

THE ADMINISTRATION DETERMINES THAT:

(1) THE ESTABLISHMENT OF SIDEWALKS WOULD BE CONTRARY TO PUBLIC SAFETY;

(2) THE COST OF ESTABLISHING THE SIDEWALKS WOULD BE TOO GREAT CONSIDERING THE NEED FOR THEM OR THEIR PROBABLE USE; OR

(3) THE SPARSITY OF POPULATION, THE EXISTENCE OF OTHER AVAILABLE WAYS, OR ANY OTHER FACTOR INDICATES THAT THERE IS NO NEED FOR THE SIDEWALKS.

(C) MAINTENANCE OF SIDEWALKS.

AFTER SIDEWALKS ARE CONSTRUCTED UNDER THIS SECTION, THEY SHALL BE MAINTAINED AND REPAIRED BY THE POLITICAL SUBDIVISION IN WHICH THEY ARE LOCATED.

REVISOR'S NOTE: This section presently appears as Art. 89B, §45A.

The only changes are in style.

8-630. SIDEWALKS ALONG URBAN HIGHWAYS.

(A) "URBAN HIGHWAY" DEFINED.

IN THIS SECTION, "URBAN HIGHWAY" MEANS A HIGHWAY, OTHER THAN AN EXPRESSWAY, THAT IS:

(1) CONSTRUCTED WITH A CURB AND GUTTER AND AN ENCLOSED TYPE STORM DRAINAGE SYSTEM; OR

(2) LOCATED IN AN URBAN AREA AND ON WHICH IS LOCATED A PUBLIC FACILITY THAT CREATES APPRECIABLE PEDESTRIAN TRAFFIC ALONG THE HIGHWAY FROM ADJACENT AREAS.

(B) REQUEST FOR CONSTRUCTION OF SIDEWALKS.

(1) AT THE REQUEST OF THE GOVERNMENT OF ANY COUNTY, WITH THE APPROVAL OF A MAJORITY OF THE MEMBERS OF THE GENERAL ASSEMBLY FROM THE COUNTY AND THE ELECTED COUNTY EXECUTIVE, IF ANY, THE ADMINISTRATION SHALL INCLUDE THE CONSTRUCTION OF SIDEWALKS IN ANY URBAN HIGHWAY PROJECT.

(2) THE REQUEST AND APPROVAL SHALL BE MADE TO THE ADMINISTRATION BEFORE IT PRESENTS ITS ANNUAL HIGHWAY CONSTRUCTION PROGRAM TO THE GENERAL ASSEMBLY FOR CONSIDERATION AND INCLUSION IN THE BUDGET.

(C) FINANCING AND MAINTENANCE OF SIDEWALKS.

(1) FUNDS TO PAY THE COST OF SIDEWALK CONSTRUCTION SHALL BE OBTAINED, AS SPECIFIED IN THE REQUEST: