


# CITY COMMISSION POLICY

<b>GRAND RAPIDS</b>  <b>MICHIGAN</b>	<b>NUMBER:</b> 1000-03	<b>HISTORY</b>	
		<b>FILE #</b>	<b>DATE</b>
	<b>DATE:</b> May 29, 1979	38826	6/23/81
	<b>FILE NUMBER:</b> 34519	43154	3/13/84
	<b>DEPARTMENT:</b> ENGINEERING	48310	5/19/87
		68512	4/17/01

**SUBJECT: CONSTRUCTION, RECONSTRUCTION AND REPAIR OF SIDEWALKS AND OTHER PUBLIC IMPROVEMENTS**

**PURPOSE:** The City Charter vests the responsibility for the construction and repair of public sidewalks with the owner of the abutting property. This policy sets forth the need for an active program of enforcement, suggests the benefits accruing to the City and owners, authorizes the City Engineer to contract for repairs and outlines the financing plans available to assist affected owners.

**POLICY:**

I. Policy

Section 23 of Title X of the Charter requires that every owner of land situated in the City is to build, rebuild, maintain and repair all sidewalks on the part of the street which said land abuts at such times and in such manner as the City Commission directs.

Chapter 52 of the City Code implements this mandate.

This policy established a procedure authorizing the City Engineer to utilize sidewalk revolving fund monies to build, rebuild, maintain and repair all sidewalks, driveway approaches and areaways and to enter into deferred payment agreements with property owners for reimbursement of these construction costs and related fees and administrative expenses. In addition, this policy establishes guidelines for the use of Community Development Block Grant Funds for the construction, reconstruction and repair of sidewalks and driveway approaches as authorized by Federal law.

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Rates to be charged for construction costs and related fees and administrative expenses will be established from time to time by the City Commission.

II. Procedure for Construction, Reconstruction and Repair of Sidewalks, Driveway Approaches and Areaways Where Property Owners Do Not Qualify For Community Development Block Grant Funds of Other Grant Funds

A. The City shall implement and maintain a procedure for the construction, reconstruction and/or repair of sidewalks, driveway approaches and areaways of abutting property owners who have received notices to repair pursuant to the City Charter and Code. The City may allow the abutting property owner to enter into the following payment agreements for reimbursement of these costs.

1. The property owner may pay the full amount with no interest charges, if said costs are paid by the due date stated on the bill/invoice sent by the City, or
2. The property owner may enter into a deferred payment agreement with the City and pay the amount in up to 10 annual installments with a minimum annual installment payment being \$100. Interest will be assessed on the unpaid principal balance at the rate of seven percent (7%) per annum, calculated on a monthly basis on the first day of each month.

III. Procedure for Use of Community Development Block Grant Funds Allocated for Construction, Reconstruction and Repair of Sidewalks and Driveway Approaches

The following guidelines shall govern the use of Community Development Block Grant funds for construction, reconstruction and repair of sidewalks and driveway approaches.

A. Community Development Block Grant Funds shall be used to pay the cost of the construction, reconstruction and /or repair of sidewalks and driveway approaches for qualified low-income owner occupants. The City Engineer shall be responsible for verifying the eligibility of low-income owner occupants. Eligibility guidelines are determined by the Community Development Department, in accordance with the most current Section 8 Income Limits published by the U.S. Department of Housing and Urban Development (HUD) for the Grand Rapids Area. All expenditures must be made in conformance with the Community Development Block Grant legislation and regulations.

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- B. All construction, reconstruction and repair of sidewalks and driveway approaches funded by Community Development Block Grant Funds must be located in the public right-of-way and be designated as substandard or deteriorated as determined by the City Engineer.
  - C. The City Manager may recognize special cases where it is desirable to construct, reconstruct and/or repair the sidewalks and driveway approaches of an entire block. In such cases, Community Development Block Grant Funds may be used to pay for the entire cost of such work, provided the work is part of a comprehensive Public Improvement Plan authorized by the City Commission.
  - D. In all cases, funds must be available and authorized for this use before grants can be committed for the construction, reconstruction and/or repair of sidewalks and driveway approaches. Funding is expected to be derived primarily from the Community Development Block Grant program, although other grant funds may be used.
- IV. All construction, reconstruction and repair of sidewalks, driveway approaches and areaways shall be done in accordance with the current City of Grand Rapids Standard Construction Specifications and the City's Sidewalk Rule and Regulations. The City Engineer shall monitor the cost of the construction, reconstruction and repair of sidewalks and driveway approaches and related fees and administrative expenses. The schedule of costs most recently approved by the City Commission shall be charged as of the effective date set out in the resolution approving those costs, or, if no date is set out in the resolution, 30 days after the adoption of the resolution. Variations for quantities different from the amounts included in the notices to repair will be the responsibility of the owner.