

RESOLUTION NO. 2013-07

A RESOLUTION ESTABLISHING A POLICY FOR SIDEWALK IMPROVEMENTS WITHIN THE PUBLIC RIGHT OF WAYS OF PRICE CITY

WHEREAS, Price City (City) is desirous of adopting a policy perspective, policy, policy guidelines, procedures and applications establishing a sidewalk improvement program relating to the design, construction, maintenance, repair and replacement of sidewalks within the public right of ways in Price City.

NOW THEREFORE, BE IT RESOLVED by the Price City Council as follows:

Section 1 – Policy Perspective:

Permanent hard surfaced concrete sidewalk improvements in the public right of way are desirable.

Section 2 – Policy:

Sidewalks shall be established for passage of pedestrians and for vehicles used by disabled persons. A sidewalk program shall be established governing the installation and maintenance of sidewalks including, but not limited to the following components:

- A) Location, type and standards for sidewalks;
- B) Ownership, oversight and responsibility for sidewalks and abutting improvements;
- C) Construction, maintenance, repair and replacement of sidewalks; and
- D) a City sponsored Concrete Replacement Program

Section 3 – Policy Guidelines:

A. Location, type and standards for sidewalks:

1. Sidewalks are required within the public right of ways and shall run parallel to the street, intersecting at corners.
2. Special districts may be created in which alternative sidewalk alignments, materials, patterns and textures can be used. Designated sidewalks, approved pathways, or alternative designs, may be considered in lieu of customary or standard sidewalks and may be constructed and maintained within special districts, under alternative oversight or conditions of use; (i.e. parks, trails, pathways, crosswalks, historical areas).
3. Sidewalks shall be concrete unless approved otherwise by the Public Works Director or designee.
4. This policy does not include perpendicular or intersecting sidewalks or driveways, for private use. Intersecting access ramps, steps, porches, landings or railings to property entries that encroach into sidewalk alignments within the public right of ways shall not be allowed. Such

entries shall be recessed into the property. Pre-existing conditions may be allowed to continue providing they are maintained by the property owner and not expanded.

5. The design, construction and maintenance of sidewalk improvements shall adhere to the City's standards. See resource links at end of Section 3.

B. Ownership, oversight and responsibility of sidewalks and abutting improvements.

1. Sidewalks constructed within the public right of ways, that run parallel to the street, shall be considered a public improvement under ownership of the City for use by the general public and not reserved for private use unless approved otherwise.

2. The Public Works Department (Public Works) shall have oversight of sidewalks with respect to planning, alignment, design, placement, construction, inspection, operation, repair, replacement and maintenance.

3. Public Works shall repair or replace street corner sidewalks, where the property lines intersect, ramps, detectable warning surfaces and other improvements such as: curb, gutter, catch basins, valve rings, manhole rings and water ways.

4. The property owner or occupant adjacent to the public right of way, where the sidewalks run parallel to the street including frontages, side lot lines and rear lot lines, shall:

- a) monitor the sidewalks that border said property boundary with respect to surface condition and maintenance to allow safe un-obstructed passage;
- b) correct deficiencies and hazards in the sidewalk due to spalling, cracking, heaving and settling that could cause slipping, tripping and falling;
- c) repair, remove and replace defective sidewalk;
- d) remove hail, snow, sleet, dirt, leaves, limbs, debris and objects (such as toys, bicycles and construction materials etc.) from the sidewalks. Vehicles, equipment or stockpiled materials shall not be parked or placed on sidewalks;
- e) be responsible for new installation, repair or replacement of sidewalks;
- f) replace private sidewalks perpendicular to the public sidewalks and streets;
- g) repair or replace driveways, drive approaches, over-shot approaches, landscape planters, hard surfaced parkways, brick pavers, rock, curbing, decorative sidewalk, loading pads, mail box pads and similar improvements; and
- h) prune or remove plants, trees and other vegetation that have damaged or may damage or interfere with sidewalks or obstruct safe passage. Pruning and removal of vegetation shall be in accordance with the City's Forestry Program; See 'Resource Link' list at end of Section 3.

C. Construction, maintenance, repair and replacement of sidewalks:

1. Design plans, drawings and details regarding sidewalk installations shall be submitted to the City Engineer or designee for review and approval. All sidewalk improvements within the public right of way shall be designed, constructed, replaced and repaired in accordance with the standards of the American Public Works Association Utah Chapter, Americans with Disabilities Act, Manual on Uniform Traffic Control Devices, Blue Stakes, Price City Land Use

Management and Development Code and Price City Forestry Program Policy. See 'Resource Link' list at end of Section 3.

2. Slip, trip and fall hazards and other deficiencies in the sidewalk may be corrected by repair, removal, replacement, patching, cutting or grinding.
3. Drainage tubes may run under the sidewalk or run through the sidewalk so long as the tube is rectangular and the top is flush with the sidewalk surface.
4. Detectable (truncated) warning surfaces, that assist the physically disabled, shall be installed, as properties are developed or improvements made, in sidewalks at street corner crossing locations where the property lines intersect or at other crossing locations. Said warning surfaces shall be 'yellow' for commercial and schools and 'red' for residential.
5. Cleanouts, valves and manholes may be installed in sidewalks providing they are capped and have a smooth non-slip surface flush with the sidewalk finish, as approved by Public Works.
6. Sidewalk passage may be temporarily blocked due to construction, events or activities. At such times, the sidewalk shall be posted with appropriate traffic control barriers and signage, to include directional detour signs around said location(s) as approved by Public Works.

