

## **BILL NO. 16-205**

---

AN ORDINANCE AMENDING SECTIONS 1000, 5200 AND 5300 OF THE CITY'S DESIGN AND CONSTRUCTION MANUAL AS ADOPTED AND MADE A PART OF THE CODE OF ORDINANCES BY SECTION 22.5-1 OF THE CODE OF ORDINANCES OF THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, the current Design and Construction Manual (DCM) was originally adopted in September 2004 and Sections 1000 in February 2010; and,

WHEREAS, Sections 5200 and 5300 were last updated in October 2009 and September 2004, respectively; and,

WHEREAS, in accordance with the adopting ordinance, revisions to the General Provisions and the design criteria sections must be done by ordinance while changes to technical specifications may be handled administratively; and,

WHEREAS, certain paragraphs of need to be amended to comply with current advances in industry standards, advances in construction materials, and improved compatibility with the Americans with Disabilities Act (ADA) and the Clean Water Act Amendments; and,

WHEREAS, several paragraphs of 1000, General Provisions, have been amended to correct typographical, grammatical errors, or provide clarification.

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

SECTION 1. That the City of Lee's Summit, Missouri's Design and Construction Manual, as adopted and made a part of the Code of Ordinances by Chapter 22.5 of the Code of Ordinances of the City of Lee's Summit, Missouri, Public Improvements Design and Construction, Section 22.5-1 (Design and Construction Manual), is hereby amended as follows:

- a. Section 1000, entitled "General Provisions" of the City's Design and Construction Manual shall be amended to read as shown in Exhibit A, which is attached hereto and incorporated by reference as if fully set forth herein.
- b. Section 5200, entitled "Streets" of the City's Design and Construction Manual shall be amended to read as shown in Exhibit B, which is attached hereto and incorporated by reference as if fully set forth herein.
- c. Section 5300, entitled "Incidental Construction" of the City's Design and Construction Manual shall be amended to read as shown in Exhibit C, which is attached hereto and incorporated by reference as if fully set forth herein.

SECTION 2: Severability Clause. 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 3: Savings Clause. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding now pending in any court or any rights acquired or liability incurred nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby, nor shall any right or remedy of any character be lost, impaired, or affected by this ordinance.

SECTION 4: 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 5: 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.

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

ATTEST:

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

APPROVED AS TO FORM:

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