

AN ORDINANCE AMENDING SECTION 500.105 OF THE TWIN OAKS MUNICIPAL CODE PERTAINING TO MAINTENANCE OF ABUTTING RIGHT-OF-WAY.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF TWIN OAKS, MISSOURI, AS FOLLOWS:

Section 1. Chapter 500 of the Twin Oaks Municipal Code, Building Regulations is hereby amended by adding a new Subsection 4 (shown underlined below) to Subsection B of Section 500.105 “Maintenance of Exterior of Structures and Premises; Maintenance of Abutting Right-of-Way,” to read as follows:

Section 500.105. Maintenance of Exterior of Structures and Premises; Maintenance of Abutting Right-of-Way.

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B. *Right-of-Way Maintenance.* The requirements of the Property Maintenance Code for the Exterior Property and Premises (as defined therein) expressly include and shall extend to the abutting right-of-way of each lot to the back of pavement, and shall additionally require:

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4. Driveway Aprons, Approaches, and Culverts.

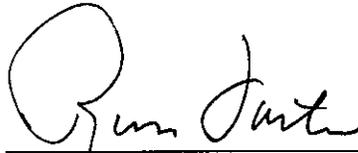
- a. Any driveway apron, driveway approach, culvert, pipe, or other private improvement or installation located within or crossing the City’s right-of-way that serves private property (collectively, “private access improvements”) shall be deemed an encroachment as described in Subsection (B)(1) above.
- b. The construction, maintenance, repair, replacement, or removal of any private access improvement shall be the sole responsibility of the abutting property owner or other Responsible Person. The City has no obligation to maintain, repair, replace, or reconstruct any such private access improvement, regardless of whether it was originally installed by the City, the property owner, or a prior owner.
- c. The City shall not be liable for any damage to, or caused by the failure of, any private access improvement located within the right-of-way, including but not limited to damage resulting from street maintenance, snow removal, drainage operations, utility work, or other work in the right-of-way. Nothing herein shall preclude the City or the owner of improvements from seeking redress from any contractor or utility causing such damage or failure.

- d. Any private access improvement that becomes unsafe, impedes drainage, or interferes with the public use of the right-of-way may be declared a nuisance under Subsection (B)(2) and Chapter 215 of the City Code. The City may require its removal, repair, or replacement at the property owner's or other Responsible Person's expense within a specified timeframe.
- e. The City may remove, modify, or replace a private access improvement as necessary to maintain public infrastructure, right-of-way, or drainage facilities. When such work occurs in conjunction with a City project, the City will endeavor, where reasonably practicable, to restore affected private access improvements to a condition reasonably comparable to that which existed immediately prior to the project. This does not create any ongoing obligation or liability for the City to maintain, replace, or reconstruct such improvements thereafter.
- f. Installation or modification of any private access improvement requires a City-issued permit and must comply with all applicable City construction standards, including requirements for materials, slope, drainage, and dimensions.

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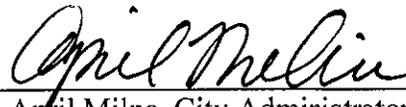
Section 2. This Ordinance shall be in full force and effect on and after its passage and approval by the Mayor.

PASSED AFTER HAVING BEEN READ IN FULL OR BY TITLE TWO TIMES PRIOR TO PASSAGE BY THE BOARD OF ALDERMEN OF THE CITY OF TWIN OAKS, MISSOURI, THIS 4th DAY OF FEBRUARY 2026.



Russ Fortune, Mayor

Attest:



April Milne, City Administrator/Clerk