

RESOLUTION NO. 681

A RESOLUTION OF THE CITY OF MOUNT VERNON, WASHINGTON, ADOPTING A SIDEWALK REPLACEMENT PROGRAM FOR THE REPAIR AND REPLACEMENT OF CITY PUBLIC SIDEWALKS TO ENSURE SAFE AND WELL MAINTAINED CITY SIDEWALKS.

WHEREAS, the City does not currently have a written policy for sidewalk replacement or repair; and

WHEREAS, 35.68 RCW, 35.69 RCW and 35.70 RCW enable the City to confer to the abutting property owner the cost for repair and maintenance of a public sidewalk; and

WHEREAS, the City Council supports an effective partnering between its citizens and the City in sharing the burden of sidewalk maintenance and repair; and

WHEREAS, safe and well maintained sidewalks promote the public health and attractiveness of the City, minimize risk of liability and aid in attracting citizens towards using foot travel as a means of travel.

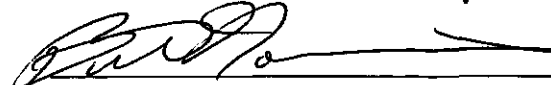
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOUNT VERNON:

That a new policy 1.00.00 for the Public Works Department Title, attached and incorporated hereto in its entirety, shall be adopted and followed in matters relating to the repair and replacement of sidewalks in the City of Mount Vernon.

Adopted at a regular meeting of the City Council of the City of Mount Vernon, Washington, held on April 27, 2005


DATED this 27th day of April, 2005

ACCEPTED BY:
CITY OF MOUNT VERNON




Bud Norris, Mayor

ATTEST:



Alicia Huschka, Finance Director

APPROVED TO FORM:



Kevin Rogerson, City Attorney

Operations--Sidewalk Replacement Program

POLICY

Effective Date:

See Also: Sidewalk Contract Form

POL – 1.00.0 SIDEWALK REPLACEMENT PROGRAM

This policy describes sidewalk repair and replacement practices.

1. Existing Sidewalk

Public sidewalk repair and maintenance is the responsibility of the abutting property owner, occupant or agent. However, the City has established this sidewalk replacement program to provide residential and business property owners the ability to have eligible sidewalks replaced by the City, provided the benefiting property owner(s) pays for the cost of materials.

A property owner(s) that desires to use this program should file a request with the Department of Public Works to remove and replace abutting public sidewalks that are in poor condition. In consideration of the City's performance, the abutting property owner(s) shall pay for the materials to construct the new sidewalk. The City shall not remove a sidewalk without a signed sidewalk contract by the abutting property owner(s).

2. Order of Work

The Public Works Director or designee shall determine the schedule, staging and/or prioritization for performing sidewalk work covered by this program based upon, but not limited to, these factors: the severity of safety hazards; volume of pedestrian traffic; visibility of condition; length of time that the condition has existed; and availability of City resources.

Depending upon the availability of City resources and the demand for program services, the time required for a sidewalk to be constructed may be a lengthy period. During this time period, the property owner(s) retains his/her normal responsibilities for the condition of the abutting public sidewalk. For this reason, the property owner(s) may need to perform temporary measures to mitigate sidewalk hazards.

3. Scope of Work

Work eligible to be performed by the City shall include all public sidewalks and sidewalk sections of driveways that are located on the City right of way or City easements. Work shall be solely for the purpose of repair and maintenance of existing sidewalks to a reasonably safe condition, or installation of new sidewalks when permitted under this program. Work shall not take place in areas outside the City right of way or easements, including, but not limited to, private residences or private commercial properties, except minor accessory work that is needed to match grades of the replaced sidewalk with existing ground and facilities.

4. Existing Curb and No Sidewalk

Conditions where there is an existing curb and no sidewalk abutting an existing developed property are eligible for installation of a new sidewalk using this program.

5. No existing Curb or Sidewalk

Conditions where there is no existing curb or sidewalk are not eligible for this program.