

**TOWN COUNCIL OF CENTREVILLE
ORDINANCE 11-2024**

**AN ORDINANCE OF THE TOWN COUNCIL OF CENTREVILLE AMENDING
CHAPTER 134 OF THE CODE OF THE TOWN OF CENTREVILLE
REGARDING SIDEWALKS IN THE TOWN OF CENTREVILLE**

WHEREAS, the Town Council of Centreville is authorized by § 5-202 of the Local Government Article of the Annotated Code of Maryland to adopt ordinances to protect the health, comfort, and convenience of residents of the Town of Centreville and by § 5-217 of the Local Government Article of the Annotated Code of Maryland to adopt ordinances requiring property owners to keep the sidewalks clean and free from snow, ice or other obstructions; and

WHEREAS, Section 804 of the Charter of the Town of Centreville authorizes the Town Council to adopt Code provisions regarding sidewalks in Town; and

WHEREAS, the Town of Centreville wishes to amend the current provisions of Chapter 134 of the Code of the Town of Centreville regarding sidewalks.

NOW, THEREFORE, be it ordained by the Town Council of Centreville:

Section 1. The recitals set forth above are incorporated herein by reference and made a part of this Ordinance.

Section 2. Articles I and II of Chapter 134 of the Code of the Town of Centreville are hereby amended as follows:

134-1 Notification Of Property Owners Of Intent To Alter Property Owner Requirement to Build, Repair or Alter Sidewalks; Removal Of Hazards

1. *It shall be the duty of all owners of property abutting or adjacent to any sidewalk or curb, whether sidewalk or curb is in a public way or subject to public easement, to maintain the sidewalk and driveway aprons in good repair, and to clear all growth of grass and weeds within the sidewalk and apron.*
2. In the event that the Town Manager shall determine that sidewalks *in the Town*, streets, drainage systems, or street and sidewalk lights are needed or are in need of repair, maintenance or alteration, then the Town, its employees, agents and assigns shall have the right of entry, for the purpose of accomplishing said work at reasonable hours, upon any premises in the Town which abuts a Town street or sidewalk for the benefit of the public. Work done pursuant to this section may include the construction and repair of public streets and sidewalks, drainage systems, public utility systems, the location or relocation of water, sewer, electric, telephone and cable transmission lines, street and sidewalk lights, landscaping, as well as maintaining existing entrances from public and private property to the street and sidewalks, and to do all things necessary to accomplish same. The Town shall notify the property owner in writing, at his *or her* address as shown on the Town assessment records by ordinary mail, as to the intent of the Town Manager *requirement of the property owner* regarding the construction for new sidewalks or repair or altering of sidewalks on that street. *The notice shall provide the time period for compliance with the requirements.*

3. All hazards to the pedestrians or vehicles, such as fire hydrants, poles, signs, guide wires, etc., belonging to the Town shall be relocated to the least hazardous location available. All hazards, such as shrubbery, fences, signs, etc., belonging to the property owner shall be relocated by the property owner within 30 days after notification by the Town ~~Commissioners~~ or will be moved by the Town at the owner's expense unless a reasonable agreement has been concluded between the property owner and the Town ~~Commissioners~~ in writing.

134-2 Specifications To Be Set By ~~Commissioners~~ Town Council

The Town ~~Commissioners~~ *Council* will set forth such specifications as to the width, type of construction and the cost per foot at the time of notification. These specifications and costs will be determined at the time of planning.

134-3 Request For Hearing By Property Owner

The property owner may request a hearing before the ~~Town Commissioners~~ *Centreville Board of Zoning Appeals* within 10 days after receipt of notification to show good cause why he *or she* should not comply with the plans or specifications as set forth. Such hearing shall be held at the next regular meeting of the *Centreville Board of Zoning Appeals under the provisions set forth in Chapter 170 of the Code of the Town of Centreville* ~~Commissioners~~ after request of the property owner. Failure to make a request will indicate the willingness of the property owner *to comply with* the plans and specifications for the new sidewalks or the repair or altering of existing sidewalks and will be an authorization by him *or her* for the completion of the plan by the Town ~~Commissioners~~ *if the property owner fails to comply in the time period given in the notice.*

134-4 Permit To Install Sidewalks

The property owner may also request a permit to install new sidewalks fronting on his property, provided that installation is complete within 30 days after such permit is granted. No permit is necessary for repairs to existing sidewalks unless such sidewalks are planned to be altered.

