

COUNCIL APPROVED

Date 5-16-10

Signed George Cortina

CITY OF CLIVE, IOWA
Sidewalk Inspection and Repair Policy

I. GENERAL

The Code of Ordinances of Clive, Iowa and the Code of Iowa Section 364.12 (2d & e) places the responsibility for the maintenance and repair of public sidewalks on the abutting property owner as recorded by the county auditor. This policy provides the cause for such repairs to be made from Council under Clive Code of Ordinances. Under no circumstances does this relieve the abutting property owner of any liability under paragraph "b" of Iowa Code Section 364.12.

II. ANNUAL SIDEWALK INSPECTION ZONES

The City will inspect the public sidewalks on a four (4) year cycle within the city. These inspections shall be made to determine if any of the public sidewalks within a particular zone of the city are defective as defined. The City will be divided into four zones as designated in (Appendix "A").

When a sidewalk defect is found to exist outside of the annual inspection zone, the City will initiate appropriate action as directed by this policy to have the sidewalk reconstructed.

III. RECONSTRUCTION PROCEDURES

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.

The public sidewalk will be considered defective when it exhibits one of the characteristics listed in (Appendix "B") of this policy. When a sidewalk is found to contain such a defect, the City Staff will issue a written notice to reconstruct to the abutting property owner requiring that the appropriate work be completed within 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 45 days in which to complete the work. Abutting property owners who commence reconstruction within the 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 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 thereof shall be assessed to the abutting property owner. All sidewalk improvements shall be performed under the supervision and inspection of the City's designated inspector.

IV. DETERMINATION OF CITY COST TO REPAIR SIDEWALK

If work has not commenced following the 45 day notice, the sidewalk will be placed on a list for reconstruction and the City's contractor notified to proceed with the reconstruction. Upon completion of the repair the property owner will be sent a bill of the actual cost of the repair plus an administration fee of 25% of the total cost to cover administrative and billing costs. The property owner will have 30 days to pay the billing. If the bill is not paid within 30 days, the amount will be certified to the County Auditor to be added to the owner's property taxes.

Any unpaid costs for sidewalk repair over \$100 will be assessed and collected in the same manner as property taxes. There shall be returned to the City Council an itemized assessment schedule, verifying expenditures used in doing such work, and the legal description of the lots, or tract of ground abutting the sidewalk on which such work has been performed. Assessments may be spread over a ten-year period at an interest rate of 7%. Any costs less than \$100 will be assessed in one installment. There will also be a \$25 administrative fee if costs are assessed against the property.

V. PERMITTING AND REPAIR INSPECTIONS

Any person desiring to reconstruct or repair any sidewalk shall, before commencing such reconstruction or repair, apply for a permit from the City Staff to Reconstruct/Repair Sidewalk as illustrated in (Appendix "C").

The City Staff is authorized to inspect, approve or disapprove the reconstruction or repair of sidewalks. The party reconstructing or repairing any sidewalk shall call for inspections by notifying the City Staff when slab has been lifted and sub-grade has been brought to the proper elevation, or forms have been set for slab replacement. In the case of slab replacement a further inspection shall be called for and required upon completion after removal of forms; backfill and seeding have been completed.

