



## CITY COUNCIL REPORT

January 15, 2007

TO: Phillip L. Nelson, City Manager

FROM: Brian Murphy, Assistant City Manager/Services  
Timothy Richnak, Public Works Director

SUBJECT: Sidewalk Maintenance Program

### Background:

- The City of Troy's initial sidewalk maintenance program provided for repair of scattered locations. During this period the majority of subdivisions in the City of Troy did not have sidewalks. Subdivision development in the City of Troy from the mid 1970's to the mid 1980's significantly increased the miles of sidewalks requiring maintenance.
- In 1988 the City of Troy revised the sidewalk maintenance program from repair of scattered locations to inspection of entire subdivisions based on age plus scattered locations. The scattered locations were of a nature that they could not be temporarily patched pending a future subdivision-wide sidewalk maintenance program.
- In 2003 the sidewalk maintenance program was revised into a program based on multiple adjacent sections. The City of Troy was divided into 12 program years for sidewalks as part of the internal local road system. The sidewalk system for sidewalks on the mile or major road system was divided into 6 program years. The decision to provide a 6 year program on the mile or major road system was based on the significant construction and infrastructure activities on these roads. Scattered locations of a nature that cannot be temporarily patched pending a future program are still added to each program year. The 12 year program of local road sidewalks and the 6 year program for major road sidewalks are delineated in attachment (A).
- Additionally at the completion of each local road sidewalk program year we review the Americans with Disabilities Act requirements and make additional changes to the ramps and locations of ramps. When new sidewalks or walkways are built or altered, they must contain curb ramps or sloped areas wherever they intersect with streets or roads. Resurfacing a street or sidewalk is considered an alteration for these purposes. See attachment (B). Specific areas that are reviewed include removal of sidewalks that end at a street with no sidewalk access on the opposite side of the street and sidewalks that end at a street and have a driveway on the opposite side of the street. Driveway approaches do not qualify under ADA as approved sidewalk curb cuts. See Attachment (C).
- In 2005 the City of Troy adopted the policy that if a residential property owner met HUD income guidelines, the City at large would cover their cost of sidewalk replacement and repair.

### Financial Considerations:

- Prior to each program year, inspections occur in order to request budget funding to complete the sidewalk maintenance program work for the program year that falls in the corresponding budget year.
- The City of Troy and the adjacent property owner share financial responsibility as outlined in attachment (D).

### Legal Considerations:

- These programs were developed to reduce liability to residents and the City as a whole and to abide by all applicable laws. The sidewalk maintenance program is reviewed annually.

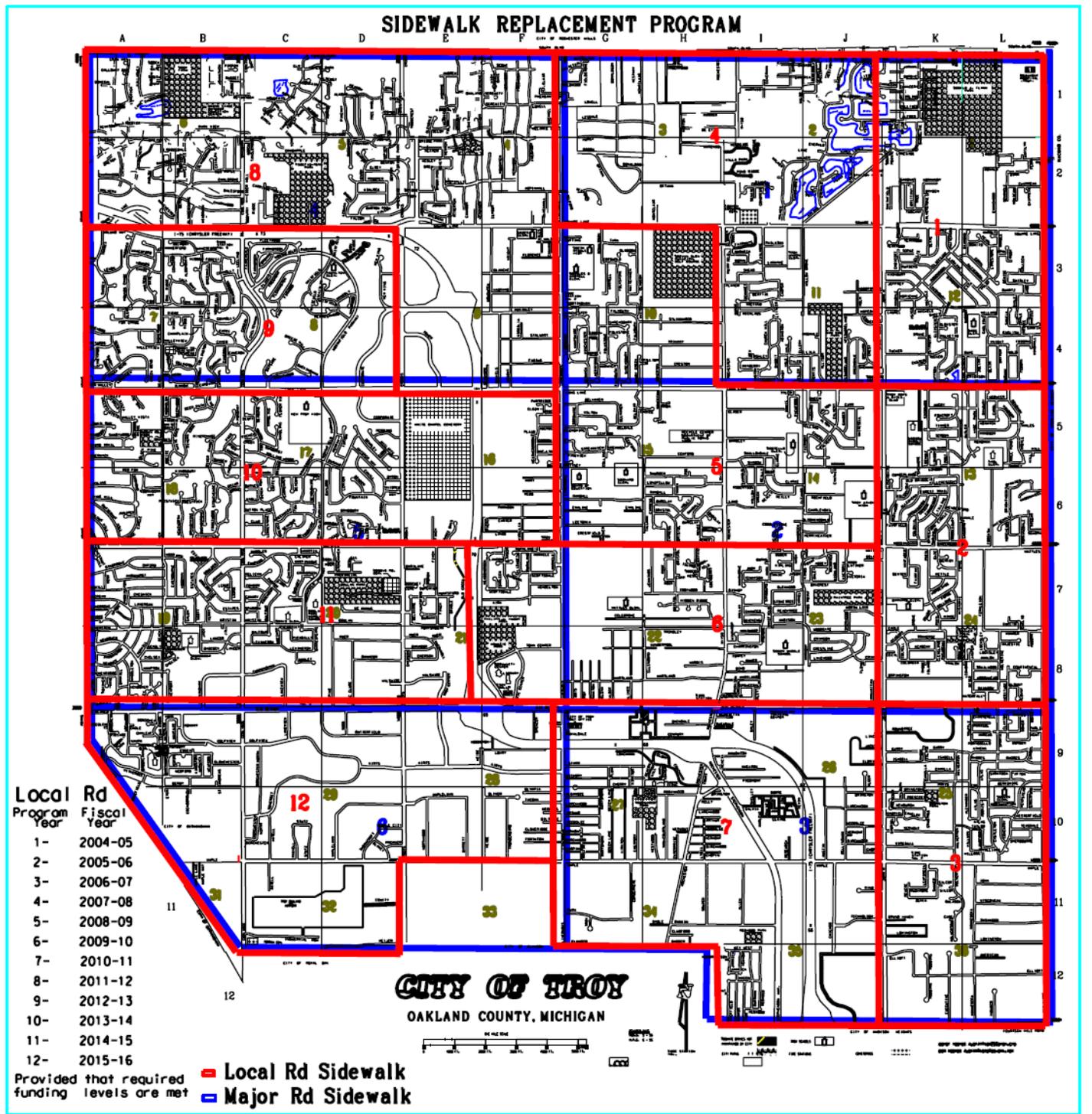
### Policy Considerations:

