



Frequently Asked Questions: Sidewalk Repair and Reimbursement

A. SIDEWALK INSPECTION

1. What City or State Code applies to Sidewalk Repairs in Cedar Rapids

The State of Iowa and The City of Cedar Rapids both have codes / resolutions / policies that cover Sidewalk Repairs. Please contact the Sidewalk Department for a copy of the items listed below.

- Iowa Code Section 364.12
- Iowa Code Section 384.38
- Cedar Rapids Resolution No. 1008-07-14
- City of Cedar Rapids Sidewalk Repair and Reimbursement Policy, March 2015

2. Why is the City focusing on sidewalks?

The City is committed to a safe and accessible walking environment for all residents, and routine sidewalk maintenance plays a key role in this goal. The City's goal is to address the requirement of property owners to maintain their sidewalks; pedestrians have successfully won lawsuits brought against property owners in court for sidewalks not maintained properly.

3. How does City Staff determine which sidewalks are inspected.

There are 3 ways that City Staff are compelled to inspect a sidewalk.

1. Sidewalks in the City of Cedar Rapids are inspected on an 8 year cycle. Please see [SIDEWALK MAP](#) for the current cycle map.
2. A citizen submits a concern about a sidewalk to the Sidewalk Department.
3. Another department within the City of Cedar Rapids notifies the Sidewalk Department of a possible hazard on a sidewalk.

4. What is the Sidewalk Department looking for when inspecting sidewalk?

Criteria and explanation of markings on the sidewalk can be found at [SW handout Repairs](#). Guidelines and inspection criteria were developed based on the following standards:

- Title II of the Americans with Disabilities Act (ADA)
- Proposed Accessibility Guidelines for Pedestrian Facilities in the public Right-of-Way (PROWAG)
- A Guide for Maintaining Pedestrian Facilities for Enhanced Safety; US DOT Federal Highway Administration (FHWA)
- Iowa Statewide Urban Design and Specifications (SUDAS)

The Sidewalk Program Manager reserves the right to re-inspect and require action by the property owner for any issues that constitute a health or safety hazard. This includes the removal of tripping hazards such as cracking, buckling, or uneven sidewalk, and winter snow removal.

5. A City owned tree in the Right- of-Way may be responsible for pushing up the sidewalk panels at my property. Am I still responsible for the sidewalk repair?

Yes. Sidewalks damaged by tree roots fall under the general sidewalk repair category, and are the responsibility of the adjacent property owner.

6. Will I be notified if my sidewalk is inspected?

Yes. Inspectors will mark sidewalk panels with white paint. Within two weeks of inspection, you will receive a certified letter with details about the inspection, including the due date for the repair and the next steps to take in the process.

7. What do the markings on my sidewalk mean?

The City uses white paint to mark sidewalk repairs. Below are examples of markings and explanations. For more examples and information, go to [Property Owner Responsibility](#).



White lines with arrows and a number between them indicates the length of repair, and what panels need replaced.



A dotted white line indicates the approximate location of the property line



A straight white line with NO arrows indicates that the edge of the panel can be ground down (owner does NOT have to replace entire panel)

8. Is there an appeal process for the outcome of the sidewalk inspection?

A. Yes, owners can file an appeal to the sidewalk department. The appeal process is outlined below:

1. Owner should call (319) 286-5778 to file an appeal with the Sidewalk Program Manager. The owner may need to submit supporting photos and documents for review.
2. The Sidewalk Program Manager will meet with the owner to review on-site.
3. The Sidewalk Program Manager will make a determination at the time of the on-site meeting.
4. If the owner would like to make a final appeal, the appeal will be reviewed by the Capital Improvement Program Manager. All documents shall be submitted for review.
5. The Capital Improvement Program Manager will review and provide a final decision based on documents and background information. This is the final step in the appeal process.

