

ORDINANCE NO. 72-20

AN ORDINANCE TO PROVIDE FOR THE CONSTRUCTION OF SIDEWALKS

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA:

Section 1. No person shall construct upon any lot or tract within the City of Bloomington, Indiana, any new dwelling house or building without providing for and constructing for the use of pedestrians a concrete sidewalk not less than five (5) feet in width, and within the adjacent public right-of-way and parallel and adjacent to the property lines of such lot or tract. Such sidewalk shall be constructed according to plans and specifications prepared by the City Engineer's office of the City of Bloomington, Indiana.

Section 2. In the event such dwelling house or building is to be constructed upon a lot or tract upon which such a sidewalk presently exists, the requirement for new construction set forth in Section 1 shall be waived.

Section 3. No building permit shall be issued for the construction of any dwelling house or building within the City unless such building permit application shall provide for the construction of new sidewalks or shall show adequate existing sidewalks upon the lot or tract which such new building is to be erected.

Section 4. Any person who considers himself aggrieved by the provisions of this Ordinance may apply to the Board of Zoning Appeals of the City of Bloomington, Indiana, and after notice and hearing as provided by the Ordinance and the rules and regulations of such Board of Zoning Appeals, the Board may waive the provisions of this Ordinance upon the showing of either of the following:

- a. That the topography of the lot or tract together with the topography of adjacent lots or tract and the nature of the street right-of-way make it impractical for the construction of a sidewalk as required by this ordinance.
- b. That the pedestrian traffic reasonably to be anticipated over and along the street adjoining such lot or tract upon which the new construction is to be erected is not and will not be such as to require sidewalks to be provided for the safety of pedestrians.

Section 5. That this Ordinance shall be in full force and effect upon May 19, 1972, and all building permits applied for after May 19, 1972, shall comply with the requirements of this ordinance.

Passed and adopted by the Common Council fo the City of Bloomington, Indiana, on the 18th day of May 1972.

Charlotte T. Zietlow
Charlotte T. Zietlow, President

Attest:

Grace E. Johnson
Grace E. Johnson, City Clerk

Presented by me to the Mayor of the City of Bloomington upon the 18th day of May 1972, at the hour of 10:55 o'clock P.m.

Grace E. Johnson
Grace E. Johnson, City Clerk

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This ordinance approved and signed by me upon the 18th day of May 1972, at the hour of 1:00 o'clock P.m.

Francis X. McCloskey
Francis X. McCloskey, Mayor

ATTEST:

Grace E. Johnson
Grace E. Johnson, City Clerk

Introduced by:

Councilman

Referred to Council Committee:

Approved as to legality:
