

WHY HAS MY SIDEWALK BEEN CHOSEN FOR REPAIR?

In 1976, the Monroe City Council adopted Ordinance 76-015, Section 2a as follows:

"No person shall allow any sidewalk which adjoins property owned by him to fall into a state of disrepair or be unsafe. If any owner shall neglect to keep and maintain the sidewalk along the front, rear, or side of the land owned by him in good repair and safe for the use of the public, said owner shall be liable to any injured party for damages sustained by reason of this failure to keep said sidewalk in good repair and safe for the use of the public. In any event said owner shall be liable to the City for damages recovered, if any, against the City sustained by any person by reason of said sidewalk being unsafe and out of repair".

A review of your sidewalk was completed as part of a city-wide multi-year sidewalk program. The intent of this program is to replace sidewalk requiring repair. Sidewalks need repair due to joint or crack displacement, missing pieces, water pocketing or surface deterioration.

HOW DO I DETERMINE WHICH SIDEWALK SECTIONS NEED REPAIR?

Inspectors from the Engineering Department have marked the sections that need replacement with orange paint. If damage to the sidewalk is caused by the root system of a City-owned tree, next to a

street intersection (ramps), or sunken by a City-owned main line utility (marked with a "C"), replacement is 100% City expense. If the sidewalk section(s) is broken up and/or sunken due to a water service trench settlement (marked with a "T"), the City will pay one-half (1/2) of the replacement cost. If marked with an "X", the necessary repairs are at the property owners expense. A written notice will be mailed to the last known address of the current property owner.

WHY MUST I PAY FOR SOME OF THE REPAIRS?

Property owners are responsible for the condition of the sidewalk abutting their property in nearly all cities, including Monroe. In fact, courts have held owners liable for injuries caused by defective walks.

MAY I MAKE THE REPAIRS MYSELF OR WITH MY OWN CONTRACTOR?

Yes, but first you or your contractor must apply for a permit from the City's Building Department if you are replacing *more than 50 square feet*. All work must be accomplished in accordance with the City of Monroe Sidewalk & Driveway Approach Specifications, available upon request. If you wish to also replace any walk marked with a "C" or "T" at the same time, please contact the Engineering Department first so that we can mail to you a letter of explanation for procedures to follow for reimbursement. **NOTE:** Work must be completed within the 30-day time limit. If the work is not completed by the time the City's contractor reaches your property,

the work will be performed by the City. **WHAT IF I WANT THE CITY TO DO THE WORK?** Do nothing. The City's Contractor will automatically do the work and you will be billed at a later date.

WHAT ABOUT REPAIRING THE DEFECTS MYSELF?

Patching of holes and chipped areas only will be allowed with permission of the Engineering Department. No patching of displaced (raised) joints or cracks will be approved. Patching may be used if the sidewalk can be returned to a safe condition using concrete patching compound (available at most hardware stores). Grinding down a raised edge or any method that permanently eliminates the sidewalk hazard is also allowed with permission. Generally, patches are temporary measures which often do not last through one season of Michigan's freeze/thaw cycle. If the area between the sidewalk and curb (terrace) is too high it may be cut down to alleviate drainage problems. The City's contractor will not do patches, only replacements. If the inspector finds that the patching is not satisfactory when the contractor reaches your property, the affected sections will be replaced.

WHAT HAPPENS IF I DO NOT DO THE WORK MYSELF?

The City will have a contractor do the work and you will be billed after all of the work in the program has been completed. If payment is not made the amount due will be placed on the next tax bill, including a penalty. Current replacement costs are approximately \$3.80 per square foot for 4" thick sidewalk and approximately \$4.24

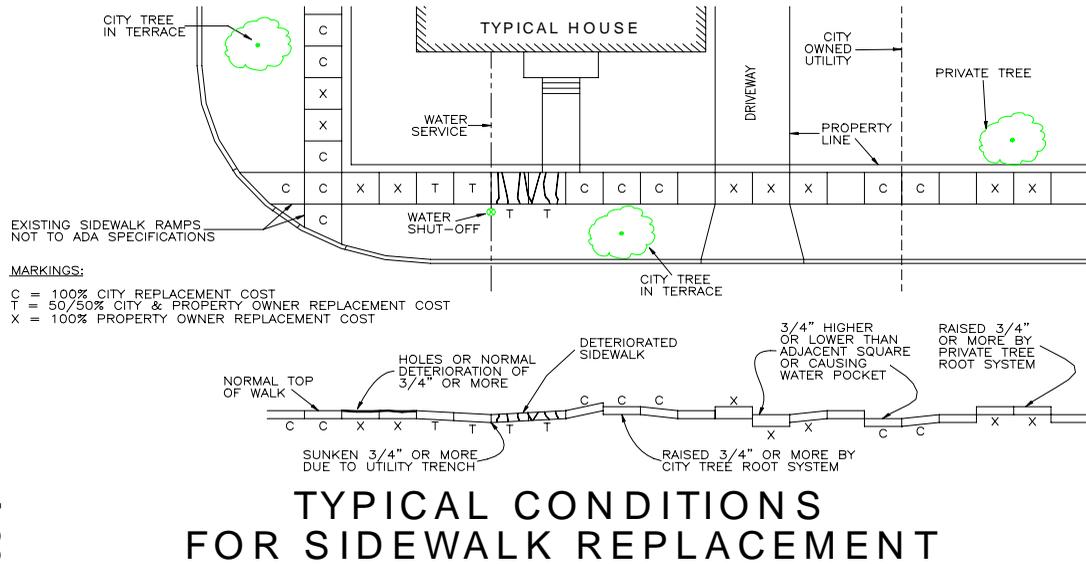
per square foot for 6" thick (driveway crossing) sidewalk. **NOTE:** These costs may change when bids are received for this year's project. You will be billed based on the exact square footage of sidewalk replaced. The City's contractor will use a 6 sack cement mixture for sidewalk replacements, guaranteed for one year only.

