

RESOLUTION NO. 2020-07

**A RESOLUTION OF THE CITY OF PAYETTE, IDAHO,
APPROVING AND ADOPTING THE SIDEWALK REPAIR PROGRAM POLICY &
PROCEDURES AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, Payette residents have identified safe, passable sidewalks as an important aspect of quality of life to ensure that pedestrians including individuals with disabilities that affect mobility, are able to move safely, and,

WHEREAS, the City's sidewalk ordinance provides that the owner or occupant of land adjoining a street must maintain adjacent sidewalks in good repair and condition and must remove any obstructions from such sidewalks; and,

WHEREAS, the City is aware that certain sidewalks that are in need of construction and or reconstruction; and,

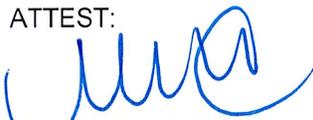
WHEREAS, the City recognizes the potential financial burden that may be placed on owners and occupants needing to construct or reconstruct sidewalks and or ADA ramps to meet current ADA standards and specification; and,

WHEREAS, the City desires to alleviate some of the financial burden of constructing and/or reconstructing sidewalks or adding ADA ramps may impose on owners and occupants by providing owners financial assistance through the Sidewalk Repair Grant Program.

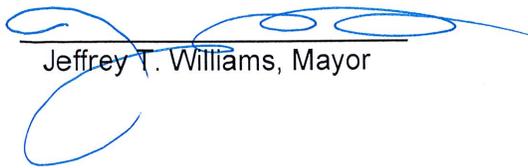
NOW, THEREFORE, BE IT RESOLVED BY THE PAYETTE CITY COUNCIL that the Sidewalk Repair Program and Grant Application attached hereto as Exhibit "A" is hereby APPROVED and in effect as of the same date as Ordinance No. 1480 establishing the Sidewalk Repair Program.

ADOPTED AND PASSED by the City Council and approved by the Mayor this 5th day of August 2020.

ATTEST:



City Clerk



Jeffrey T. Williams, Mayor

PAYETTE *Idaho*
"WHAT HOME FEELS LIKE"

SIDEWALK REPAIR PROGRAM
AND GRANT APPLICATION

Approved August 3, 2020

Program Background

The City of Payette recognizes that the maintenance and repair of existing sidewalks within the city is necessary to protect the health, safety and welfare of residents and visitors. City Code places sole responsibility for sidewalk maintenance and repair upon adjacent property owners.

This program was developed in recognition that this obligation can come with significant cost. The primary goal of the program is to facilitate the property owner's responsibility to improve damaged Right-of-Way sidewalks so they are safe and passable by the general public.

Grant Eligibility

1. Applications will be accepted for residential and commercial properties.
2. Property owners may only apply for one grant per property in a calendar year.
3. Applications must be received and approved by the City before the work begins. Retroactive applications will not be accepted.
4. The intent of the grant program is to improve sidewalk access. Therefore, eligible sidewalks must either impede access or not comply with the American with Disabilities Act (ADA). Condition assessment shall be determined at the sole discretion of the City and prior to the start of work. Sidewalks with cosmetic damage only are not grant eligible.
5. Grant funds may cover a portion of the cost of sidewalk repair/replacement and potential need for removal and replacement of Right-of Way trees (trees within the City Right-of-Way). Grant funds may only be used for the removal and replacement of Right-of-Way trees when necessary to repair/replace existing sidewalks in the public Right-of-Way. Pursuant to City Code Title 12.08, a Permit for Tree Removal must be approved by the City Arborist prior to the removal and replacement of any tree located in the Right-of-Way. Grant funding for tree removal and replacement must coincide with an adjacent sidewalk improvement and may not be used for tree removal only.
 - A. If a street tree that is causing damage is known to cause uplift relative to other tree species, the tree shall be removed as part of the repair project and replaced with a species not expected to damage sidewalks. City staff shall have authority to remove any tree without public notice if during construction, roots are found in locations that indicate that a new sidewalk will be damaged in the relative near future and removal of the root is determined by the City Arborist to substantially weaken the health of the tree.

