



TO: President Koultourides and Members of Council

FROM: Dustin Anderson, Town Manager

SUBJECT: Ordinance # 1821 : An Ordinance Adopting the 50-50 Sidewalk Replacement Program

DATE: April 5, 2021

Background

In the past, the Town had a program very similar to the one proposed this evening. The practice was discontinued in 2009. Between 2009 and 2020, the Town paid 100% for damaged sidewalks needing replacement or repair within limits of the Public Works annual budget for such purpose.

Even during that period of time between 2009 and 2020, the private property owner was and remains responsible for the condition of the sidewalk in front of their home or business.

Ordinance #1821 proposes splitting 50% of the cost of this maintenance property owners, regardless of whether initiated from Town-Identified Hazards or Resident Requests, within the limits of budgeted funds.

The Town has 232 miles of sidewalk. Before 2017, data collection on sidewalk hazards occurred annually by Public Works using a drive-by approach within known substandard areas to identify conditions, allowing many areas to be overlooked. The resultant list was then supplemented on a complaint-basis by citizens further identifying needed repairs, which were prioritized by condition into hazard ratings from #1 (worst) thru #4 (best). However, the list was never a thorough Town-wide condition assessment as it did not inspect every sidewalk square.

A new approach to sidewalk replacement was approved April 3, 2017 by the Town Council when Town Engineers SEH, Inc. were commissioned to do a complete Town-wide Sidewalk Inventory and Assessment using an objective, systematic and comprehensive condition assessment approach on all Town sidewalks. This master sidewalk list is now used as the basis for budgeting decisions and prioritizing scarce resources to improve the Town's sidewalk infrastructure moving forward.

Implementation of the 50-50 program will allow for more hazards to be addressed with those scarce resources, will allow residents to invest in their own private property more easily, and improve our community's build environment.

Methodology

Costs of Sidewalks replaced by the Town (except those being replaced due to damage caused by the Town) will be split 50% with benefitting property owners, regardless of whether initiated from Town-Identified Hazards or Resident Requests. This program is not for provision of new sidewalks and is only applicable for replacement of existing substandard sidewalks.

Sidewalk Selection Approach

Town-Identified Hazards

Sidewalks with the worst condition ratings of #1 will generally be considered as first priority (for either replacement or lifting), beginning with unfinished carryover locations from the prior year's 2020



Sidewalk Replacement Status Requests/EXCEPTIONS LIST. Special consideration will be given to walks within school zones, hospital zones, and those areas targeted for any grant-funded street improvement projects. Neighboring sidewalks that immediately flank and prevent correction of the overall hazard of the one being replaced will also be added to the project.

Any addresses identified by the Town for sidewalk replacement will be contacted by Public Works with 50-50 Sidewalk Program information and to alert residents of a forthcoming invoice from the Clerk-Treasurer's Office.

Resident Requests

Sidewalk Replacement Applications will be accepted on an ongoing basis throughout the year either online via a fillable form on the Town's website or can be requested by phone 836-6970 or in-person at Public Works located at 508 Fisher Street.

Public Works will field verify existing Sidewalk conditions and re-rank its hazard rating as needed from #1 (worst) thru #4 (best), ensure that needed repairs meet program requirements and estimate the amount of sidewalk to be repaired. All hazards regardless of condition rating at any selected address placed on the sidewalk replacement list will be completely fixed.

Sidewalk Financing Plan

Public Works provides the Clerk-Treasurer's Office with an estimate for the work as a basis for the initial bill to the homeowner. It should be noted that while the initial bill is usually the actual final total, there is potential for additional unanticipated concrete work needed due to unforeseen complications that can result in a subsequent bill which will be split with the resident.

The Clerk-Treasurer's Office will bill residents their portion of half the cost of the repair. Payment may be made by mail or in person at 1005 Ridge Road and payment plans available on request for any eligible sidewalk replacement. Only upon full payment of the homeowner's 50% match to the Clerk-Treasurer's Office will the resident requested work added to the Scope of Work list to be replaced by the Town's contractor during summer months.

Any additional non-eligible concrete work arranged between the contractor and homeowner should be agreed upon prior to project start. This is considered a private project and not eligible for any Town payment plan nor for the Town 50% cost split and payment of this portion of work will be solely between the homeowner and the contractor.

Sidewalk Selection Disclaimer

This program is not for provision of new sidewalks but is only applicable for replacement of existing substandard sidewalks. In the case of new subdivisions and existing neighborhoods installing sidewalks for the first time, homeowners are responsible for the entire cost of their first sidewalk. Developers pay the cost of new sidewalks in new subdivisions and pass along the cost to the homeowner in the house price.

Work will be done by the Town-selected concrete contractor. Construction will occur during the summer months subject to contractor scheduling. Generally, this is in July through August and takes about 4-6 weeks to complete, depending on weather and unforeseen complications. Prior to the contractor commencing sidewalk work, a general letter of neighborhood notification will be distributed.



Every homeowner has the option of contracting directly with the Town's Contractor utilizing our commodity price at their own cost for additional concrete repairs to their own private or public sidewalks adjacent to but not considered eligible for the 50-50 Sidewalk Program

Amendments to the Second Reading

Language was included in Section Five – Notification that establishes a 30-day advance notification of intended mandatory sidewalk improvement.

Section Six was renamed "Appeal" and proposes an appeal process to the Town Manager that may delay the mandatory repairs to an address by up to twelve (12) months.

Sections Seven and Eight were re-labelled to reflect the newly created "Section Six – Appeal" language.

Recommendation:

By motion and roll-call vote, adopt Ordinance 1821: AN ORDINANCE ADOPTING THE 50-50 SIDEWALK REPLACEMENT PROGRAM on second reading.