

## ARTICLE TWO CONSTRUCTION OR REPAIR OF SIDEWALKS, CURBS OR DRIVEWAYS

### Section 1 GENERALLY

**2.1.1. Definitions.** The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Designated City Official ("DCO")* means the Mayor or city employee(s) designated by the Mayor to be responsible for enforcing the terms of this article.

*Inner curbing* means only that portion of the curbing required in this article along driveways and sidewalks and not constituting the curbing which borders and marks the margin of the street designated and constructed for vehicular traffic.

*Street curb* means the portion of concrete curbing and structure which borders and marks the margin of the street designated and constructed for vehicular traffic.

**2.1.2. Scope.** The provisions of this article shall apply to concrete curbs and gutters and concrete sidewalks on those streets within the city that are not governed or controlled by the city's subdivision regulations.

**2.1.3. Work to be in accordance with approved plans.** All work done under a permit issued pursuant to the provisions of this article shall be performed in accordance with the plans approved by the City Engineer or DCO.

**2.1.4. Stop-work order.** The City Engineer, or DCO, shall be authorized to suspend work on curbs, walks and driveways on public property whenever he may deem such work is not in compliance with the provisions of this article, with due notice to the person in charge of the work on the grounds.

**2.1.5. Sidewalk specifications.**

(A) Where sidewalks are installed on property situated at the corner of intersecting streets, they shall extend to the street curb line of the intersecting street.

(B) Where sidewalks are to be adjacent to an off-street parking area, a concrete inner curb must be built two feet inside the property line to separate the parking area from the sidewalk. This inner curb must be at least four inches above the driving surface. A barrier or fence equivalent to this curb may be used in lieu of the concrete curb.

- (C) Wheelchair ramps shall be provided for sidewalks in accordance with the following specifications:
- (1) There shall be at least one ramp per corner of each block;
  - (2) There shall be a slope to the street of one inch vertical distance for each 12 inches of horizontal distance;
  - (3) Such ramps shall be a minimum of four feet in width;
  - (4) Such ramps shall be constructed of 3,000-pound concrete and shall be textured so as to be different from the surrounding concrete.
- (D) Except as provided in subsection (c), no step or offset shall be constructed in any sidewalk on public property, except where certain conditions necessitate such step or offset and then only upon written instructions from the City Engineer or DCO. Where such step or offset is likely to occur, the contractor shall notify the City Engineer or DCO before constructing same.
- (E) The width of all sidewalks shall be at least four feet and generally the inner edge shall be two feet from the property line unless otherwise approved by the City Engineer or DCO. This requirement is for all zones except zone C-5 (business district), as specified in the comprehensive zoning ordinance; in such zone it shall be as specified by the DCO.
- (F) Sidewalks shall meet the following specifications:
- (1) Sidewalks shall be divided into sections in accordance with good engineering practice. The line dividing sections shall be finished with a one-quarter inch edging tool.
  - (2) Edges of sidewalks shall be finished with an edging tool.
  - (3) Transverse expansion joints shall be constructed with pre-molded joint filler and shall be spaced at no more than 60-foot intervals and at joints between curb and sidewalk.
  - (4) The surface of sidewalks shall be given a brush finish.
- (G) Maximum transverse slope of sidewalks shall be one-fourth inch per foot or as approved by the City Engineer or DCO. Sidewalks shall be sloped to drain to the street.

*State law reference— Wheelchair access required, A.C.A. § 14-301-108.*

#### **2.1.6. Layout and design of driveways.**

- (A) For entrances to nonresidential driveways, all radii shall not be less than five feet measured from back of curb and a point of tangency to the curb line of the street,



and all curb radii shall be tapered to meet the grade of the outer edge of the sidewalk as determined by the City Engineer or DCO. Radii for curbs at street intersections shall be as specified in the subdivision regulations. The width of the entrances to driveways for residences at the intersection of the driveway and curb at the street shall not have a width less than the width of the driveway plus four feet.

- (B) No driveway shall be constructed closer than ten feet of a property line or as specified by the City Engineer or DCO, except in residential areas, where the driveway shall not be closer than one foot of the property line. Where property abuts an alley, the minimum distance shall be ten feet; where property abuts a street, the minimum distance shall be 35 feet. All multiple driveways on the same property shall be separated by a minimum 20-foot safety island, and the maximum driveway opening shall not exceed 40 feet. All above measurements for multiple openings shall be along the outer edge of the sidewalk, or if a sidewalk is not provided then along the edge of the right-of-way.
- (C) No driveway shall be constructed at an angle of less than 45 degrees to the centerline of the street.
- (D) No pump island shall be constructed closer than 18 feet to the front property line or 15 feet to the side property line, as specified in the comprehensive zoning ordinance.
- (E) There shall be an expansion joint installed at a suitable location between the back of curb of rigid pavement and the property line for driveways, which shall be constructed in accordance with accepted engineering practices as approved by the City Engineer or DCO. Such expansion joints shall be no more than 50 feet apart.