Use of Funds

1. Grant funds may be used for repair/replacement of existing sidewalks that are deteriorated or that do not comply with the Americans with Disabilities Act (ADA) in the public Right-of Way and for removal and replacement of Right-of Way Trees that conflict with or disrupt adjacent Right-of- Way sidewalks.
2. Property owners are responsible for obtaining and complying with the conditions of City permits for jobs requiring removal and replacement of Right-of-Way trees and/or sidewalk repair or replacement. Contractors removing trees need to have a City License.
3. In order to access grant funds, property owners must obtain an approved grant application. The maximum grant reimbursement for sidewalks shall be:
 - Commercial Properties: 50% of the lowest bid or 50% of the actual invoiced amount, whichever is less, up to \$3,000, regardless of who the property owner

- chooses for the work.
- Residential Properties: 75% of the lowest bid or 75% of the actual invoiced amount, whichever is less, up to \$3,000, regardless of who the property owner chooses for the work.
4. Additional Grant funds may be awarded for the removal of Right-of-Way-Trees. The maximum grant reimbursement for trees shall be:
 - Commercial Properties: 50% of the lowest bid or 50% of the actual invoiced amount, whichever is less, up to \$1,000, regardless of who the property owner chooses for the work.
 - Residential Properties: 75% of the lowest bid or 75% of the actual invoiced amount, whichever is less, up to \$1,000, regardless of who the property owner chooses for the work.
 5. For sidewalk repairs where removal is not required, such as grinding or leveling, the maximum grant reimbursement shall be:
 - Commercial Properties: 50% of the actual invoiced cost, up to \$1,500.
 - Residential Properties: 75% of the actual invoiced cost, up to \$1,500.
 6. All grant awards will be made on a first-come, first-served basis, subject to project approval and the availability of funds in the City budget. Once the budgeted amount has been expended, no further awards will be made. Grant awards shall expire after 90 days and funds will not be distributed to applicants with expired grants. Applicants may request a 90-day extension prior to expiration or as needed.
 7. The lack of sufficient funds to cover the number of applications received by the City in any given year will not excuse the property owner from the responsibility of maintaining the adjoining sidewalk in a safe condition nor create any liability to the City for any unsafe sidewalks.

Procedure

Step 1. Property owner submits completed application with two competitive bids before the work begins.

Property owners will solicit at least two competitive bids from licensed contractors for the sidewalk work and two competitive bids for projects that may have Right-of Way-Trees to remove and replace. All bids must be submitted with a completed grant application.

Completed applications may be e-mailed to: billing@cityofpayette.com, or delivered to Payette City Hall at 700 Center Avenue, Payette. Applications must be signed by the owner of the subject property. Incomplete applications may be rejected.

Step 2. City confirms grant eligibility and approves application.

After applications are submitted and prior to the start of work, the City will inspect the proposed project to verify grant eligibility. Upon field verification, the Sidewalk Repair Grant Application will be approved, subject to available funds, and the property owner will be notified to proceed. The work must then begin within 30 days and completed within 90 days. If the work is expected to take longer than 90 days, applicant may request an extension. The City will not reimburse expired applications.

Step 3. Work begins. Property owner selects contractor, obtains permits, calls for inspections and completes work.

An encroachment permit is required prior to the removal and replacement of concrete within the public right-of-way and can be obtained at Payette City Hall or on-line at www.cityofpayette.com. The Encroachment Permit fee of \$50.00 will be waived for approved projects under this Grant Program. Two inspections will be required: the first inspection will be of the prepared area prior to pouring concrete. The second will be performed when project is complete. Inspections can be scheduled by calling City Hall at (208) 642-6024.

Step 4. Property owner pays contractor & submits Reimbursement Request with final invoice.

Once the work is inspected and approved by the City of Payette, the property owner may submit a reimbursement request with the final invoice from the contractor to Payette City Hall, 700 Center Ave., Payette, Idaho, 83661.

Step 5. City approves reimbursement request and mails check to property owner.

Upon approval by the City, the grant funds will be disbursed in accordance with the terms of the Sidewalk Grant Program.

Additional Information

1. Due to freeze/thaw concerns associated with sidewalk construction, construction of sidewalks associated with this grant shall be constructed prior to October 1, 2019 or after March 1, 2020 (unless otherwise approved by Public Works).
2. The property owner is responsible for assuring the quality of construction. Work not meeting the City of Payette City Standard Specifications will be required to be replaced at the owner's expense.
3. Property owners completing sidewalk construction near street intersections (corner lots) may be required to construct, repair, or replace American with Disabilities Act approved ramps at their expense (the ramp area qualifies for grant). Generally, added cost should not exceed 25 percent of the project cost.
4. This is a reimbursable grant, meaning grant dollars will not be dispersed to property owners until the sidewalk improvement project is complete and the final inspection reflects that the sidewalk meets the City of Payette's construction specifications.
5. Application may only be made by the owner of the property where sidewalk construction will take place. A property owner may only apply for one grant in any fiscal year, regardless of how many properties are owned. Successful grant recipients shall only qualify for additional grants in years following their initial grant approval, and then only if all current first-time approved applicants have been awarded grants.
6. Grants are available for the replacement of an existing public sidewalk. Grants are also available for the construction of a new sidewalk (infill sidewalk). An infill sidewalk is defined as a property without a sidewalk which abuts properties that have sidewalks. Grants are not available for the construction of new sidewalks associated with new home construction.

Please Contact Payette City Hall with any questions at 208-642-6024

