

## **BILL NO. 16-204**

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AN ORDINANCE AMENDING CHAPTER 1, GENERAL PROVISIONS, AND CHAPTER 29, TRAFFIC AND MOTOR VEHICLES, OF THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI, BY REVISING SECTION 1-2, DEFINITIONS AND RULES OF CONSTRUCTION AND SECTION 29-1, DEFINITIONS, WITHIN EACH RESPECTIVE CHAPTER FOR THE TERM SIDEWALK.

WHEREAS, Sec. 1-2, Definitions and Rules of Construction, of Chapter 1, General Provisions, in the Code of Ordinances for the City of Lee's Summit, provides for various definitions of terms including the term Sidewalk; and,

WHEREAS, Sec. 29-1, Definitions, of Chapter 29, Traffic and Motor Vehicles, in the Code of Ordinances for the City of Lee's Summit, also provides for various definitions of terms including the term Sidewalk; and,

WHEREAS, the term Sidewalk for purposes of clarity should be defined to include the portion of pedestrian route across driveways within the right-of-way and other intended uses permitted in the Code of Ordinances; and,

WHEREAS, the City's Traffic Engineer believes that it is appropriate to amend the definition of Sidewalk in Sec. 1-2 and Sec. 29-1 in the manner shown below; and,.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That Chapter 1, Section 2-1, of the Code of Ordinances, City of Lee's Summit, Missouri, is hereby amended to revise the definition of Sidewalk as follows:  
*Sidewalk.* The word "Sidewalk" or "Shared Use Path" shall mean that portion of a street between the curblines or the lateral lines of a roadway and the adjacent property lines, intended for the use of pedestrians, with or without mobility aids, bicyclists and other non-motorized transportation modes if such use is not otherwise prohibited by ordinance, including that part of a private road or driveway within the connections of the lateral lines of the sidewalks or shared use path on opposite sides of the private road or driveway measured from the curbs or, in the absence of curbs, from the edges of the traversable private road or driveway.

SECTION 2. That Chapter 29, Section 29-1, of the Code of Ordinances, City of Lee's Summit, Missouri, is hereby amended to revise the definition of Sidewalk as follows:  
*Sidewalk or Shared Use Path* shall mean that portion of a street between the curblines or the lateral lines of a roadway and the adjacent property lines, intended for the use of pedestrians, with or without mobility aids, bicyclists and other non-motorized transportation modes if such use is not otherwise prohibited by ordinance, including that part of a private road or driveway within the connections of the lateral lines of the sidewalks or shared use path on opposite sides of the private road or driveway measured from the curbs or, in the absence of curbs, from the edges of the traversable private road or driveway.

SECTION 3. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

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SECTION 4. That should any section, sentence or clause of this ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences, or clauses.

SECTION 5. That it is the intention of the City Council, and it is hereby ordained, that the provisions of this ordinance shall become and be made a part of the Code of Ordinances for the City of Lee's Summit, Missouri.

SECTION 6. That this ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

PASSED by the City Council of the City of Lee's Summit, Missouri, this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Mayor *Randall L. Rhoads*

ATTEST:

\_\_\_\_\_  
City Clerk *Denise R. Chisum*

APPROVED by the Mayor of said city this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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Mayor *Randall L. Rhoads*

ATTEST:

\_\_\_\_\_  
City Clerk *Denise R. Chisum*

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney *Brian W. Head*