VI. DOCUMENTATION

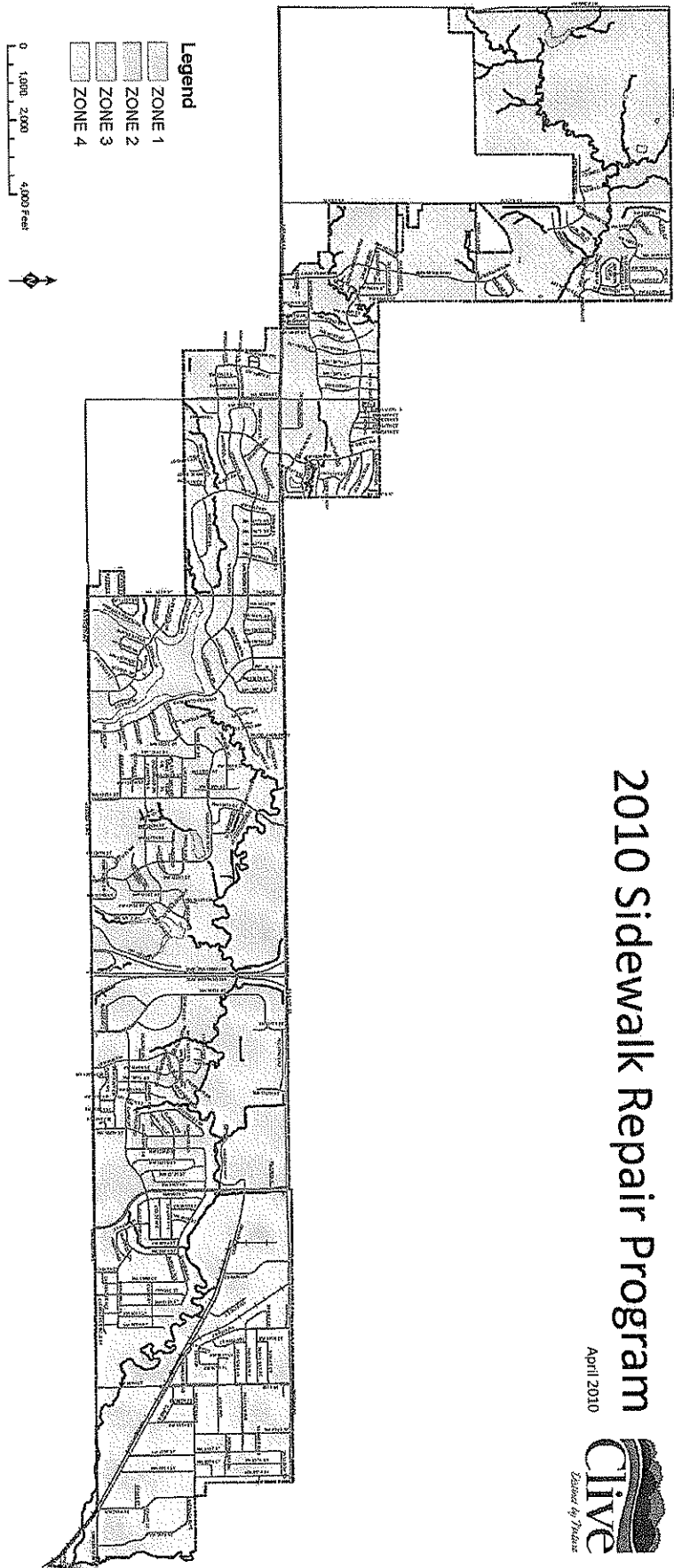
The City will maintain formal permanent records showing the date on which each sidewalk was last inspected, which properties were found to have defective sidewalks, the nature of the defects found, and the action taken to correct the defect. The City Staff will be responsible for issuing all official "Notices to reconstruct". All official notices will be sent Certified Mail.

VII. 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 should 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.

APPENDIX "A"



APPENDIX "B"

SIDEWALK REPAIR CODES

<p>1" OR MORE</p> <p>1" OR MORE</p>	<p><u>Repair Code "A"</u></p> <p>The sidewalk has cracked with a vertical edge of (1") one inch or more.</p>
<p>2" OR MORE</p> <p>2" OR MORE</p>	<p><u>Repair Code "B"</u></p> <p>The sidewalk has raised or settled more than (2") two inches in (12') twelve feet from the normal line of grade of the sidewalk.</p>
	<p><u>Repair Code "C"</u></p> <p>The sidewalk has cracked into more than three pieces per 4'x4' square and sections are distorted or distressed with a vertical height difference of (1/2") one-half inch or more, or a horizontal separation of (2") two inches or more or has cracked and part of the sidewalk is missing, forming holes.</p>
	<p><u>Repair Code "D"</u></p> <p>Sidewalk surface has deteriorated to a degree that the surface is gone causing the accumulation of loose material.</p>
<p>1" OR MORE PER FOOT</p>	<p><u>Repair Code "E"</u></p> <p>The sidewalk has settled or for some other reason is sloped or tilted more that (1") one inch per foot toward either side.</p>

REPAIR CODE A

When inspecting adjacent sidewalk slabs which fall under the standard repair Code A of the Sidewalk Inspection and Repair Policy, the inspector shall determine the defective sidewalk slab to mark for replacement by evaluating the following factors:

1. The sidewalk slab or slabs that most nearly reflect the proper grade or best condition of the adjacent sidewalk slabs should remain.
2. The overall finished alignment of the sidewalk when repair is complete should be the most uniform alignment.
3. The sidewalk slab or slabs that have changed position will be considered for replacement as it has created the hazard and its replacement will provide a more uniform overall sidewalk grade.

REPAIR CODES A, B, OR E

Sidewalk slabs marked as defective under Repair Codes A, B, or E may be repaired without total replacement if the sidewalk slabs are in otherwise good condition and in one piece. The sidewalk slab or slabs may be jacked up and the sub-grade excavated or filled and the sidewalk slabs reset to a safe uniform grade condition. Repositioning existing slabs may be done, under the direction of the City's designated inspector.

REPAIR CODES C OR D

Sidewalk slabs marked as defective under Repair Codes C or D requires complete replacement of these conditions.

UNKNOWN PROPERTY LINES

The inspector will determine as best he/she can, the location of property lines in order to determine the proper owner to send a notice to repair. It is the responsibility of the property owner to notify the City if they have received a notice for property other than theirs. If a defective sidewalk overlaps on two properties, a notice will be sent to both properties and they will share proportionately to their frontage on the defective sidewalk.

SIDEWALK REPAIR “HOW-TO” GUIDE

Thank you for reviewing the Sidewalk Repair “How-To” Guide. It contains valuable information on completing the necessary corrections to your sidewalk.

