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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 Code, Chapter 11, Article 3, Paragraphs 25 and 26 (11.3.25 & 11.3.26) speak directly to sidewalk repair responsibilities. 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/replacements by assisting property owners with such projects.

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

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

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

1. The City of Bel Aire will reimburse property owners for one hundred percent ( 100%) of the cost, **subject to funds available**, of a city approved public sidewalk repair/replacement located in the public right of way along the street easement. This reimbursement is not 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.

2. To receive reimbursement, the application must be approved prior to the public sidewalk work being replaced/repared. City staff will evaluate the sidewalk(s) at the time of receiving the application as part of the approval process.
3. This policy applies only to projects undertaken within the 2025 calendar year.
4. Reimbursement will be awarded on a first-come basis. The City reserves the right to prioritize replacements/repairs based on need for replacement/repair and budgetary considerations.
5. Sidewalk replacement/repair must comply with Bel Aire city codes, and the size of the sidewalk must match abutting sidewalk panel sizes.
6. The City will pay for the installation of ADA approaches on corner lots and make those arrangements separately from the reimbursement program.
7. A permit is required for sidewalk replacements/repairs and must be approved by the City building inspector.
8. Applications must be received at City Hall by October 15, 2025 for consideration.
9. Reimbursement payment will be made on the regular payment schedule for the City.
10. The City of Bel Aire reserves the right to refuse reimbursement based on:
  - a. The condition of the sidewalk upon final inspection as determined by the City inspector.
  - b. Non-compliance with City Code and/or this policy through the replacement/repair process.
  - c. Depletion of funding for the program due to amount of applicants or available funds.
11. All degraded sections or the entire sidewalk must be included in the application.
12. Coloring must match a driveway or adjacent public sidewalks.
13. Minor sections of new sidewalks must link to existing sidewalks.

**Sidewalk qualification guidelines:**

1. Slab(s) with a  $\frac{3}{4}$ " or more offset between slabs / joints.
2. Slab(s) with a severely cracked, spalling, or with pieces missing.
3. Slab(s) that is cracked with unstable or rocking sections.
4. Slab(s) that has a slope crossway of more than 1" in 12".
5. Slab(s) that has a horizontal separation due to cracking between adjacent panels of walk or more than 1" which is a bicycle tire or high heel hazard.
6. Slab(s) settlement that causes accumulation of water or ice.

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**Miscellaneous:**

1. The owner of property abutting a sidewalk is responsible for all maintenance of said sidewalk and accountable for all City Code Enforcement notices, regardless of reimbursement approval. The applicant/owner is not relieved from any liability for future replacement, repair, maintenance or keeping sidewalk clear on the applicant's property.
2. Program only applies to public sidewalks.
3. Property owners are responsible for all costs associated with sprinkler repair, driveway repair/replacement or retaining wall repairs.
4. 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.
5. Sidewalks that lead to a house are not eligible.
6. Non-profit or taxing entities are not eligible for this program.
7. Contractors performing the replacement/repair are required to be licensed in Bel Aire. Only work done by a licensed contractor is eligible for reimbursement.

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## CITY OF BEL AIRE

### Application for Sidewalk Reimbursement Program for Fiscal Year 2025

in the city limits of Bel Aire, Kansas

The Governing Body of the City of Bel Aire approved a Sidewalk Reimbursement Program for fiscal year 2025. The program allows for a 100% reimbursement per landowner for the replacement or repair of sidewalks. Applications must be received at City Hall by October 15, 2025, for consideration. Criteria for consideration are outlined in the adopted policy. Application approval must be received before work is completed.

Name of Property Owner: \_\_\_\_\_ Phone: \_\_\_\_\_

Address of Property Owner: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Property is located at: \_\_\_\_\_ Size of tract: \_\_\_\_\_

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Addition: \_\_\_\_\_

I request the grant for following reasons: \_\_\_\_\_

Estimated Cost of Project: \_\_\_\_\_

I (we) understand this application will be considered on a first come basis. However, the City reserves the right to prioritize some replacements/repairs based on severity and need. The total amount of funds available for this program is \$15,000.00 for fiscal year 2025.

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Date

#### OFFICE USE ONLY

This application was received on: \_\_\_\_\_ and found to be complete.

\_\_\_\_\_  
City Representative

\_\_\_\_\_  
Title