

Title: Residential Sidewalk Improvement Program Policy

Effective Date: September 21, 2022

I. General Statement

This policy establishes a program for single-family and single-family attached residential sidewalk improvements. This program is not to be used for commercial or multi-family residential properties; commercial businesses and multi-family properties are responsible for 100% of the cost to make the sidewalks adjacent to their property safe.

The Sidewalk Improvement Program assists property owners in meeting their legal requirements ([City Code](#)) by helping identify and repair hazards, as well as providing technical and financial assistance (where applicable). If a sidewalk is incorporated into an approach/driveway but not properly defined, the City will consider this as driveway approach and the owner will be 100% responsible for all costs to resolve any hazards.

It is the policy of the City of Smithville to enter into a cost-share agreement with property owners within city limits to repair sidewalks.

Additionally, the City will be improving ADA sidewalk ramps, settlement by stormwater inlets, and connecting the gaps in sidewalks.

II. General Procedures

City staff will inspect sidewalks throughout the city to identify any hazards. A hazard is defined as a sidewalk that could cause a person to lose their footing, trip or fall.

Hazard examples include:

- A vertical deflection of ½" or greater
- A gap or opening between concrete panels or a crack of ½" or wider
- Excessive spalling, cracking or delamination of the surface that could cause an uneven surface
- An area where the sidewalk panels have pushed up or settled downward
- Overgrowth in adjacent vegetation or excessive vegetation growing in cracks
- Excessive cross slope

When a hazard is identified, the location will be mapped, and a photo will be taken of the hazard. Property owners will have three options for how to proceed with resolving the hazard.

1. The Property Owner can perform a self-repair, a permit is required for this work.
2. The Property Owner can hire a contractor that has a business license with the City of Smithville, and a permit is required for this work.
3. The Property Owner can participate in the City's Sidewalk Improvement Program.

To fix the hazard, the City will have a contractor supply the materials and labor for the repair. This will be a 50/50 cost-share between the City and the Property Owner.

City staff utilizes a rating system to identify priority sidewalk routes for inspection and repair. Sidewalk conditions will be reported on the City's Geographic Information System (GIS) Map. On an annual basis, City staff will provide recommendations for the areas of sidewalk improvements to the Board of Aldermen each year.

If they would like to, property owners can hire a contractor or perform self-repairs prior to the self-repair deadline. If repairs are not made by the self-repair deadline, the City's selected contractor will perform the repairs and the property owner will be billed.

A hazard caused by City-owned infrastructure (manholes, storm sewers, etc.) will be repaired by the city. Property owners will not be charged for these repairs.

Properties will receive a door hanger at the property with a brochure that provides more information about the program, and how to enroll in the program. If the property is a rental, tenants should give the information to the property owner.

Property owners will receive a notification letter, inspection report with photos, and a reminder letter.

If the property owner selects for self-repair, they must coordinate with City staff for inspection following the completion of repairs. Should the repairs not pass inspection, the property owner would be required to do further maintenance until the sidewalk meets specifications. These repairs are not eligible for program benefits, including the contract pricing, financial assistance, or warranty.

III. Financial Assistance

Financial Assistance is available for qualifying property owners who enroll in the sidewalk program.

The City will fund 100% of the repair costs for residential owner-occupied single-family properties that meet the income threshold of 80% of the area Median Family Income based upon the 2020 Census. Applicants must submit a completed application and proof of income to the City in order to receive the financial assistance.

IV. Schedule

The City will send letters in February of each year to affected property owners. The letters will include the estimated cost for repair, and necessary steps to enroll in the program. Property owners will have 30 days to notify the City their intention to enroll in the program, repair the sidewalk themselves, or hire a contractor to perform the work. Property owners who elect to not enroll in the program will not be eligible for the City's program benefits, including the contracting pricing, financial assistance, or warranty. Non-program participants will have 60 days to fix the sidewalk hazard.