A. How to get started...

Examine the markings on **your** (abutting) sidewalk:

- **White paint represents panels that need to be removed and replaced.** If your panel has creating a 1” fault, slab lifting is an alternative option. However, if the panel is cracked or cracks during the slab lifting process, the panel will be required to be replaced.
- **Review** the Sidewalk Inspection letter for pictures, quantities and estimated costs.
- **Calculate the deadline:** You have **45 days** from date of notice to make repairs utilizing your own contractor or notify the City to make the needed repairs checking appropriate box on the enclosed permit application.

B. A sidewalk permit application is required to work on the sidewalk. Regardless of who will be doing the work, the application must be turned in prior to commencing replacement or leveling. A permit application is included with this packet.

C. Sidewalk installation or panel replacement steps:

1. **The sidewalk contractor or property owner must contact IOWA ONE CALL to any sidewalk construction.** <http://www.iowaonecall.com/>



A notice must be given to IOWA ONE CALL at least forty-eight (48) hours prior to the commencement of your project, excluding Saturdays, Sundays and legal holidays. There is no fee for the service.

▪ *Irrigation systems should be located by homeowner to avoid damage.*

2. **The sidewalk contractor or property owner needs to contact the City to schedule a sidewalk installation (pre-pour) inspection 2 hours prior to pouring any concrete.** A City inspector will review the layout and forms to ensure compliance with the minimum Sidewalk Installation Design Standards. Please remember that once sidewalk removal has occurred, barricades need to be installed for the safety of pedestrians until the new sidewalk is completed.

3. **Upon an approved installation (pre-pour) inspection the sidewalk may be poured and finished.** Following the concrete placement and finishing, the sidewalk should be backfilled with clean dirt and seeded. Sidewalk removal, replacement and backfill process should take place within a 7 day period of time.

4. **Once the sidewalk has been poured and finished, the forms removed, the sidewalk has been backfilled, grass seed applied to the disturbed areas, and any construction debris has been removed, a final inspection needs to occur.** Contact the City to report that the installation has been completed and a City inspector will review the property.

Inspections are available Monday – Friday 7:30 AM – 2:30 PM.

**SIDEWALK REPAIR & DESIGN INSTALLATION
STANDARDS**

1. The 4' wide public sidewalk thickness shall be 4" (minimum) of portland cement concrete, NOT LESS than 4000 psi concrete mix is required. Where the sidewalk crosses the driveway, the thickness shall be 6" (minimum) or the thickness of the driveway, whichever is greater.
2. Transverse or longitudinal expansion joints shall be installed whenever sidewalk is placed against a driveway and at property lines. Expansion joints shall also be placed along all sides of the driveway.
3. Expansion joints shall be constructed by installing a 1/2 inch thick strip of non-extruded, pre-molded joint material for the **full depth of the concrete**. Any expansion joint material protruding above the finished work shall be carefully trimmed to the level of the abutting concrete.
4. Contraction joints for sidewalks may be either sawed or formed by a hand jointer or groover tool with less than 1/2 inch width. In lieu of forming, joints may be sawed with a 1/8 inch blade saw to a depth of 1/3 the pavement thickness. The spacing of the contraction joints will equal the width of the sidewalk.
5. Sidewalk panels that contain a fault of 1" or greater and are without cracks, leveling may be an option. *Grinding of the fault area is not permitted.*
6. It is not an acceptable manner of repair to lay in a patch material. Filling, leveling or ramping of deficiencies with concrete or asphalt material is not an acceptable repair method and will not be allowed. Contact the City Inspector for more information.
7. Finish edges of sidewalk with an edging tool having a radius of approximately 1/2 inch. Broom the sidewalk surface with a soft broom at right angles to the side forms.
8. The contractor shall remove all the material which will be displaced by the sidewalk, including all soft, spongy and all vegetation or other perishable matter. Sidewalk sub-grade should be brought to a **firm unyielding surface** by tamping with a hand tamper weighting not less than fifty (50) pounds. Vibrating tampers will be permitted when granular sub-grade is used. **Compacted 1" road stone or approved equal is an acceptable granular sub-grade (sand is not acceptable).**

City Contacts: 515-223-6231
Public Works Department

515-223-6220 Ext 5085
Code Enforcement



CITY OF CLIVE
SIDEWALK REPAIR PERMIT

Complete and return to the City in the enclosed envelope.

Return to: City of Clive _____ Department
_____ NW _____th Street
Clive, Iowa 50325 DATE: _____

PROPERTY ADDRESS: _____

NAME OF PROPERTY OWNER: _____

DAYTIME PHONE: _____

ADDRESS OF PROPERTY OWNER: _____

(IF DIFFERENT THAN ABOVE) _____

I AM HIRING MY OWN CONTRACTOR

CONTRACTOR NAME: _____

ADDRESS/PHONE NO: _____

I REQUEST THE CITY TO PERFORM THE WORK AND BILL ME ACCORDINGLY

I AM PERFORMING THE WORK MYSELF

=====

SCOPE OF WORK:

RAISING PANEL REPLACING PANEL

OTHER/EXPLAIN

All work must be inspected and approved by _____. Call 515-223-_____ for inspections.

Please feel free to contact the _____ (515-223-62__) if you have any questions or need any additional information.