- Creatively and maintain and improve public infrastructure (Goal IV)
- Protect Life and Property (Goal VI)

### Options:

- No options, this is an informational report only.

Attachment (A)





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## The ADA and City Governments: Common Problems

### Issue: Curb Ramps

#### Common Problem:

City governments often do not provide necessary curb ramps to ensure that people with disabilities can travel throughout the city in a safe and convenient manner.

#### Result:

Without the required curb ramps, sidewalk travel in urban areas is dangerous, difficult, and in some cases impossible for people who use wheelchairs, scooters, and other mobility aids. Curb ramps allow people with mobility impairments to gain access to the sidewalks and to pass through center islands in streets. Otherwise, these individuals are forced to travel in streets and roadways and are put in danger or are prevented from reaching their destination.

#### Requirement:

When streets and roads are newly built or altered, they must have ramps wherever there are curbs or other barriers to entry from a pedestrian walkway. *Likewise, when new sidewalks or walkways are built or altered, they must contain curb ramps or sloped areas wherever they intersect with streets or roads. While resurfacing a street or sidewalk is considered an alteration for these purposes, filling in potholes alone will not*

trigger the alterations requirements. At existing roads and sidewalks that have not been altered, however, city governments may choose to construct curb ramps at every point where a pedestrian walkway intersects a curb, but they are not necessarily required to do so. Under program access, alternative routes to buildings that make use of existing curb ramps may be acceptable where people with disabilities must only travel a marginally longer route.

Attachment (C)



Example of a sidewalk that use to lead into the street that has a driveway on the opposite side of the street. The driveway is not an approved curb cut for pedestrian traffic.



This is an example of a sidewalk that entered into a roadway that does not have an access sidewalk on the opposite side of the street. In these cases during the following construction season approved sidewalks and curb cuts will be installed on both sides of the street.



This is an example of a sidewalk that entered into a major roadway (Square Lake Road) that does not have an access sidewalk on the opposite side of the street or a marked crosswalk.

***Will the City's Contractor replace any dirt or grass if needed?***

**Yes.** Part of the sidewalk repair contract includes repair and replacement of all landscaping that is disturbed by the removal and replacement of sidewalk slabs.

***Is the City's contractor insured?***

**Yes.** The City's contract requires that they be INSURED AND BONDED.

***Am I protected against vandalism and damage?***

After the walk is poured, the contractor will be present for a few hours as it sets. The property owner is asked to keep an eye on the sidewalk for a day or two afterward, and to inform the City if any damage or vandalism is done.