134-5 Minimum Standards

The minimum standards for the construction of sidewalks shall be as follows:

1. Sidewalks shall be not less than four inches thick of approved material, such as concrete, brick set in concrete, or any other suitable material as may be designated for a given area, to be placed on a base of sand or suitable material, not less than two inches thick.
2. Concrete shall be finished with a course finish. Expansion joints shall be placed at uniform intervals from five to eight feet.
3. Sidewalk height shall be the height of the curb with not less than one-fourth-inch slope or more than one-half-inch slope in five feet of width.
4. Curb entrances for both residential and commercial frontages to be as follows:
 1. Maximum width for 100 feet of frontage shall be no more than two twenty-five-foot entrances. Each entrance to be placed five feet from the property line and have a distance of 40 feet between the entrances.
 2. Maximum width for a two-hundred-foot frontage shall be no more than two entrances up to 35 feet in width, placed five feet from the property line and have a distance of 120 feet between the entrance. Frontage of more than 200 feet will be permitted two entrances with a minimum of 120 feet between them.
 3. Frontages of less than 100 feet but more than 60 feet shall be permitted one entrance not to exceed 25 feet in width, placed five feet from the property line on either side.

4. Frontage of 60 feet or less will be permitted one entrance not to exceed 16 feet in width.
5. No entrance shall be less than five feet from the curb radius of an intersection.
6. All sidewalks across entrances shall be of approved material not less than six inches thick.

134-6 Failure Of Property Owner To Comply; Costs

Upon failure of any property owner to comply with the provisions of this article, the Town Commissioners shall *is authorized to* cause the construction, repair or altering of the sidewalk to be made and shall charge the cost of same against the property as a lien thereon, collectible in the same manner as Town taxes or by action at law; provided, however, that before said cost shall be determined and become a lien, the property owner shall be notified by ordinary mail *of the placing of the lien.* ~~of a hearing to be held before the Town Commissioners Council wherein he shall show cause, if any, why said costs shall not be assessed against him and a determination of costs shall be made by the Town Commissioners and the property owners so informed. Any property owner feeling aggrieved by said determination of costs shall have the right to appeal to the Circuit Court for the county within 30 days after the date of the determination.~~ *The Town, its employees, agents and assigns shall have the right of entry, for the purpose of accomplishing said work at reasonable hours, upon any premises in the Town which abuts a Town or State street or sidewalk for the benefit of the public. Work done pursuant to this section may include the construction and repair of public streets and sidewalks, drainage systems, public utility systems, the location or relocation of water, sewer, electric, telephone and cable transmission lines, street and sidewalk lights, landscaping, as well as maintaining existing entrances from public and private property to the street and sidewalks, and to do all things necessary to accomplish same.*

134-7 Time Limit For Removal

The owners of any premises in the Town of Centreville ~~on business and commercial zone properties~~ that has a sidewalk or footpath used by the public shall remove all snow and ice from said sidewalk within 24 hours following the cessation of the snowfall.

134-8 Liability

Whenever any premises situated in the Town of Centreville shall not be kept free of snow and ice as set forth in § 134-7 above, the Town Council of Centreville is not in any way responsible or liable for the removal of the snow and ice or any accidents caused by the nonremoval of the snow and ice or any accidents caused by the nonremoval of the same in that the individual property owner is completely liable and responsible for the same.

134-9 Violations And Penalties

Violation of the provisions of this article shall constitute a municipal infraction, subject to the penalties provided in § 1-14.B.5.a of the Town Code.

(Language to be deleted from the existing Code is indicated in ~~strikethrough~~ format and language to added is indicated by *bold italics* text)

Section 3. If any section, subsection, sentence, clause or phrase of this ordinance or of the codes hereby adopted are, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance or those codes.

Section 4. This Ordinance shall become effective twenty (20) days after its enactment.

ATTEST:

THE TOWN COUNCIL OF CENTREVILLE

R. Gaye Adams
Town Clerk

Ashley Heffernan Kaiser, Esq., President

First Reading: _____

Eric B. Johnson, Jr., Vice President

Second Reading: _____

Enacted: _____

Effective: _____

Daniel B. Worth, Member

Jim A. Beauchamp, Member

Jeffrey D. Kiel, Member

DRAFT