



City of Hutchinson
Public Works Department

Sidewalk Policy

Construction, Repair and Maintenance

According to City Code §90, it is the property owner’s responsibility to keep and maintain sidewalks abutting their property. The City of Hutchinson has developed this policy in an effort toward consistent quality, and to provide for periodic review and maintenance of the City’s sidewalk network. Under this policy, the City provides services at its discretion. These services may exceed those required by the City Code. This policy and any related action by the City Council or staff are not intended to reduce the responsibility of the abutting property owner. The City reserves the right to enforce the requirements of the City Code (specifically §90). The City also reserves the right to deviate from this policy at any time and for any reason determined to be in the best interest of the City.

Throughout this document, the term ‘sidewalk’ includes sidewalks, trails, walkways and related appurtenances.

I. Abutting Property Owner Obligation: As noted in §90 of the City Code:

“It is the primary responsibility of the owner of property upon which there is abutting sidewalk to keep and maintain such sidewalk in safe and serviceable condition.”

Sidewalk users and abutting property owners are encouraged to report sidewalks that are in disrepair to the Public Works Department.

II. Priority Criteria: The City intends to make provisions for sidewalks on or adjacent to public roadways and in public rights-of-way in a systematic manner. Priority is given to routes meeting the following criteria:

- a) Routes connecting to the Luce Line Trail and major destinations (for example; major employers, downtown business district, business centers, schools, recreational facilities, and other commonly used public facilities)
- b) Major commercial areas where pedestrian traffic is essential.
- c) Along arterial routes.
- d) Other areas identified by the City.

III. Periodic, on-going inspections of sidewalk conditions may be conducted in order to identify and initiate repair and maintenance projects. Inspections may be initiated upon receipt of information from outside sources or be scheduled using volunteers or City staff. The general policy for prioritizing repair and maintenance projects is as follows:

- a) Vertical deflections of over $\frac{3}{4}$ " identified during inspections have the highest priority for repairs. Insofar as is practical, considering resource constraints, the City shall include these areas in interim repairs and/or have these identified locations repaired during the next repair project.
- b) Vertical deflections between $\frac{1}{2}$ " and $\frac{3}{4}$ " identified during periodic inspections are reviewed for inclusion in future repair projects. Locations not included in the next repair project will be considered for future projects and/or be included in interim repairs.
- c) Vertical deflections of less than $\frac{1}{2}$ " will not generally be included in inspection reports unless the inspector determines that the location has a high potential for exceeding these criteria in the near future.
- d) Horizontal deflections, pitting and cracking will be analyzed on a case-by-case basis.
- e) Interim repair procedures, such as grinding, bituminous patching, etc., may be utilized in any situation to improve the safety of the sidewalk before being repaired or replaced. These interim repairs are prioritized based on Section I criteria and available resources.

IV. Sidewalk Removal: Sidewalks in disrepair that do not connect to other significant sidewalks, and are not on routes identified by the City may be removed and the right-of-way restored to turf.

V. Installation/Reconstruction/Significant Repair Cost: The City may agree, at its discretion, to pay for any portion of the installation, reconstruction or significant repair cost. The costs of sidewalk installations, reconstruction, and significant repairs within rights-of-way will generally be assigned in the following manner:

- a) The installation, reconstruction or significant repair of sidewalks on routes identified and approved by the City Council and/or listed in the Capital Improvement Plan will generally be assessed to adjacent property owners. Assessments are generally based on front footage, or are calculated in a manner otherwise prescribed by the City Council, or by a subdivision agreement.
- b) The entire cost of sidewalk installation, reconstruction or significant repair of sidewalks abutting properties requesting them, or required by ordinance or agreement to have them, is generally assessed to adjacent property owners. Assessments are generally based on front footage, or are calculated in a manner otherwise prescribed by the City Council, or by a subdivision agreement.

VI. Removal, Maintenance and Minor Repair Cost: The City may agree, at its discretion, to pay for any portion of the removal, maintenance and minor repair cost. The City does not intend to bill or assess for maintenance and minor repairs in cases where repairs include less than 33% of the front footage of a property. This is done at the City's discretion with the intent of reducing administrative costs related to billing and/or assessing small amounts. The costs of sidewalk removal, maintenance, and minor repairs within rights-of-way will generally be assigned in the following manner:

- a) The cost of removing sidewalks, rough grading the area, and providing topsoil and seed is generally the expense of the City. The cost of completing final turf restoration in disturbed areas is generally the abutting property owner's responsibility.
- b) Maintenance and minor repairs, in general, will be completed at the City's cost. Maintenance and minor repairs include the intermittent replacement or repair of single panels or other improvements over areas less than 33% of a property's front footage, in which the cost of assessing the repair is determined to be high. This work is done at the discretion of the City, which maintains the right to bill or assess for repairs.
- c) Maintenance and minor repairs which exceed 33% of the sidewalk frontage area of an abutting property will generally be billed to the abutting property owner upon completion of the repair. Unpaid bills will be assessed to the property.
- d) Abutting property owners may coordinate replacement of private driveway panels or private access ways adjacent to a City maintenance project. Replacements of private driveway panels or private access ways are the responsibility of the property owner.
- e) If the City determines that the activities of, or negligence of abutting property owners damaged sidewalks, the abutting property owner is responsible for repair. Property owners may complete repairs on their own, provided they are inspected and approved by City staff. If the City initiates the repair, the entire cost of restoring the sidewalk will be billed to the abutting property owner. Unpaid bills will be assessed to the property.

VI. Snow Removal: It is the responsibility of the abutting property owner, using due diligence, to keep sidewalks clear for pedestrian travel.

There are certain sidewalks, identified by the City, which may receive some snow removal services from City staff and equipment. These services are provided at the City's discretion and do not relieve property owners of their responsibilities.

Snow remaining on sidewalks 24 hours after snow has stopped falling is a public nuisance. Property owners will be notified that their property is in violation. Beginning 12 hours after notification, City crews and/or its contractors may clean sidewalks and bill abutting property owners for that service. Unpaid bills will be assessed to the property.