

# Exhibit E

## Chapter 13.10 PUBLIC STREET, STREETLIGHTING AND SIDEWALK REQUIREMENTS

### 13.10.010 Definitions.

The following words and phrases whenever used in Title 13 of the Overland Park Municipal Code, shall be understood as defined in this Section unless from the context a different meaning is intended or unless a different meaning is specifically defined and more particularly directed to the use of such words or phrases:

- A. "City" means the City of Overland Park, Kansas.
- B. "City Engineer" is the professional engineer employed by the City as the "City Engineer." "City Engineer" also refers to the City Engineer's official designated representative.
- C. "Design and Construction Standards Manual" means the current design specification standards for public streets and private streets alleys, parking lots, and drives; stormwater facilities; stormwater treatment facilities; erosion and sediment control; streetlighting; and all related appurtenances adopted by the City Engineer pursuant to the provisions of Section 13.10.020.
- D. "Easement" is an interest in land that entitles its holder to a definite and limited use of land owned by another.
- E. "Engineer" or "Project/Design Engineer" is the Professional Engineer registered in the State of Kansas, who is responsible for the design of the improvements or his designated representative.
- F. "Owner/Responsible Party" means the person or party that owns a piece of property or is responsible for maintenance and upkeep as designated by the Owner.
- G. "Private Streetlights" means a streetlight system, consisting of luminaire, mounting arm (if any), pole, foundation, junction boxes, cabling, conduit, control center, and all appurtenances which are not owned, operated and maintained by the City.
- H. "Public Improvement Permit" is a permit issued by the City to the Responsible Party, or contractor after the review and approval of designs, plans, and specifications that are required prior to commencing work on any Public Improvement Project.
- I. "Public Improvement Project" means any public improvement neither financed in whole or in part by the City nor administered by the City in the City's Right-of-Way, City-owned property, or City Easements including, but not limited to, streets, bridges, bike/hike trails, parkways, curbs, gutters, storm sewer, traffic signals, traffic signs, streetlights, Traffic

Control System, retaining walls, fences, sidewalks, and facilities that will be maintained by the City upon completion and acceptance of the project.

- J. "Public Streetlights" means a streetlight system, consisting of luminaire, mounting arm (if any), pole, foundation, junction boxes, cabling, conduit, control center, and all appurtenances located within the public Right-of-Way which meets the requirements of the City and is owned, operated and maintained by the City.
- K. "Right-of-Way" means the area on, below or above the present and future City streets, alleys, bridges, bikeways, parkways and sidewalks.
- L. "Standard" or "Standards" mean the Design and Construction Standards Manual and the Standard Details, collectively.
- M. "Standard Details" means the current drawings or graphical illustrations of construction requirements for infrastructure that has been approved for general use by the City Engineer pursuant to the provisions of Section 13.10.020.
- N. "Traffic Control Systems" means traffic signals, fiber optic conduit and cables, service and junction boxes, dynamic message signs, trail blazer signs, CCTV cameras, and all appurtenances used for the purpose of controlling traffic flow, collecting traffic-related data and communicating information to the traveling public.