curb and the sidewalk.² In areas where the sidewalk is constructed adjacent to the curb, said sidewalk shall have a width of six (6) feet unless otherwise approved by the City Council upon recommendation by the Planning Commission.

- 3) **Concrete Materials:** Sidewalks and driveway approaches constructed of Portland cement concrete shall have a minimum 28 day compressive strength of three thousand (3000) psi.
- 4) **Minimum Thickness:** The minimum thickness of sidewalks shall be four (4) inches with any fill materials required for residential or commercial sidewalks, to be placed on top of acceptable, compacted base material. The minimum residential driveway approach thickness shall be five and one half (5.5) inches, to be placed on top of acceptable, compacted material. The minimum commercial driveway approach thickness shall be six and one half (6.5) inches, with six (6) inch by six (6) inch 10 gauge reinforcing steel, to be placed on top of acceptable, compacted base material. It is recommended that builders follow the recommendations of their geotech consultant as pertaining to sidewalks and driveway approaches.
- 5) **Sidewalks and Driveways:** Sidewalks shall be continuous through driveways with a cold joint or expansion joint at the edge of the sidewalk opposite the street. The sidewalk edge adjacent to the street shall have at least one (1) inch deep grooved joint mark (can be a cold joint) to clearly define the sidewalk/through the driveway and approach.
- 6) **Expansion Joints:** Full depth expansion joints (4 inch in a 4 inch concrete depth) shall be provided at not greater intervals than 50 feet. One quarter depth (1 inch in a 4 inch concrete depth) weakened place joints or saw-cut joints shall be placed in the sidewalk at regular intervals not greater than ten (10) feet apart. Wood will not be acceptable in sidewalks for expansion joints. The joint material shall be the same as approved for ARDOT sidewalk construction (AASHO M 213).
- 7) **Sidewalk Finish:** Sidewalks construction from Portland Cement Concrete shall have a broom finish. All sidewalks shall have a one half (1/2) inch radius rolled edge. Sidewalks constructed from materials other than Portland Cement Concrete must be approved by the City of Ward.

² This is the preferred placement for sidewalks in a residential area.

- 8) **Removal & Replacement of Sidewalks:** Removal and replacement of broken sidewalks require vertical, saw cuts on both ends of the sidewalk being replaced.
- 9) **Curing Compound:** All sidewalks and driveway approaches require the application of a concrete curing compound, or the concrete is to be kept moist for seven (7) days.
- 10) **Driveway Approaches:** Curb with a 6" gutter depth, if existing, shall be removed for the full width of the drive approach, including turnouts. All concrete to be removed shall be saw-cut to provide a straight, clean joint with the new concrete. Horizontal curb cutting along the flow line of the gutter is allowed. Broken edges of saw-cuts caused by demolition require a new saw-cut. The minimum width of a driveway approach shall not be less than ten (10) feet for one-way traffic, and twenty (20) feet for two-way traffic.

Contractor/Developer will ensure the shape of the driveway cut allows water to run toward the street and not toward the house.

- 11) **Access Ramps:** Access ramps shall conform to ADA requirements. Access ramps shall be installed at all sidewalk intersections with streets. Access ramps shall be installed in a direct parallel direction to the sidewalk, where applicable. **The width of the access ramp shall be the same as the sidewalk.** The maximum slope of said access ramp shall be eight and one third percent (8.333%). The slope of the flared sides shall not be greater than ten percent (10.0%). All access ramps shall have a broom finish.

- h. **Conforming to Agency Requirements:** Sidewalks shall conform to City of Ward, ADA, AASHTO, ARDOT, and/or FHWA guidelines where applicable.