



City of Lodi Sidewalk Policy

PURPOSE

This policy is intended to establish guidelines for the installation of new sidewalks and the replacement of existing sidewalks in the City of Lodi and to document the methodology to be used to assess the costs associated with new sidewalk construction and sidewalk replacement to the abutting property owner, and enable the City of Lodi to ensure the orderly and harmonious development of a city-wide sidewalk system to safeguard the public's health, safety and general welfare. However, when the strict application of those standards or requirements imposes unreasonable restrictions because of natural or physical conditions or limitations not created by the property owner, the Council may waive the requirement for sidewalks pursuant to the following definitions, rules, requirements, eligibility criteria and specific design standards.

Except as otherwise stated in this policy it is the goal of the City to have curb, gutter and sidewalks on both sides on all existing and future streets for the benefit of the citizens.

Installation of new and replacement of existing sidewalk shall be considered during the reconstruction of City street projects. By installing sidewalks at the time of street reconstruction a more economical sidewalk can be installed resulting in a savings to the property owner while preserving the integrity of the existing street and associated infrastructure.

DEFINITIONS

The following definitions, rules and requirements shall apply when considering and processing waiver requests for sidewalk installation because of substantial hardship or unreasonable restrictions caused by natural or physical conditions or limitations:

Utility facilities include, but are not limited to, electric power poles, guy wires, anchors, underground electric, water lines, meter pits, hydrants, gas lines, fiber optic lines, cable lines and telephone lines and appurtenances to the aforementioned utility facilities.

Multi-use Trail refers to a trail where non-motorized vehicles such as bicycles, rollerblades, and pedestrians are allowed.

High volume sidewalk refers to any sidewalk adjacent to a high volume road (greater than 500 cars per day.)

Damage to a tree means the cutting of any limbs, the trunk or roots within a distance from the trunk that is 2.5 times the diameter (as measured two feet (2') above the ground) of the tree's trunk to such an extent that it is unreasonable to believe that the tree will live.

Street Reconstruction means work done on a section of street that is considered more than routine maintenance. Street reconstruction generally involves blocks or partial blocks of street. Types of reconstruction may be, but are not limited to, removal of asphalt and road base, full depth milling of asphalt, stabilization of road base with fly-ash or other structural components. Crack filling, seal coating and asphalt overlays are considered routine maintenance and not street reconstruction.

Three-sided lot means a lot where a public right-of-way exists on all three sides of the property.

STANDARDS

1. Sidewalks shall be four feet (4') wide unless designated as a multi-use trail or high-volume sidewalk and construction of concrete in accordance with the City concrete specification as adopted by the Public Works Director and/or City Engineer. All sidewalks shall be constructed with Portland Cement Concrete and be at least four inches (4") thick (six (6) inches thick at driveways) and at least four feet (4') wide. A Sidewalk shall have a longitudinal slope not exceeding one foot (1') per ten feet (10') and a tilt not exceeding one-half inch (1/2") per one foot (1').
2. A sidewalk through an existing concrete or asphaltic driveway may have a tilt not exceeding one inch (1") per one foot (1') where it passes through the driveway. Sidewalks that pass through a driveway and have a tilt exceeding one-half inch (1/2") per one foot (1') shall make a smooth transition to a tilt not exceeding one-half inch (1/2") per one foot (1') within eight feet (8') on either side of the driveway.
3. Sidewalks shall be installed through driveway sections to provide a uniform walking section and appearance. Thickness of the sidewalk through the driveway section shall be a minimum of six inches (6").
4. Sidewalks should, if possible, be parallel to the back of the curb.
5. Sidewalks shall be, if possible, installed no closer than four feet (4') from the back of the curb.
6. Sidewalks shall align and be of the same width as other sidewalks on the same side of the block.
7. Sidewalk elevations shall achieve a four percent (4%) downward slope from the property side of the sidewalk to the curb to the greatest extent possible.
8. Sidewalks shall have a minimum of ten feet (10') of overhead clearance.
9. All sidewalk installation plans shall be approved through the Department of Public Works before installation to ensure proper location of the sidewalk within the lot and to ensure all other requirements are met.
10. The sidewalk specifications for a particular project may require the removal of trees and landscaping encroachments. In situations where building encroachments or significant tree growth or other special circumstances exist, the sidewalk may be installed further from the property line at the City's discretion. An effort shall be made to conform in alignment with other sidewalks in the area.
11. Construction of sidewalks shall take into consideration street trees located near the sidewalk, and the preservation of the street trees. Damage to street trees shall be kept to a minimum in order to preserve the trees using the following guideline:
 - a. Removal and construction shall be done in a manner which prevents damage to tree branches, trunks and roots and prevents soil compaction
 - b. Roots requiring removal shall only be cut cleanly and sharply by hand
 - c. Root systems on the sidewalk or driveway side of the tree shall be cut no deeper than nine inches (9") below the finished grade of the new walk and not more than five inches (5") from the edge of the new walk or driveway

