

ARTICLE 909
Curb to Property Line Improvements

909.01	Sidewalk repairs; permit; application; fee.	909.10	Reserved.
909.02	Sidewalk repair application fee.	909.11	Reserved.
909.03	Location and construction of sidewalks.	909.12	Reserved.
909.04	Paving between curb line and property line when curb cut is made.	909.13	Reserved.
909.05	Funding curbs and sidewalks.	909.14	Supervision of work done by City or by contractor.
909.06	Reserved.	909.15	Reserved.
909.07	Resolutions requiring planting and care of shade trees.	909.16	Duty of adjacent property owner/occupier/lessee.
909.08	Reserved.	909.20	Adoption of West Virginia Code 8-18.
909.09	Reserved.	909.21	Per say disrepair.
		909.99	Penalty.

CROSS REFERENCES

General powers relative to curbs - see W. Va. Code 8-12-5(1) et seq.

Powers generally - see W. Va. Code 8-12-5(1) et seq.

Low cost improvements - see W. Va. Code Art. 8-17

Street assessment - see W. Va. Code Art. 8-18

909.01 SIDEWALK REPAIRS; PERMIT; APPLICATION; FEE.

(a) No person shall make a repair, opening or excavation to any public sidewalk for any purpose without first making application to the Director of Public Works for a sidewalk repair permit. Such application shall specify the exact location of the proposed repair and the adjoining property owners to be served by such repair.

Fees for sidewalk repair permits shall be paid in the amount specified in Section 909.02, and in accordance with the procedure established in Section 909.02.

(b) All repairs or additions to any sidewalk within the City of Huntington shall comply with the Americans with Disabilities Act (ADA). Failure to comply with the ADA shall be viewed as a criminal act by the owner, lessor and/or contractor and shall be cited and subject to a fine of up to five hundred dollars (\$500.00) and/or up to thirty (30) days in jail.

(c) No person shall destroy, deface, pave over, use for parking any sidewalk within the City of Huntington. Violators shall be subject to a fine of up to five hundred dollars (\$500.00) and/or up to thirty (30) days in jail.

(d) No City official or employee shall approve any work on any sidewalk that is not in compliance with Section 909.01(a), (b) and (c), and if such approval is given it shall constitute malfeasance in office. The City official or employee approving such work may be removed from office by Council and shall be personally subject to a fine of up to five hundred dollars (\$500.00) and/or up to thirty (30) days in jail.
(Ord. 11-13-01)

909.02 SIDEWALK REPAIR APPLICATION FEE.

The following permit fee is to be paid for the issuance of a permit required by the provisions of this article:

Sidewalk repair permit: Twenty-five dollars (\$25.00).

(Ord. 11-13-01)

909.03 LOCATION AND CONSTRUCTION OF SIDEWALKS.

All sidewalks in the City shall be located as required by the Director of Public Works and constructed in accordance with his specifications; provided, that no sidewalk shall be constructed of asphaltic concrete. No sidewalk shall be constructed except upon notice to the Director. The Director shall set stakes and give grades for all sidewalks.

(Ord. 11-13-01)

909.04 PAVING BETWEEN CURB LINE AND PROPERTY LINE WHEN CURB CUT IS MADE.

All persons who have obtained permits for the purpose of making curb cuts shall pave with concrete between the portion of the curbing removed and the property line adjacent thereto. Such paving shall be made in such manner and in accordance with specifications approved by the Director of Public Works.

(Ord. 11-13-01)

909.05 FUNDING CURBS AND SIDEWALKS.

(a) The Director of Public Works and the Director of Development and Planning shall aid residents to secure a method of funding curb and sidewalk repairs using federal and State funding sources, when available.

(b) When other outside funding is not available, the Mayor, upon recommendation of the Director of Public Works shall provide a Resolution to Council in compliance with West Virginia Code 8-18.

(Ord. 11-13-01)

909.06 RESERVED.

(EDITOR'S NOTE: This section is saved for future use.)

909.07 RESOLUTIONS REQUIRING PLANTING AND CARE OF SHADE TREES.

Council may, by resolution, require the owners or occupiers of the land, lots or parts of lots abutting or facing upon any street or alley in the City, to plant, replant and care for shade trees along such street or alley, at such points, and in such manner, as Council may determine by such resolution and may require the owners or occupiers of such land, lots or parts of lots facing or abutting upon such streets or alleys to keep the sidewalks clean and in good repair, to grade the plot of ground on either side of the sidewalk between the street curb and the property otherwise in good condition and repair, and may require such owners or occupiers of the land, lots or parts of lots abutting or fronting upon such streets or alleys, to keep the same free from foregoing requirements served, as provided by this article, shall be served upon the owners or occupiers of such land, lots or parts of lots.
(Ord. 11-13-01)

909.08 RESERVED.

(EDITOR'S NOTE: This section is saved for future use.)

909.09 RESERVED.

(EDITOR'S NOTE: This section is saved for future use.)

909.10 RESERVED.

(EDITOR'S NOTE: This section is saved for future use.)

909.11 RESERVED.

(EDITOR'S NOTE: This section is saved for future use.)

909.12 RESERVED.

(EDITOR'S NOTE: This section is saved for future use.)

909.13 RESERVED.

(EDITOR'S NOTE: This section is saved for future use.)

909.14 SUPERVISION OF WORK DONE BY CITY OR BY CONTRACTOR.

All work done under Section 909.01 whether done by the City directly or through contractors, shall be under the supervision of the City Engineer.
(Ord. 11-13-01)

909.15 RESERVED.

(EDITOR'S NOTE: This section is saved for future use.)