

CITY OF BEL AIRE

SIDEWALK REPLACEMENT PROGRAM

Fiscal Year 2024

I POLICY STATEMENT

The City of Bel Aire values pedestrian safety and walkability for its residents. K.S.A. 12-1808 of the Kansas Statutes mandate that property owners keep sidewalks in good repair. City Ordinance 11.3.25 speaks directly to sidewalks, replacement, and construction. For this reason, the Bel Aire City Council believes there is a benefit to all citizens for sidewalks to be in good condition. Therefore, this policy promotes sidewalk improvements and repairs by assisting property owners with such projects.

II PURPOSE

The purpose of this policy is to assist property owners with replacing sidewalks in disrepair. This policy establishes guidelines and requirements for monetary assistance of costs associated with these activities.

Objectives include:

- ❖ Promoting homeowners proactively replacing the dangerous and unsafe sidewalks along their property to reduce the risk of injury to pedestrians utilizing the sidewalk.
- ❖ Enhance the neighborhood walkability.
- ❖ Ensure surface conditions are safe for pedestrians and / or persons confined to wheelchairs.

Although this policy does not address petitions for new sidewalks, Bel Aire values walkability and encourages residents to petition the City to establish improvement districts addressing cost sharing of the installation of new sidewalks in areas where sidewalks have not existed to enhance pedestrian safety. Residents should contact City Hall about initiating the petition process.

III POLICY

The City Manager may award grants to property owners which meet the following criteria:

Criteria for consideration of a sidewalk grant:

- ❖ The City of Bel Aire will reimburse property owners for one hundred percent (100%) of the cost of a city approved public sidewalk repair located in the public right of way along the street easement. This reimbursement is not in any way

- intended to remove or transfer any *property owner's statutory responsibility to maintain safe and navigable sidewalks and warn the public of dangerous conditions on or along an owner's section of sidewalk.*
- ❖ Reimbursement will occur based on measurements and cost per square foot determined by the City. Measurements will be rounded to the nearest foot. This policy applies to only projects undertaken within the 2024 calendar year.
 - ❖ Grants will be awarded on a first come basis. The City reserves the right to prioritize replacements based on need for replacement and budgetary considerations.
 - ❖ Requests in 2024 not funded may receive priority for 2025 if the program continues, however homeowners should make replacement timing decisions based on safety.
 - ❖ Sidewalk construction must comply with Bel Aire city codes regarding specifications for 5' sidewalks.
 - ❖ The City will pay for the installation of ADA approaches on corner lots and make those arrangements separately from the grant.
 - ❖ A permit is required for sidewalk installations and must be approved by the City building inspector.
 - ❖ Applications must be received at City Hall by August 15, 2024 for consideration.
 - ❖ Payment will be made by check on the regular payment schedule for the City.
 - ❖ The City of Bel Aire reserves the right to refuse reimbursement based on:
 - The condition of the sidewalk upon final inspection as determined by the City inspector.
 - Non-compliance with City Code and/or this policy through the installation process.
 - Depletion of funding for the program due to amount of applicants or available funds.
 - ❖ All degraded sections or the entire sidewalk must be included in the application.
 - ❖ Coloring must match a driveway or adjacent public sidewalks.
 - ❖ Minor sections of new sidewalks must link to existing sidewalks.

Sidewalk qualification guidelines:

- ❖ Slab(s) with a ¾" or more offset between slabs / joints.
- ❖ Slab(s) with a severely cracked or spalling, or with pieces missing.
- ❖ Slab(s) that is cracked with unstable or rocking sections.
- ❖ Slab(s) that has a slope crossway of more than 1" in 12".
- ❖ Slab(s) that has a horizontal separation due to cracking between adjacent panels of walk or more that 1" which is a bicycle tire or high heel hazard.
- ❖ Slab(s) settlement that causes accumulation of water or ice.

Miscellaneous:

- ❖ Owner of property abutting a sidewalk is responsible for all maintenance of said sidewalk and accountable for all City Code Enforcement notices, regardless of grant approval. The applicant/owner is not relieved from any liability for future

- replacement, repair, maintenance or keeping sidewalk clear on the applicant's property.
- ❖ The City will coordinate replacement of sidewalks based on grants and requests for such work. The City will bid the replacement projects as one job and inspect as repairs are made by the contractor.
 - ❖ Program only applies to public sidewalks.
 - ❖ Property owners are responsible for all costs associated with sprinkler repair, driveway repair / replacement or retaining wall repairs.
 - ❖ If a tree root caused the sidewalk to heave, the property owner must contract to have the tree removed prior to sidewalk repair. Said removal of the tree and stump will be at the property owner's expense.
 - ❖ Sidewalks that lead to a house are not eligible.
 - ❖ Non-profit or taxing entities are not eligible for this program.
 - ❖ Only work done by licensed Bel Aire contractors are eligible for reimbursement unless the work is done by the property owner having a proper permit.

Adopted this ____ day of _____ 2024 by the Bel Aire City Council.

Jim Benage, Mayor

Melissa Krehbiel, City Clerk