

**CITY OF CEDAR RAPIDS, IOWA**  
**SIDEWALK REPAIR AND REIMBURSEMENT POLICY**  
**MARCH 2015**

1. Iowa State Code 364.12 places the responsibility to repair sidewalks along the frontages of public streets on the abutting PROPERTY OWNER. When repair of the sidewalk is mandated by the City of Cedar Rapids, it shall be repaired and eligible for CITY reimbursement according to the policy herein.

2. EFFECTIVE DATE: March 24, 2015

All properties given official notice by the CITY prior to March 24, 2015 shall be reimbursed according to the policy in place prior to March 24, 2015.

Sidewalk Repairs may be performed by the following:

- a. CITY (or designee)
- b. PROPERTY OWNER
- c. CITY Bonded contractor
- d. CITY Bonded Franchise and non-franchise utility companies

3. POLICY DEFINITIONS:

A. PROPERTY OWNER: Owner of property abutting sidewalk within the public right-of-way.

B. CITY: The City of Cedar Rapids, Iowa.

C. CITY CONSTRUCTION REQUIREMENTS: CITY permitting, contractor bonding and licensing, construction standards and requirements, sidewalk design plan(s), inspection notification requirements, and timelines set forth by the Public Works Director/CITY Engineer, or designee.

D. CURB RAMP: the sloped transition section of sidewalk between the sidewalk along a public street frontage and street level including the flat pad at the top and/or bottom of the ramp.

E. GENERAL SIDEWALK REPAIR: Covers all types of damaged sidewalk, including sidewalks damaged by CITY owned trees, or sidewalk that is non-compliant with the Americans with Disabilities Act (ADA) standards. GENERAL SIDEWALK REPAIR also includes CURB RAMPS that are non-compliant with the ADA standards. (e.g., transverse and longitudinal slope issues, DETECTABLE WARNING PANELS, etc.) GENERAL SIDEWALK REPAIR does not include sidewalk damaged by CITY OWNED UTILITY MAIN.

F. PARCEL (LOT): For the purposes of this assessment policy, a PARCEL or lot is defined as the property as shown on a plat at time of final platting or, a tract or PARCEL of property identified by a PARCEL number, not previously platted. Lots, which have been consolidated or have the same owner(s) shall be treated as individual lots for the basis of repair and reimbursement calculations herein.

- G. CITY OWNED UTILITY MAIN: Public water, sanitary sewer, and storm sewer main lines that serve more than one property and are generally located within the right-of-way. Sanitary sewer services, water services and water service stop boxes are not considered CITY owned utility mains.
- H. PUBLIC STREET: A roadway owned and maintained by the CITY of Cedar Rapids, providing frontage for a PARCEL(S) of property as set forth in the CITY Zoning regulations.
- I. RIGHT-OF-WAY (ROW): The public RIGHT-OF-WAY includes the streets and the area of land between the street and the legal property line. The average distance between the property line and the edge of the street is 16 feet; however this distance is different for each property. By locating the property pins, an accurate property line location may be determined. If the property pins cannot be located, a licensed land surveyor can survey the legal description of the property.
- J. TOTAL SIDEWALK COST: Costs including design, surveying, property right(s) acquisition, construction costs of sidewalk, driveway, and all other related construction costs, construction administration, and assessment administration associated with planning and construction of a CITY sidewalk repair project, unless specifically excluded by this policy.
- K. DETECTABLE WARNING PANEL: Pre-formed panels embedded into CURB RAMPS, to assist visually impaired persons perceive the end of the sidewalk and the beginning of the street crossing. The domes are of specific dimension and pattern, specified in the Americans with Disabilities Act (ADA), and are required at all CURB RAMPS.

### Sidewalk Repaired by the Property Owner

The CITY offers a reimbursement for sidewalk repair completed by the PROPERTY OWNER or its designee. The City of Cedar Rapids Public Works Department will determine a unit price per square foot of sidewalk. This unit price will determine the rate at which the CITY will reimburse PROPERTY OWNERS for sidewalk repairs.

The table below shows the percentage of the unit price that the CITY will reimburse per square foot of sidewalk repaired.

<b>Sidewalk Repaired by the PROPERTY OWNER</b>		
Percentage of Unit Price Reimbursed by CITY per Square Foot		
Type of Repair	Sidewalks Up to 7.5' Wide	Maximum Reimbursement (In a 4 Year Period)
GENERAL SIDEWALK REPAIR	35%	\$1,000
CURB RAMPS	50%	No Maximum
DETECTABLE WARNING PANELS	100%	No Maximum
Repairs due to CITY OWNED UTILITY	100%	No Maximum

- Only sidewalk deemed in need of repair by the CITY are eligible for reimbursement.
- Reimbursement will be based on the square footage of sidewalk in need of repair that is removed and replaced.
- Reimbursement requests must be made within 60 days of repair. Reimbursements are made as funds are available, and required repairs must be completed within specified schedule, regardless of reimbursement fund availability.
- If sidewalk repair by PROPERTY OWNER does not comply with CITY CONSTRUCTION REQUIREMENTS, the CITY may decline reimbursement until non-compliant sidewalk is brought into compliance by the PROPERTY OWNER. The CITY may remove and replace non-compliant sidewalk and invoice PROPERTY OWNER for its replacement in accordance with CITY policy.
- Reimbursement may be withheld until an excavation in the RIGHT-OF-WAY permit is obtained.
- Reimbursements shall not exceed the amount invoiced for repair.
- Repair and reimbursement amounts for items other than sidewalk removal and replacement will be considered on a case by case basis (i.e. retaining walls, tree rings, etc.).

**Sidewalk Repaired by the CITY**

Sidewalk repairs that are not completed by the PROPERTY OWNER will be repaired by the CITY or its designee. Upon completion of the repair, the CITY will assess the costs associated with the repair to the PROPERTY OWNER.

The table below shows the percentage of the unit price that the CITY will pay per square foot of sidewalk repaired.

<b>Sidewalk Repaired by the CITY</b>		
Percentage of Unit Price Paid by CITY per Square Foot		
Type of Repair	Sidewalks Up to 7.5' Wide	Maximum CITY Participation (In a 4 Year Period)
GENERAL SIDEWALK REPAIR	0%	\$0
CURB RAMPS	50%	No Maximum
DETECTABLE WARNING PANELS	100%	No Maximum
Repairs due to CITY OWNED UTILITY	100%	No Maximum

- Upon completion of the repair, the PROPERTY OWNER will be assessed by the CITY for the total cost of the repair, as stated in the Iowa State Code.