

Codified Ordinances: 660.05 and 1012.05

660.05 DUTY TO KEEP SIDEWALKS IN REPAIR AND CLEAN.

(a) No owner or occupant of lots or lands abutting any sidewalk, curb or gutter shall fail to keep the sidewalks, curbs and gutters in repair and free from snow, ice or any nuisance, and to remove from such sidewalks, curbs or gutters all snow and ice accumulated thereon within a reasonable time, which will ordinarily not exceed 12 hours after any storm during which the snow and ice has accumulated.

1012.05 SIDEWALK/CULVERT CONSTRUCTION POLICY.

(a) Existing Sidewalk Replacement. The City will maintain a record of citizen requests for sidewalk repair and, annually, will review the condition of all of the existing sidewalks within the City. Based on the approved capital budget for any given year, a priority list will be developed and funds will be spent on the replacement of sidewalks, in order of priority, until funds are exhausted. It shall be the City's general policy to replace all existing sidewalk with concrete, and the City will pay 100 percent of the cost of individual sidewalk replacement if concrete is used as the replacement material. The City will, however, replace existing sandstone sidewalks with new sandstone if an abutting property owner agrees to pay the cost difference between replacement with concrete sidewalk and sandstone sidewalk, in accordance with the procedure established below. In no event shall City funds be used to replace existing sandstone sidewalk with sandstone. When existing sandstone sidewalk is replaced, the abutting property owner, with respect to individual blocks of sandstone, will have the option to keep the removed sandstone for his or her own use, or to have the City dispose of the sandstone as it deems appropriate.

If a sidewalk replacement project involves existing sandstone sidewalk, the City will notify abutting property owners, as well as the Historic District Subcommittee of the City's Architectural and Historic Board of Review, following the award of a contract for the replacement work, but in advance of the construction work associated with the sidewalk replacement. Individual abutting property owners will have ten calendar days from the date of such notice to advise the City if any of those abutting property owners are willing to pay the cost difference between concrete sidewalk replacement and new sandstone sidewalk replacement with respect to the sidewalk abutting their respective properties.

In the case of sidewalk replacement projects that involve more than one abutting property, replacement need not be uniform. Individual abutting property owners may request and pay for replacement of sandstone sidewalk with sandstone, and others may elect to have their abutting sandstone sidewalks replaced with concrete.

The City shall require all expressions of interest in replacing sandstone sidewalk with sandstone or declining the opportunity to be submitted in writing. If an abutting property owner agrees to pay the additional cost of replacing sandstone with sandstone, he or she must make payment to the City in the appropriate amount, in cash or by check, prior to the commencement of construction of the sidewalk replacement project by the City. If such payment is not received by the City within the prescribed time frame, the City will proceed by replacing the existing sandstone sidewalk with concrete sidewalk.