B. SIDEWALK REPAIR

1. What are my options for repairing my sidewalk?

Property owners have 3 options for their sidewalk repair:

1. Owners can hire a private contractor to do the repairs.
 - a. Owners may hire any bonded contractor they choose.
 - i. If an owner needs help finding a contractor, a list of contractors who do sidewalk repair work is available at [Sidewalk Contractors 2023](#).
 - a. After repairs are finished and there is an approved final inspection by a public works inspector, owners are eligible for reimbursement by the city (see details in following questions for reimbursement amounts).
2. Owners can repair the sidewalk themselves.
 - a. Sidewalks must be built to City standards and all Right-of-Way permit conditions must be met. Failure to do so could lead to reconstruction and/or denial of reimbursement until the sidewalk is installed in compliance with City standards. The Sidewalk Information for Builders [Sidewalk Information for Builders](#) contains standard requirements, such as width, depth, and type of concrete that must be used.
 - b. After repairs are finished and there is an approved final inspection by a public works inspector, owners are eligible for reimbursement by the city (see details in following questions for reimbursement amounts).
3. Owners can have The City repair their sidewalk.
 - a. The City will add the property to a list of other properties and bid out a contract to a local contractor.
 - b. After the repairs, the owner will be sent an assessment for the repairs.
 - c. Financial Assistance is available to those who qualify, and have the City complete their repairs.

NOTE:

- *ALL public sidewalk work requires an Application for Right-Of-Way Permit be submitted by the Contractor or persons doing the work.*
- *The cost of the permit is \$50. Permits are typically issued within 3 business days if revisions aren't required.*
- *For more information or to submit a permit application, go to: https://www.cedar-rapids.org/local_government/departments_a_-_f/development_services/right-of-way_permits_working_in_the_right-of-way.php*

2. The roots from a City tree appear to be pushing up my sidewalk. How do I install new sidewalk without damaging the tree?

It is the City's policy to protect trees wherever possible. Typically, the sidewalk contractor can put a radius in the sidewalk to get around the roots butting into the walk – or they can trim down the roots to allow the panels to remain settled. If the owner or contractor is unsure as to how to prune or remove the roots, Forestry can observe when the panels are off and discuss it with them at that time. Please contact the Sidewalk Department to coordinate an on-site visit with a City Forester (319-286-5802).

3. I am in the process of selling my property. Do I need to Notify the new owner of the sidewalk repair?

Yes. Once a sidewalk has been marked by the Sidewalk Department for repair, it is considered a pending assessment. In Iowa property owners are required by law to disclose pending assessments.

4. My contractor or I received an approved ROW permit to repair my sidewalk. What happens next?

Once you have received an approved permit for work within the ROW, you or your contractor shall notify Public Works Inspectors at least 24 hours in advance of starting any work (*See permit for details on how to contact inspectors*).

All sidewalk work requires 2 construction inspections:

1. Initial inspection is to be done after forms are placed BUT before concrete is placed.
2. Second inspection is done after the concrete has been placed.

NOTE: Both inspections are required to pass for the repair to be eligible for reimbursement.

C. SIDEWALK REIMBURSEMENT

1. Am I eligible for reimbursement for my sidewalk repair?

A property owner is eligible for reimbursement of sidewalk marked by city staff if the property owner:

1. Hires a contractor bonded to work in the Public Right-of-Way OR
2. Performs the repairs themselves and meets all construction and permit requirements.

2. Does my sidewalk need to be inspected by City Staff in order to get a reimbursement?

Yes. Only sidewalk panels marked by City Staff are eligible for Reimbursement. Without knowing the original condition of the sidewalk, it's impossible to know what areas may have been eligible for reimbursement.

3. I would like to replace more sidewalk than was marked by the City. Will this additional sidewalk be eligible for reimbursement?

No. Only panels marked by the sidewalk department are eligible for reimbursement. If you would like to replace additional panels, please contact the Sidewalk Department to schedule a new inspection.