**2.1.7. Paving of driveways.** All driveways from a paved street into private property must be paved from the street curb line to property line.

**2.1.8. Restrictions on curb cuts on Main Street.** It shall be unlawful for any person to cut any curb on Main Street between Washington Street on the south and Eighth Street on the north for the purpose of driving any motor vehicle over such curb unless and until such person has secured the recommendation, in writing, from the City Engineer or DCO, and the approval of the city council by a duly enacted ordinance. Before granting the authorization, the City Engineer shall first determine that the curb cut will not impede the orderly flow of traffic upon Main Street.

**2.1.9. Materials.**

- (A) Cement shall conform to the A.S.T.M. Standard Specifications for Portland cement (serial designation C 150-53 type 1).
- (B) Fine aggregate shall conform to the A.S.T.M. Standard Specifications for Sand (serial designation C 33-54T).

- (C) Coarse aggregate shall conform to the A.S.T.M. Standard Specifications (serial designation C 33-54T), designated sizes no. 4 to no. 1.
- (D) All concrete shall have a minimum of 28 days compressive strength of 3,000 pounds per square inch. Re-tempering of concrete is forbidden.
- (E) The curb and gutter shall conform to the standard section for curbs and gutters attached to Ordinance No. 3015 and made a part of this article by reference. The drawing is referred to as "standard section for curbs and gutters" and is filed with the original ordinance in the Office of the City Clerk.

**2.1.10. Construction methods.**

- (A) Excavation for concrete sidewalks shall be brought to a subgrade four inches below the finished grade of the walk.
- (B) Excavation for curbs and gutters shall be brought to a subgrade to meet the bottom of the gutter.
- (C) Backfill for the subgrade of sidewalk or curb and gutter shall be made with suitable materials and thoroughly compacted to afford a solid foundation. The subgrade shall be dampened before pouring the concrete.
- (D) Forms shall be on such materials as will give the required rigidity to maintain the established alignment and grade. Upon completion of the sidewalk and/or curb and gutter, the contractor shall remove all debris, construction materials and excess excavated materials from the street.
- (E) The area between the gutter and the existing street shall be backfilled and compacted by the contractor. The curb shall be backfilled by the contractor with the excavated materials from the curb and gutter excavation.
- (F) The contractor shall maintain the necessary barricades and lights for protection of the public until the curb and gutter and/or sidewalk are constructed and backfilling is completed.

**2.1.11. Removal of rubbish.** After all work is completed, the person in charge of the work shall remove all rubbish, waste and excess materials and have the land used for construction purposes and the street and right-of-way area in a neat and clean appearing condition.

**2.1.12. Notice to city upon discovery of monument or survey mark.** Whenever during the excavation for any construction under the provisions of this article, the contractor or party doing the work discovers a city monument or survey mark, he shall notify the DCO, and use all possible caution to protect such monument or survey mark.



**2.1.13. Saw-cut curb cuts required when connecting driveway to existing curb and gutter street.**

- (A) A driveway permit shall be required whenever a homebuilder, developer, owner or other individual performing work on a driveway seeks to connect a driveway to an existing curb and gutter street.
- (B) To make a connection between a driveway and an existing curb and gutter street, the homebuilder, developer, owner or other individual performing work on the driveway must saw-cut the existing curb and gutter street longitudinally along the gutter line a minimum depth of four inches from radius turnout to radius turnout.
- (C) After the cut is made as described herein and above, the entire curb shall then be removed and replaced with a minimum of six-inch thick 3500 PSI concrete.

**Section 2  
PERMITS**

**2.2.1. Required.**

- (A) It shall be unlawful for any person to construct, reconstruct, alter, remove and/or replace any curb, curb and gutters, sidewalk or driveway on public property without a permit from the DCO. No separate permit will be required where curbs, sidewalks and driveways are an integral part of an overall construction project for which a building permit has been issued.
- (B) No person shall cut any curb or replace any curb upon any street in the city without first securing permission in writing from the DCO.

**2.2.2. Application.**

- (A) A person desiring the permit required by the provisions of this division shall file a written application with the DCO upon a form furnished by the DCO, giving the information required on such form.
- (B) Plans, profiles and cross sections of the street or streets on which curbs and gutters or sidewalks are to be built shall accompany the application for a permit under this division.

**2.2.3. Issuance.** The DCO shall issue the permit required by this division if the plans and other information in the permit application reveal that the work will comply with the provisions of this article.

**2.2.4. Duration.** A permit issued pursuant to the provisions of this division shall be valid for a period of 90 days after its issuance; provided, however, that the DCO may grant extensions of time of 30 days each for cause shown.