In the past, the most common problem with sidewalks has been spalling. This is a damage which occurs to the surface of the newly poured sidewalk during the winter months due to the use of salt. The City's contractor will spray a curing compound on the sidewalk to help prevent this problem from occurring. It is, however, a good idea not to use salt on your newly poured sidewalks during the first winter. A number of non-salt, de-icing products are available at local retail outlets.

***How will I know if the work is completed correctly?***

City inspectors will check and correct all work performed by its contractor before any payment is made. The city suggests that you do the same and inspect all work that you contract out personally.

If you do hire your own contractor, you may want to request the items below for a quality job:

- The use of 6-sack concrete.
- A broom finish.
- They resod grass areas that die out because of the sidewalk repair.
- They apply curing compound after the cement is finished.
- Expansion strips be placed every 50ft. of newly poured continuous sidewalk.
- Expansion strips be placed at the back of the curb and front edge of the sidewalks adjacent to each driveway approach, and service walk.
- Sidewalk must be 4" thick and not less than 6" thick at any driveway crossing.
- Driveway approaches must be 6" thick.

**For further information you can contact The Public Works Department.**

**at: 524-3595 or 524-3502  
Mon.-Fri. (8:00 am to 4:00 pm.)**

**CITY OF TROY  
SIDEWALK PROGRAM**



The following information will be helpful in understanding how the Sidewalk Replacement Program works.

***Does the City of Troy need a Sidewalk Replacement Program?***

The City of Troy is fortunate to have a comprehensive network of sidewalks, paved streets, and driveway aprons for the use of pedestrians and vehicular traffic. However, pavement deteriorates in time and must be replaced. Some of the sidewalks and driveway aprons have fallen into disrepair creating several problems for our residents.

Our utmost concern is to alleviate the potential for pedestrian injuries due to tripping on uneven or broken sidewalks. The City must always be concerned with the safety of its residents. This program provides a safer sidewalk for pedestrians.

A maintenance program for sidewalks significantly reduces the possibility of any legal action being taken against our residents.

Most civil actions today name both the property owner and the municipality. If we can reduce the potential for legal action, it will help keep liability costs down.

#### **FREQUENTLY ASKED QUESTIONS:**

#### ***Who is responsible for sidewalk repair cost?***

The City will be responsible for the cost only when the following conditions exist:

- Damage caused by trees located in the street right-of-way.
- Damage caused by the City utilities but not utility trench settlement. **(Water/sewer)**
- Sidewalks located on the side street portion of the corner lot, other than those at a driveway crossing.
- Street intersection crosswalks and ramps.

The cost for sidewalk repair beyond these conditions is borne by the property owners. Such as, but not limited to: spalled, cracked, settlement and trip steps. Utility Trenches: water, sewer, Edison, gas, cable or private drains.

#### ***How does the program work?***

The City of Troy has an ongoing maintenance program. Every year sidewalks needing preventive maintenance are selected by the Public Works Department for replacement. The inspector marks these sidewalk blocks to show which specific areas need to be addressed. A notice to property owners is sent by mail to all properties which are in need of repair or replacement. As the notice indicates, there is a specific deadline date by which the property owner has to repair or replace the sidewalk as marked. If the repairs have not been made by the deadline date, the City will cause the work to be done by a contractor hired by the City. Following completion of the work the property owner will be billed by the City.

#### ***How can I arrange for the City's contractor to repair my sidewalk?***

If you want the City's contractor to make the necessary repairs to your sidewalk, please sign and return the notice before the deadline date. This will automatically put you on the City's contractor repair list. The cost would be the same as explained in the notice.

#### ***Can I hire the City's contractor for additional private work ?***

**Yes.** You can hire the City's contractor for additional private work by having your own contract or private agreement with him. The City will not be involved or responsible for any of this additional private repair.

#### ***Do I have to use the City's contractor?***

**No.** You can make the necessary repairs to your sidewalks yourself or you may hire any licensed contractor you choose to make the repair for you. Any sidewalk or driveway approach replacement larger than 50 sq. ft. requires a permit from the Building Department. The inspection will be made by the Public Works Department.

#### ***Is leveling permitted?***

**Yes.** You may level any concrete block that is not cracked, shattered, or severely spalled (deteriorated surface).

#### ***What is concrete leveling?***

It is a procedure that remedies a number of subsurface problems by injecting a special compound mixture through small, precisely placed holes drilled in the concrete. This procedure fills all voids under the concrete and raises the slabs to the original grade while stabilizing and increasing the load bearing ability of the concrete.

#### ***Why concrete leveling?***

Concrete leveling offers these benefits:

- Repairs are quick with little inconvenience.
- Repaired surface may be driven on immediately.
- Repairs maintain the original color (shade) of concrete.