



Legislation Text

File #: 1256-2009, **Version:** 1

1. BACKGROUND

The purpose of this legislation is to transfer between funds sidewalk waiver fees collected prior to City Council passing Ordinance 1987-2008 on December 15, 2008. The ordinance updated the City's Codes pertaining to sidewalks and bikeways. Furthermore, the ordinance authorized the City Auditor to establish funds into which fees for construction exemptions of bikeway facilities or sidewalks approved by the Director of Public Service may be deposited.

The Director of Public Service subsequently promulgated new Rules and Regulations for Sidewalk and Bikeway Facility Requirements on March 21, 2009. The City Auditor has established the new funds per Ordinance 1987-2008.

Between 2000 and 2007, the Department of Public Service received 186 sidewalk waiver requests, of which 87 requests were granted. In certain cases, the City accepted fees in lieu of constructing or granting a total waiver of sidewalk obligation. Those fees collected totaled \$248,883.27 and are on deposit in Fund 748.

This proposed legislation transfers the old sidewalk waiver fees into these new funds, and they will be tracked and utilized per Ordinance 1987-2008 and the March 21, 2009 Rules and Regulations for Sidewalk and Bikeway Facility Requirements. The new rules and regulations allow for collected construction exemption fees to be used in implementing sidewalk and bikeway facility improvements in the same Community Planning Area, similar to how the City's parkland dedication process works.

2. FISCAL IMPACT

There is no cost to the city of Columbus at this time.

To transfer all sidewalk waiver fees currently in the Sidewalk Waiver Fund Project in the General Permanent Improvement Fund into a fund to be established by the City Auditor for sidewalk and bikeway capital improvement projects use in specific Community Planning Areas.

WHEREAS, Columbus City Council passed on December 15, 2008 Ordinance 1987-2008, which amended Columbus City Code requirements for sidewalk and bikeway facilities; and

WHEREAS, Ordinance 1987-2008 authorized the City Auditor to establish funds for the purpose of depositing construction exemption fees for sidewalks and bikeway facilities; and

WHEREAS, the Director of Public Service promulgated on March 2, 2009 Rules and Regulations for Sidewalk and Bikeway Facility Requirements as authorized by Ordinance 1987-2008; and

WHEREAS, the March 21, 2009 Rules and Regulations for Sidewalk and Bikeway Facility Requirements establish that construction exemption fees for sidewalks and bikeway facilities are to be used for sidewalk and bikeway facility improvements in the Community Planning Area in which an exempted property is located; and

WHEREAS, this ordinance is necessary in order to transfer sidewalk waiver fees in the amount of \$248,883.27 in Fund 748, to be tracked and utilized according to the Rules and Regulations for Sidewalk and Bikeway Facility Requirements; now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the City Auditor shall transfer all monies in the Sidewalk Waiver Fund project, project 590115, from Fund 748 to a capital projects fund to be determined by the City Auditor in the amount \$248,883.27.

Section 2. That such monies shall be limited in their use to the design and construction of sidewalks and bikeways within specific Community Planning Areas.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.