

WHAT ARE "AREAWAYS"?

An areaway is defined as a below-grade area which is or was used as an extension of or adjacent to a building or structure that extends into and occupies a portion of a street or other public right-of-way.

EXISTING AREAWAY COMPLIANCE

All areaways or the remains of pre-1990 areaway are allowed to remain in place until such a time as the city engineer may require that the areaway be modified or abandoned to accommodate projects for the public good, including, but not limited to, the following projects: sidewalk, including condemned sidewalk replacement, curb, gutter, street pavement, utility, street lighting system, traffic signal system, and streetscape. When an areaway must be modified or abandoned for such purpose, the City will notify the property owner of the existing or potential areaway conflict. Before City Council orders the abandonment of an areaway, a public hearing will be held on the matter to provide the owner of the areaway notice of the hearing.

Modifications or abandonments (complete or partial) shall be designed to meet all applicable state and local building codes by a qualified and licensed professional engineer. Inspection of the work shall be provided during construction by or under the direct supervision of a qualified and licensed professional engineer to ensure work conforms to the design documents and all applicable state and local building codes. Engineering services shall be selected, hired, and paid by the owner of the areaway.

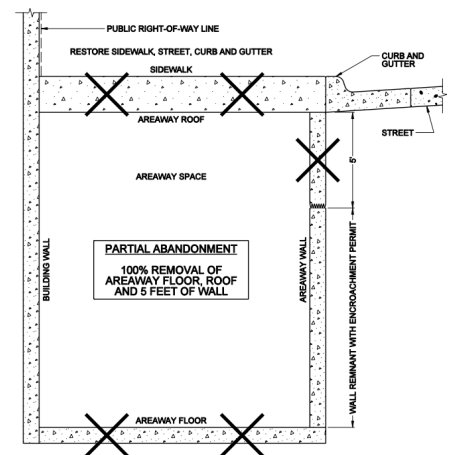


PARTIAL AND COMPLETE ABANDONMENT OF AREAWAYS

Unless it is determined that a partial removal would better serve the public good, areaways shall be completely removed from city right-of-way, subject to demolition permit requirements.

Partial removal of an abandoned areaway is allowed only if it is determined that a partial removal would better serve the public good. Such reasons include, but are not limited to: avoidance of extensive excavation into roadways, minimizing disruption to vehicular traffic, and minimizing disruption to pedestrian traffic.

Partial removal of an areaway requires demolition and complete removal of the areaway roof, floor and upper portion of the walls. Remains of the areaway will continue to be the responsibility of the abutting property owner and subject to complete removal when the adjacent building is being demolished or for projects for the public good. Property owners shall be required to file an affidavit with city engineer verifying the existence of the areaway remains and stipulating to the property owner's responsibility for its ultimate removal. An encroachment permit shall be maintained so long as the areaway remains are in existence.



Source: Minneapolis Code of Ordinances
(Title 5 – Building Code, Chapter 95.90 – Areaways)

