



## ***Sidewalk Inspection and Repair Policy***

Safe pedestrian-friendly neighborhoods are the priority for our community. An important component of this is the City's Sidewalk Repair Program. This program has been developed to provide for the maintenance of sidewalks within the City. Iowa State Code 364.12 (d) and City Code 136.04 provide the City of Norwalk with the ability to require that the maintenance and repair of public sidewalks be the responsibility of the adjoining property owner.

### **1. INSPECTION FREQUENCY**

For the purposes of this program, Norwalk is divided into six geographical areas. Each year, the sidewalks in one of these six areas are thoroughly inspected in accordance with the criteria established by the Public Works Department and approved by the City Council to determine if sidewalk repairs are necessary. See map Appendix "A". Only sidewalks are inspected. The parkway, driveway approaches, water stop boxes located outside the sidewalk, etc. are not inspected as part of the program.

In addition, sidewalks are inspected outside the geographical area if a complaint is received on the condition of the sidewalk.

### **2. INSPECTION CRITERIA**

The inspector marks white arrows on the sidewalk squares which meet one or more of the following criteria and identified in Appendix "B":

- A. The sidewalk is displaced with a vertical edge of 1" or more
- B. The sidewalk is depressed or raised more than 2" from the normal line of grade.
- C. If the walks ponds water. Or has a drainage way formed into the surface of the walk.
- D. The sidewalk has cracked into 3 or more pieces or is missing a piece greater than 4 square inches.

- E. The sidewalk surface has deteriorated to a degree that the surface is gone causing the accumulation of loose material.
- F. The sidewalk has horizontal separations equal to or greater than 1" within the square or greater than 1" within the square or greater than 1" at the sidewalk joints.
- G. The cross slope of the sidewalk exceeds more than 1" per foot toward either side.

**3. REPAIR PROCESS**

It shall be the duty of the abutting property owner at all times to reconstruct, or cause to be reconstructed, all defective public sidewalks in the street right-of-way abutting his/her property. Property owners adjacent to sidewalks that are marked for repair are notified of their responsibility to repair the sidewalk through a notification letter that is sent to the owner of record as listed at the Warren County Assessor's Office.

Along with the notification letter, a copy of the sidewalk inspection report and a sidewalk repair specification detail sheet is mailed to the property owner requiring the appropriate work to be completed within forty five (45) days. All locations where notice to reconstruct have been issued will be re-inspected by the City Staff after the abutting property owner has been given forty five (45) days in which to complete the work. Abutting property owners who commence reconstruction within the forty five (45) day period shall be accorded a reasonable time in which to complete the work upon application for extension of time made to the City's designated inspector.

If, upon expiration of the forty five (45) days as provided in said notice, required work has not been done or is not in the process of completion, the City Staff may cause the same to be reconstructed and the cost of the repair plus an administration fee of 25% of the total cost to cover administrative and billing costs. If the bill is not paid within thirty (30) days, the amount will be certified to the County Auditor to be added to the owner's property taxes.

**4. DOCUMENTATION**

The City will maintain formal permanent records showing the date on which each sidewalk was last inspected, which properties were found to have defective sidewalks, the nature of the defects found, and the action taken to correct the defect. The City Staff will be

responsible for issuing all official "Notices to reconstruct". All official notices will be sent Certified Mail.

5. **CITY RESPONSIBILITY**

A. **Over width Sidewalks** – If the sidewalk is 8 feet in width, the City will share in the costs to repair the sidewalk. The city will be responsible for one-half the costs to repair the sidewalk. If the property owner is repairing the sidewalk, they must receive approval from the City prior to commencement of repairs. If the City repairs the 8 foot sidewalk, the property owner will be invoiced one-half of the construction costs plus a \$25 administrative fee.

However, if the damage to the sidewalk can be directly attributed to the adjoining property owner's actions (i.e. a home construction or landscaping project), the property owner will be responsible for the repair of the full 8' width.

B. **City Causes** – If the damage to the sidewalk is caused by a City owned item, (i.e. a water main valve and not a service valve), a sewer manhole located within the sidewalk, or a tree located within the parkway, the City will take responsibility for the repair of the sidewalk directly as long as the damage is directly attributable to the item. Just because a City –owned item is present does not automatically mean that the item is the cause of the damage. Each situation will be evaluated individually by City Staff.

C. **Curb Ramps** – The City is responsible for the maintenance and repair of curb ramps at intersections of the streets.

6. **DISCLAIMER**

To the extent that any previous rule, regulation, policy or past practice, written or unwritten, is in conflict with the provisions of this policy, such is hereby withdrawn, voided and all personnel shall conduct themselves in conformity with this policy.

This Sidewalk Inspection and Repair Policy is not intended to create and should not be construed in any manner as creating a guaranty that any hazard associated with sidewalk conditions is eliminated by the City's efforts to maintain public sidewalks in accordance with this Policy.