

**6-5-5-3 PEDESTRIAN SIDEWALK, DRIVE PAD, AND CURB AND GUTTER REQUIRED.**

All properties within the city shall have sidewalk, drive pad, curb ramps, curb and gutter in accordance with the standards set forth by §§ [6-5-5-1](#) et seq., unless a variance from these standards is allowed through the procedures established by §§ [6-5-5-1](#) et seq. or unless such sidewalks, curb ramps, drive pads, curbs and gutters were constructed under standards previously in force. Such previously constructed improvements shall be considered non-conforming and as such may be repaired and maintained but if and when replacement becomes necessary shall be replaced according to the current standards or variance procedures of §§ [6-5-5-1](#) et seq. Compliance with the provisions of §§ [6-5-5-1](#) et seq. shall be the responsibility of the property owner. The cost of installing sidewalk shall be borne by the abutting property. On property in residential zones where only houses and townhouses are allowed, and where the lot abuts public streets at both its front and the rear lot lines, the property does not bear the cost of constructing missing sidewalk abutting the rear lot line where the property does not have the legal right to vehicular access from that street; this exception applies only to lots platted before June 29, 1983 (the effective date of the city's present Subdivision Ordinance [set forth in [Chapter 14, Article 14](#)]).

('74 Code, § 8-6-3) (Ord. 219-1972; Am. Ord. 39-1981; Am. Ord. 77-1989)