

CITY OF FRANKFORT 2010 SIDEWALK POLICY

1) Introduction:

This policy and plan shall cover the construction of new sidewalks and the repair of existing sidewalks that are located in the public right-of-way (Hereinafter “Public Sidewalks”) and that have been dedicated and accepted by the City of Frankfort for public use.

In new residential subdivisions and commercial projects Public Sidewalks shall be built by the Developer or the Owner in accordance with approved development plans. For redevelopment projects, Public Sidewalks shall be installed, replaced, or repaired along the Public Right of Way as necessary in accordance to the City Engineer

2) Sidewalk Fund:

The City Board of Commissioners shall appropriate funds to be earmarked for the maintenance and construction of Public Sidewalks. This fund will be used to purchase materials, equipment, labor and professional services necessary to implement the sidewalk plan.

3) Implementation Plan:

In order to provide for the efficient and orderly implementation of the sidewalk plan, City shall annually designate a sidewalk maintenance priority list. Such a list will be revised and approved by the Board of Commissioners.

4) Sidewalk Inventory & Condition Assessment:

The Public Works Department shall each year and as part of the Pavement Management Program, inventory all Public Sidewalks, assess their condition and provide a sidewalk condition index. This information shall be used to prioritize and update the sidewalk maintenance priority list.

5) Prioritization Plan:

Priority will be given to Public Sidewalks that need repair or replacement or to the creation or extension of new sidewalks based on the criteria prescribed below.

Factors may be used to set priorities such as public safety, volume of pedestrian traffic, proximity to public transportation boarding and drop off points, proximity to schools and to recreation facilities (such as parks,) extension of connectivity for the public’s general benefit, or other considerations.

6) Sidewalk Specifications:

All Public Sidewalk repairs, replacement and construction shall comply with the requirements of the Kentucky Department of Highways Standard Drawings for the construction of curbs, sidewalks and entrances.

Public Sidewalk construction and repair shall be subject to inspection by the City Public Works Department for compliance with the above mentioned standards and for quality of material and workmanship.

7) **Handicap Ramps:**

Whenever construction, repair or replacement of a Public Sidewalk is in the vicinity of a street intersection, the handicap ramp or ramps on that corner shall be made compliant with A.D.A. and Kentucky Department of Highways Standard Drawings.

8) **Trees and Tree Roots in the Vicinity of Public Sidewalks:**

In certain locations, trees have been planted in close proximity to Public Sidewalks. Roots of such trees may have caused severe damage to Public Sidewalks which repair shall require cutting of these roots. In this case, the City Arborist shall be consulted prior to cutting any roots. In the event a Public Sidewalk cannot be repaired or rendered compliant without the removal of a tree, the tree shall be removed after consultation with the City Arborist. If such tree is in the right-of-way, the City shall pay for the removal. If the tree is on private property, the property owner shall be responsible for its removal.

The planting of trees with extensive root characteristics that may create a potential hazard for sidewalks shall be prohibited in areas adjacent to Public Sidewalks.

9) **Damage to Public Sidewalks Due to Private Construction Activity of Individual Acts:**

If a private construction activity or individual acts cause damage to a Public Sidewalk, the party causing the damage shall be responsible for repairing and/or replacing the damaged sidewalk. (Ordinance 91.21)

10) **Repair or Replacement of Public Sidewalks by Residents:**

If a resident or a group of residents choose to repair or replace a damaged Public Sidewalk that meets the replacement criteria of “Section 13” below, before the city scheduled repair or replacement, the sidewalk program may pay for the concrete used to complete such work provided yearly budgeted funds are available. The resident or contractor performing such work must obtain a permit from the City Engineer. Such work will be subject to inspection by the Engineering Department.

11) **Utilities:**

Utility companies shall comply with the City permit process. See the ordinance.

12) Construction and Repair of Public Sidewalk by Others:

If a resident or a group of residents, or a private or public entity chooses to construct a Public Sidewalk, where none exists, the sidewalk program may pay for the concrete used to complete such work provided yearly budgeted funds are available. The resident or contractor performing such work must obtain a permit from the City Engineer. Such work will be subject to inspection by the Public Works Department.

13) Order of Priority for Public Sidewalk Repair and Construction by Public Works:

The order of priority for repair and/or construction of Public Sidewalks shall be as follows:

- First:** Severely damaged (hazardous) Public Sidewalk or Public Sidewalks that are non-compliant with the current ADA regulations; including Public Sidewalks with vertical offsets at joints larger than ½ inch, intersecting cracks in one panel subject to displacement, and settlement in Public Sidewalks larger than 4 inches in an 8 foot span.
- Second:** Install ADA Compliant ramps throughout the City of Frankfort.
- Third:** Missing short sections.
- Fourth:** Large areas without Public Sidewalk.
- Fifth:** Aesthetic considerations.

14) Adherence to Plan:

This Public Sidewalk plan shall be (strictly) adhered to except in the following situations:

- 1) Emergencies and natural disasters;
- 2) An appeal is made to the Public Works Director for a variance. If the individual or group is not satisfied with the decision of the Public Works Director, they can appeal in writing to the City Manager. The City Manager will review the request and will return a decision within two (2) weeks;
- 3) The City Manager's decision will be final.

15) This Sidewalk Policy shall not affect, revise or amend any agreement between the Commonwealth of Kentucky and the City of Frankfort regarding the Commonwealth's maintenance or construction of sidewalks in the City of Frankfort or the Commonwealth's maintenance of construction of sidewalks in the City of Frankfort under its own programs.

16) The Public Works Director reserves the right to establish the need, value, and priority of new sidewalk construction in conjunction with any new construction project abutting a public right-of-way and requiring City approval. New sidewalk

construction requirements shall be assessed during the City review process and may be waived only where conditions of safety, topography, existing features and improvements, unreasonable or limited connectivity, or other considerations warrant