- d. Root systems on the curb side shall not be cut further back than the stated setback which varies depending on the tree. Curb excavation shall be allowed to a maximum depth of eighteen inches (18")

12. Certain sidewalk projects may require the construction of walls and other improvements.

13. Sidewalks shall typically be installed on street right-of-way one foot (1') from the property line.

SIDEWALK PRIORITIES

The City of Lodi hereby establishes the following priorities with respect to installation of new sidewalks:

1. Install sidewalks when part of a street reconstruction project
2. Install sidewalks on routes with high pedestrian volume leading to schools and City parks
3. Install sidewalks on areas of high traffic volume
4. Install sidewalks adjacent to or along any worn path in grass or dirt on City Property
5. Install sidewalks where blocks have partial sidewalks
6. Install sidewalks on streets where no sidewalks exist on their side of the block only when more than fifty percent (50%) of the property owners request the sidewalk

COSTS AND ASSESSMENTS

Assessment of Costs. Cost for new sidewalk construction and sidewalk replacement shall be assessed against abutting properties on a front foot basis. The assessed costs shall be calculated by combining the concrete costs, engineering, clearing and grubbing of trees and brush, excavation and preparation of the grade, sub-base material and turf restoration including labor and benefit costs. This combined cost will be calculated on a square foot basis to determine the front foot assessment cost.

Driveway restoration as required due to the installation of sidewalk will not be assessed provided the driveways are restored using similar materials to those existing prior to sidewalk installation. Enlargements or upgrades to the existing driveways shall be assessed at cost.

By resolution the City Council may apportion the cost of any sidewalk work between the City and the abutting property owner pursuant to City Ordinance and Wis. Stat. §66.0907(6).

Additional Costs for Special Provisions. The hilly terrain in the City of Lodi may require that retaining walls, steps or other special provisions be constructed as part of the sidewalk installation. To protect the property owner against the high costs of these special provisions the City of Lodi agrees to limit the total cost of the special assessment for sidewalk (i.e. sidewalks, walls, stairs, etc.) against any single property to 1.75 times the costs of the total sidewalk assessment for the parcel.

In the event that the property owner chooses to install the sidewalk and special conditions exist such as retaining wall construction, the property owner is eligible for a credit to apply against the cost of this added construction. The cost cannot exceed by more than 75% the cost of the sidewalk assessment had the City completed the work.

Retaining wall materials and construction shall be approved by the City's Engineer.

Excessive Costs. Should the costs of the sidewalk construction exceed three (3) times the cost of the contractor's square foot cost for sidewalk reconstruction as determined in the current year's maintenance bids, the project will usually be considered to be infeasible to undertake; however, the Council may determine that a project is so important that they may exceed this limit.

Property owners with multi-frontage lots will be responsible for all frontages.

Should street reconstruction projects require the replacement of sidewalk on a single property on more than one side of the property in less than three years from the previous reconstruction on the adjacent street, the property owner will only be assessed for the sidewalk included in the first reconstruction project.

Ownership Adjacent to Town Parcels. When a landowner owns land adjacent to town parcels and has a driveway that enters the street going to the town parcel, the property owner will be required to place sidewalk along the frontage of the street to a point that will access the driveway of the owner's parcel in question. Where there is no driveway it shall be at the discretion of the council where the sidewalk shall end.

Three-Sided Lots. In those areas where new sidewalks are to be installed, if a sidewalk is to be installed on a lot which has frontage on three sides, the property owner will be responsible for the frontage parallel to the street in front of the house and to the side of the property frontage. The City will pay for the initial sidewalk construction on the street that would be to the rear of the house. Future maintenance of all sidewalks shall be the responsibility of the property owner.