WHAT IF I DO NOT WANT MY SERVICE WALK REPLACED?

If marked, the replacement of your service walk (between street & sidewalk) is at your option. If you choose not to replace your service walk, you will be charged removal cost only and for the cost of backfill and seed. It is up to the property owner to grow grass. Home service walks (between sidewalk and house) will be marked only to ensure a safe transition to the main sidewalk. If you choose to replace your entire home service walk, this would fall under private work and a permit may be required.

MAY I HAVE PRIVATE WORK DONE BY THE CITY'S CONTRACTOR?

The contractor may elect to do private work, but is not obligated to do so. As with all private work, you and the contractor will negotiate the terms, including cost, permits and payment.



Fixing sidewalks to avoid suits

■ The City of Monroe is stepping up sidewalk repairs to forestall sidewalk-injury claims that have cost the city some \$330,000 since 1984.

By **ANDY HALLDORSON**
 Evening News staff writer

Second-best sidewalks just aren't safe in an increasingly litigious society, says City of Monroe engineering Director Donald A. Link.

In a presentation to the city council Monday, Mr. Link highlighted the city's \$337,000 1995 sidewalk repair program, which was approved by the council this winter.

The money needs to be spent because it's cheaper to fix sidewalks than to risk more slip 'n' fall lawsuits, he said.

Since 1984, the city has been stuck with paying about \$330,000 for 36 sidewalk-related claims, Mr. Link said.

Had that money been used for sidewalk repair instead, it could have fixed 27,000 lineal feet of city sidewalks, he said.

CITY OF MONROE

Statewide, sidewalk injuries are the most common liability claim that municipalities face, costing taxpayers millions every year, Mr. Link said.

In the City of Monroe, property owners carry the primary responsibility for sidewalks and also may be named in lawsuits, he said.

That's why the city plans to spend \$207,000 of its own money and assess property owners for an additional \$120,000 to upgrade sidewalks this summer. The repairs will be done in the long residential strip between N. Macomb St. and Maple Blvd. north to Cole Rd.

Only property owners in the area targeted for repairs will be assessed.

Mr. Link said it is the most ambitious sidewalk program the city has taken on in years.

Taking a section at a time, the city has been on a schedule to renew all city sidewalks on a 13-year cycle. But to forestall lawsuits, that cycle should be accelerated, Mr. Link said.

The city's program this summer is still

slightly under the targeted five-year pace, he said.

The city is sending out notices to property owners in the area targeted for repairs. Owners are expected to pay repair costs except where damage was caused by roots from city trees, or where the damaged sidewalk is next to a street intersection.

The city will split the cost of repairs resulting from sinking dirt over an underground utility trench.

City workers will be marking sections of sidewalks needing repairs. If a walk is spray-painted with an orange "C," the city will pay for the repairs. If painted with an "X," property owners are expected to pay.

Residents may call the city's engineering department to appeal the city's decision of who has to pay what. In addition, owners may choose to do repairs themselves rather than have the city do it.

Mr. Link said the city charges about \$3 a square foot for sidewalk repair. He said that is about \$1 less than what property owners probably would have to pay someone to do the work.

Do-it-yourselfers may be able to do it for \$2 a square foot, he said.

WHAT ABOUT TREE ROOT DAMAGE FROM A PRIVATELY-OWNED TREE?

This is the responsibility of the property owner. The City's contractor will remove tree roots when sidewalk repairs are performed. Root removal will not be an additional cost.

WILL MY LAWN NEED TO BE RESTORED AFTER THE WORK?

Within a short time it should restore itself. Usually only a few inches of sod adjacent to the defective sidewalk is removed or altered. This strip is filled with topsoil and seeded after the replacement. Sod will not be replaced at these areas by the City's contractor, in the interest of keeping repair costs to a minimum and because of the difficulty in matching the variety of lawns encountered. The adjacent grass normally spreads quickly to the edge of the walk.

WHOM DO I CALL IF I HAVE QUESTIONS?

All questions should be directed to the Department of Engineering. Office hours are between 8:00a.m. - 4:30 p.m., Monday thru Friday, telephone (734)384-9126.

City of Monroe
 Department of Engineering
 120 East First Street
 Monroe, Michigan 48161



City of Monroe

CITY-WIDE SIDEWALK PROGRAM

WHAT YOU SHOULD KNOW ABOUT YOUR SIDEWALKS

DEPARTMENT OF ENGINEERING

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