D. City sponsored Concrete Replacement Program:

1. The City may participate with the property owner in concrete sidewalk replacement through a program in which the property owner shall pay for the cost of improvement materials (concrete, gravel, geo-fabric, rebar, sprinklers and landscaping, etc.). The City may pay for labor or contracted work to install the improvement materials.
2. Public Works shall provide an application form regarding concrete sidewalk replacement. Public Works reserves the right to accept or reject any application in the best interest of the City. Public Works will determine the order of work and schedule for installation, subject to availability of manpower, equipment and funding.
3. When the City participates in the Concrete Replacement Program, Public Works shall determine whether repair, replacement, cutting and/or grinding is necessary.

Resource Links:

American Public Works Association (APWA), Utah Chapter; www.utah.apwa.net
Americans with Disabilities Act (ADA); www.ada.gov
Manual on Uniform Traffic Control Devices (MUTCD); www.mutcd.fhwa.dot.gov
Blue Stakes (BStk); www.bluestakes.org
Price City Land Use Management and Development (LUMD); www.priceutah.net
Price City Forestry Program Policy (FP); Resolution 2011-04 (Price City Recorder)

Section 4 – Procedure:

1. Property owner shall:
 - a. notify Public Works when there is a potential hazard or defect observed in the sidewalk; and
 - b. inform Public Works of owner's plan to remedy the hazard or defect.
2. Public Works may cut and grind slip, trip and fall sidewalk hazards that exceed ¼ inch in height (up to a maximum of two (2) inches in height), to assist the owner.
3. Property owners shall replace sidewalk that:
 - a. creates a lip greater than ¼ inch in height;
 - b. is broken, cracked, spalled or damaged;
 - c. has heaved through thermal expansion or geological uplift;
 - d. has heaved or pushed out of alignment from tree trunk and root growth; or
 - e. has sunk due to water leakage, drainage, ponding, flooding, unconsolidated fill, collapsible soils, erosion, excavation, backfill settlement, or other causes.
4. Property owners may obtain an application from the City (Price City Public Works Complex, 432 West 600 South, Price, Utah) requesting participation in the sidewalk replacement program. Upon receipt of an application and payment of participation costs, Public Works will schedule the work to be performed.
5. Public Works reserves the right to:
 - a. schedule the work so that it can be effectively completed while avoiding conflicts with other projects, weather and traffic; and
 - b. temporarily suspend the work and receipt of applications, subject to availability of manpower, equipment, and funding.

Section 5 – Application form:

The form of the Application for the sidewalk replacement program shall substantially conform to the format set forth in Exhibit "A", which is attached hereto and by this reference is made a part hereof.

Section 6 – Severability.

The provisions of this resolution and the provisions adopted or incorporated by reference are severable.

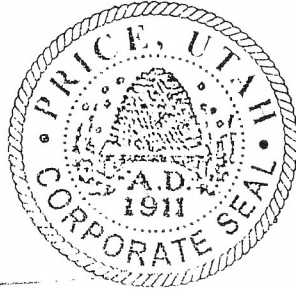
Section 7 – Repealer.

The provisions of other resolutions in conflict with this resolution and the provisions adopted or incorporated by reference are hereby repealed.

Section 8 – Effective date.

In the opinion of the City Council of Price City, it is necessary for the preservation of the peace, health, and safety of the City and the inhabitants thereof that this resolution take effect immediately.

PASSED AND ADOPTED by the City Council of Price City, State of Utah this 27 day of April, 2013.



PRICE MUNICIPAL CORPORATION

By _____

A handwritten signature in black ink, appearing to read "Joe L. Piccolo", written over a horizontal line.

Joe L. Piccolo, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Laurie Tryon", written over a horizontal line.

Laurie Tryon, City Recorder

This does not include any work in the parkway. The City does not do that work, it is up to the property owner.

We hope that does not cause you a problem.

Thank you for making application to have your sidewalk replaced.

EXHIBIT "A"

APPLICATION FOR CONCRETE SIDEWALK REPLACEMENT

Date: _____

Applicant: _____
Print Name *Signature*

Address: _____

Phone: Hm _____ Wk _____ Cell _____

Location of sidewalk work, address: _____ City _____ State: _____ zip: _____

Sidewalk Condition. Describe and include necessary pictures (attached):

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Estimate and Calculation of costs by City

Sidewalk width: _____

Sidewalk Length: _____

Existing subgrade: _____

Verify Sidewalk Condition: _____

Repair Remove Replace Cut & Grind

Conditions at the site: Dry Wet

Landscaping to be removed: Tree Flowers Grass Rock Mulch

Sprinkler System: Yes No

Other: _____

Is project eligible for participation in the Concrete Replacement Program: Yes No

If no what is the reason: _____

If yes, Estimated Cost of Materials: \$ _____ Estimated Time of work: _____

Applicant notified: Yes No

Applicant made Payment: Yes No If Yes, Date: _____ (cash, check, credit card)

Estimated Schedule for Work, Date: _____ (dependent on project scheduling and availability of man power, equipment & funds)

Authorized to proceed (City): _____ Date: _____