

ORDINANCE NO: 589

AN ORDINANCE AMENDING CHAPTER SIXTEEN OF THE CODE OF ORDINANCES OF THE CITY OF WEST COLUMBIA, TEXAS, BY DEFINING THE CENTRAL BUSINESS DISTRICT, AND BY THE ADDITION OF ARTICLE IV ENTITLED BUSINESS DISTRICT REQUIREMENTS WHICH PROVIDES FOR THE CONSTRUCTION AND MAINTENANCE OF SIDEWALKS WITHIN THE BUSINESS DISTRICT ON BOTH SIDES OF THE RIGHT OF WAY OF STATE HIGHWAY 35 BETWEEN ITS INTERSECTIONS WITH 14TH STREET AND 17TH STREET; PROVIDING FOR THE REPEAL OF ALL ORDINANCES, RESOLUTIONS, OR INFORMAL POLICIES OF THE CITY WHICH ARE IN ANY MANNER INCONSISTENT OR IN CONFLICT WITH THIS ORDINANCE; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE UPON IN ITS PASSAGE AND APPROVAL

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST COLUMBIA, TEXAS:

Section One

Chapter 16 of the Code of Ordinances of the City of West Columbia, Texas, shall be and is hereby amended by the addition of Article IV entitled Business District Requirements Which Provides For The Construction And Maintenance Of Sidewalks Within The Business District On Both Sides of the Right-of-way of State Highway 35 Between Its Intersections With 14th Street and 17th Street as follows:

ARTICLE IV. BUSINESS DISTRICT REQUIREMENTS

Section 16-80. Central Business District Defined

The central business district of the City of West Columbia, Texas, shall be and is hereby defined as being that portion of State Highway 35 between its intersections with 14th Street on the east and 17th Street on the west and those properties abutting on either side of State Highway 35 between those intersections.

Section 16-81. Sidewalks Required

Sidewalks shall be required along both sides of State Highway 35 within the central business district.

Section 16-82. Installation

Sidewalks shall be constructed and maintained within the central business district as follows:

- A. Sidewalks shall abut on the improved curb of State Highway 35.
- B. Sidewalks shall be constructed, repaired, maintained and/or replaced to be in the same design and of the same or similar materials as those presently existing in the central business district.
- C. Sidewalks shall have a minimum width of 5'.

Section 16-83. Completion of Construction

Sidewalks otherwise required under this Chapter shall be completed and approved by the city building inspector prior to the issuance of any certificate of occupancy in the event of the construction of a new building or development on any lot abutting State Highway 35 within the central business district. In the event of the expansion of existing buildings, sidewalk construction shall be complete prior to the issuance of a building permit for that expansion.

Section 16-84. Maintenance

The maintenance, repair and cleaning of sidewalks within the central business district, to the extent those sidewalks may be situated outside the State Highway right-of-way and on private property, shall be at the sole cost and expense of the owner of the property on which the sidewalk is situated.

Section Two

Any rules, ordinances, police regulations, resolutions, and/or policies of the City of West Columbia, whether written, or otherwise, which are in any manner in conflict with or inconsistent with this ordinance, shall be and are hereby repealed to the extent of such conflict and/or inconsistency.

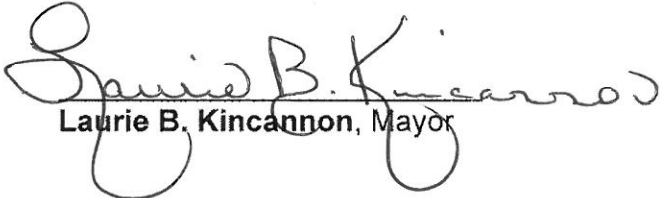
Section Three

It is hereby declared to be the intention of the City Council that the several provisions of this ordinance are severable, and if any court of competent jurisdiction enters a final order which holds that any section, subsection, sentence, clause, phrase, or other portion of this ordinance is invalid, illegal, or otherwise unenforceable, then any such portion shall be deemed a separate, distinct and independent provision, and any such ruling shall not affect any other provision of this ordinance which are not specifically designated as being illegal, invalid or unenforceable.

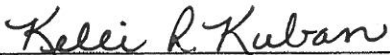
Section Four

This ordinance shall be effective and applicable immediately from and after the date of its passage and approval by the City Council of the City of West Columbia.

PASSED AND APPROVED this the 14th day of March, 2011.


Laurie B. Kincannon, Mayor

ATTEST:


Kelli Kuban,
City Secretary