

**CITY OF EDGEWATER**  
**ORDINANCE NO. 2023-05**  
**SERIES OF 2023**

**AN ORDINANCE AMENDING CHAPTER 11 OF THE EDGEWATER MUNICIPAL CODE, CONCERNING STREETS AND SIDEWALKS, BY AMENDING SECTION 11-2-20, CONCERNING AREA RESERVED FOR SIDEWALKS.**

WHEREAS, the City Council finds that the City should have sidewalks of various widths, based upon the nature of the adjacent street and its use.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EDGEWATER, COLORADO, THAT:

Section 1. Section 11-2-20 of the Edgewater Municipal Code, concerning the area reserved for and the establishment of standards for sidewalks, is hereby repealed and re-enacted to read as follows:

**Sec. 11-2-20. Reserved area for sidewalks; established.**

An area along each side of all streets, roads or highways in the City shall be and is hereby reserved for sidewalk purposes. Unless otherwise specified, all new sidewalks shall be at least four (4) feet wide when replaced. Sidewalks adjacent to new building construction along streets shall be at least five (5) feet in width; provided, however, that on Sheridan Boulevard, Harlan Street, Pierce Street, and on all Avenues within the City, sidewalks shall be at least six (6) feet in width. Sidewalks shall be constructed in accordance with engineering details provided by the City, and exceptions to the standards may be approved by the City Engineer on a case-by-case basis based upon extraordinary physical impediment to otherwise required standards.

Section 2. Severability. If any section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. Safety Clause. The City Council hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the City, that it is promulgated for the health, safety, and welfare of the public, that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare, and that this ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 4. Effective Date. This ordinance shall become effective five (5) days after publication after final reading in accordance with the Home Rule Charter of the City of Edgewater.

INTRODUCED, PASSED ON FIRST READING AND ORDERED PUBLISHED this 7<sup>th</sup> day of March, 2023.

John Beltrone  
John Beltrone, Mayor

ATTEST:

L Pedroza  
Lenore Pedroza, CMC  
City Clerk

PASSED AND ADOPTED ON SECOND READING AND ORDERED PUBLISHED this 21<sup>st</sup> day of March, 2023.

John Beltrone  
John Beltrone, Mayor

ATTEST:

L Pedroza  
Lenore Pedroza, CMC  
City Clerk

APPROVED AS TO FORM:

Thad Renaud  
Thad Renaud, City Attorney