

AN ORDINANCE AMENDING MIDWEST CITY CODE, CHAPTER 37, STREETS AND SIDEWALKS, ARTICLE III, TRANSPORTATION PLAN, DIVISION 3, SIDEWALKS, SECTION 37-67, CONSTRUCTION OF SIDEWALK; AND PROVIDING FOR REPEALER AND SEVERABILITY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:

ORDINANCE

SECTION 1. That Midwest City Code, Chapter 37, Streets and Sidewalks, Section 37-67, Construction of Sidewalk, is hereby amended to read as follows:

Sec. 37-67. - Construction of sidewalk.

- (a). In subdivisions where sidewalks have been installed partially, the following requirements shall be applicable:
 - (1). When sidewalks exist partially on both sides of a street, the sidewalks on both sides of the street shall be continued to the intersecting streets.
 - (2). When sidewalks exist partially on only one side of a street, sidewalks on that side of the street shall be continued to the intersecting streets.
 - (3). When a sidewalk exists along the full length of a street between intersecting streets and no sidewalks exist on the other side of the subject street, no sidewalks shall be required on the side where no sidewalk exists.
 - (4). When a sidewalk exists on the circular part of a cul-de-sac, the sidewalk shall be continued on both sides of the street to the intersecting street.
- (b). Sidewalks required in section (a) above, shall be included in the paving/driveway permit obtained from the City of Midwest City. Sidewalks shall be constructed to a minimum width of five (5) feet and shall be placed into the street right-of-way one (1) foot off the property line and constructed as per standard drawing specifications on file in the city engineer's office.
- (c). If topographic or other physical conditions on the land will make strict application of this section result in exceptional practical difficulties, the city engineer is hereby authorized to allow such relocation or realignment of sidewalks as is necessary for its installation.
- (d). Sidewalks, where required, shall be part of the requirements for a building permit. No final certificate of occupancy or final water service shall be approved until all sidewalks have been installed.
- (e). All sidewalks built on City right of way or easement shall be built to meet or exceed the American with Disabilities Act (ADA) and the current standards outlined by the United States Access Board.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. SEVERABILITY. If any section, sentence, clause or portion of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma, on the 8 day of November, 2022.

ATTEST:
Sara Hancock
SARA HANCOCK, City Clerk



Matthew D. Dukes II
MATTHEW D. DUKES II, Mayor

APPROVED as to form and legality this 9th day of November, 2022.

Donald Maisch
DONALD MAISCH, City Attorney