Procedure – New Sidewalk Installation. New sidewalk installation shall be coordinated by the Director of Public Works and/or City Council. Locations for new sidewalk shall generally conform to the City's sidewalk priority study unless special circumstances exist as determined by the City Council. Notices shall be mailed to property owners along streets slated to receive new sidewalk. This notice shall serve to notify the property owner that sidewalk will be installed and the assessments shall be levied against abutting properties. Special Assessment procedures shall conform to City Ordinances and applicable State Statutes.

City Owned Property. Whenever sidewalks are constructed on a street, all City owned parcels contiguous to the project will have sidewalk installed.

Handicap Ramps. On corners where handicap ramps are present, property owners will not be assessed the cost of repair for the handicap ramp. This does not apply to new subdivisions.

New Building Construction. Sidewalks will be installed prior to an occupancy permit being issued for all new building construction in the extent required by City Ordinance CH 295-4 or Subdivision Agreement. Dependent upon time of year of new building construction, occupancy permits may be issued prior to sidewalk installation. Structures receiving occupancy permits between November 1st and December 31st shall install sidewalks by June 30th of the next year. Structures receiving occupancy permits between January 1st and May 30th shall be required to have sidewalks installed by June 30th of the same year.

New Subdivision. Sidewalks shall be installed as provided in the subdivision agreements. Developer agrees to construct and install, at Developer's sole expense, all required sidewalks in accordance with the City's sidewalk standards and specifications.

Sidewalks shall be constructed on both sides of each street within the Subdivision. As to each subsequent phase, sidewalks shall be installed as provided in supplemental development plan to be submitted for approval by the City. The sidewalk required along any lot within the Subdivision shall be installed at the same time curb and gutter is installed and shall be installed in accordance with the construction schedule submitted and approved by the City Engineer.

In all cases, sidewalks must be constructed for each individual lot within the Subdivision before an occupancy permit will be issued for said lot. All sidewalks in the Subdivision shall be subject to acceptance of ownership and dedication and to the letter of credit provisions.

Maintenance of Existing Sidewalks. Existing sidewalks in the City shall be inspected at least once every five (5) years. The Director of Public Works or his/her designee shall provide a maintenance report to the Common Council annually by the last scheduled meeting in April with recommendations for sidewalk repair.

Procedure – Sidewalk Repair and Replacement. As provided by City Ordinance CH. 295-2, No person shall hereafter lay, remove, replace or repair any sidewalk within the City unless he is under contract with the City to do such work or has obtained a permit from the building Inspector with approval by the Director of Public Works. The Public Works Director shall be notified and an inspection performed prior to pouring the sidewalk to approve the sidewalk location, grade line and forming.

Once the sidewalks are required to be replaced they will be marked by City Public Works Department staff. The abutting property owner will be notified that the replacement is required. The City or City's contractor will perform the work and assess the property owner accordingly.

As a guideline, it is the City's goal to endeavor to replace sidewalks in the following circumstances:

- Faulted at a joint or crack greater than $\frac{3}{4}$ inch
- Cracked into 3 or more pieces per panel or any single crack wider than $\frac{1}{2}$ inch
- Have a spalled (small crater-like holes deeper than $\frac{3}{8}$ inch) surface condition
- Have a cross slope greater than 1 inch in 1 foot that may cause ponding or icing conditions
- Have settling of 2 inches in 8 feet from normal profile line of the sidewalk so as to cause a differential in joint elevation of $\frac{1}{2}$ inch from one stone to the next
- Missing sidewalk or a sidewalk repair utilizing improper material not made of poured cementous concrete. Asphalt or brick are not approved materials.

After proper notification to the Public Works Department, sidewalks that may be interfered with by the result of a City street tree will be repaired after the Public Works Department trims the roots as necessary. Sidewalk sections that are in need of repair as a result of heaving due to street trees will not be assessed to the abutting property owner.

Drainage issues that allow ice or water buildup making the sidewalk a hazard shall be noted and recommended for repair.

Sidewalk sections marked for replacement shall be completely removed and replace. Surface grouting and grinding shall not be allowed.