4. What if I want to replace all of my sidewalk?

When all sidewalk will be replaced along one or more sides of a property, all of the sidewalk planned for replacement must be 5' wide per current City policy. If you have specific questions related to your property, sidewalk, or driveway and the 5' width requirement, please contact the Sidewalk Department. Any reimbursement will be based only on the area marked during the original inspection (see answer C.3 for more information).

5. How is the reimbursement calculated?

Per the Sidewalk Policy, the reimbursement rate is 35% of the unit price as determined by the City Engineer. Starting in 2023, the unit price per square foot of sidewalk is set at \$12.00 per square foot (sf).

Example Calculation:

1. Number of panels marked by city staff and repaired by property owner: **5**
2. Panels measure **5 feet** by **5 feet** for a total of **25 square feet each**
3. **5 panels at 25 square feet each= 125 square feet total**
4. **125 sf x \$12 = \$1,500**
5. **35% of \$1500 is \$525**
6. Reimbursement will be **\$525 total**
 - a. **Note: The maximum reimbursement amount is \$1,000 per property**

6. What do I need to provide to get reimbursed?

In order to be get reimbursement, the following things must be completed and submitted to the sidewalk department:

1. Sidewalk must pass both the inspections, as detailed in answer B.4.
2. A completed *Application for Sidewalk Reimbursement* must be submitted via mail or email. Applications are available at LINK or you can call the Sidewalk Department at 319-286-5778 and we will mail you a hard copy.
 - a. **Reimbursement application must be submitted within 60 days of final inspection**
3. As part of the application, owners must submit:
 - a. A paid invoice from the contractor or
 - b. If owner did repairs themselves
 - i. A ticket from a batch plant showing the concrete mix used (C or M Mix from an Iowa DOT certified supplier),
 - ii. Receipt for eligible expenses such as curing compound, reinforcing steel, stone under paving, concrete disposal charges, tool rental and traffic control
 - iii. Reimbursement will not be made for tools that can be reused, backfill dirt and labor or fees from on-site work

Please Note: Reimbursement payments may take up to 8 weeks to process starting from the date of approved final inspection or submittal of reimbursement application, whichever is later.

D. SIDEWALK ASSESSMENT

1. I received the repair letter, and have decided that I want the City to do the repairs of my sidewalk, do I need to contact anyone to tell them this?

No. If you would like the City to repair your sidewalk, you do not have to take any action. The sidewalk department maintains a record of repairs, and if your repair is not completed by the deadline, your property will automatically be added to a contract.

2. Will I be assessed for the sidewalk repairs?

If the property owner does not complete the necessary corrections in the given time frame (indicated on the repair notification letter), the sidewalk will be repaired under City contract and assessed in accordance with the Sidewalk Repair and Reimbursement Policy.

For more information on Special Assessments, go to:https://www.cedar-rapids.org/local_government/departments_g_-_v/public_works/ch_5_assessments.php

3. When will I receive an assessment?

The Sidewalk Department is on roughly a 2 year cycle for repairs. For example, if your sidewalk was inspected and due in 2023, the earliest you would see an assessment is 2025. If your sidewalk is due 2024, the earliest you would see an assessment is in 2026.

Please note that the timeframes are subject to change based on the size of the contract, and other circumstances beyond the Sidewalk Department's control. For additional information specific to your property, please contact the Sidewalk Department.

4. When the City performs the repairs, are there other options for payment?

Current state code provides that if invoiced over \$500, you may defer paying in full and the City will provide the invoice to the Linn County Treasurer to add onto your property tax bill in 10 annual installments plus interest. Linn County currently charges 9% interest. However, when choosing this option, please be aware that this will show up as a lien against the property.

5. Can I pre-pay the assessment?

No. The City does not accept pre-payment of sidewalk assessments.

6. I am selling my home. Will I be responsible for the assessment if I am not the owner at the time the assessment is mailed out?

No. Assessments are levied against the property, not the individual, and the current property owner at the time when final assessments are issued is responsible for the assessment. Per Iowa Code, property owners are required to disclose any pending assessments when selling their property (see answer B3).