

Part 4. Sidewalk Construction and Repair

604.01. **Permit Required.** No sidewalk or curb and gutter shall be constructed on any street, alley, avenue, or other public property in this city without first having obtained a permit from the city council. Application for such permit shall be made on forms to be approved by the city council, and shall sufficiently describe the contemplated improvements, the contemplated date of the beginning of work, and the length and time of completion of the same, provided, that no permit shall be required for any such improvement ordered to be installed by the city.

604.02. **Sidewalk Construction and Repair.** Whenever the city council shall deem it necessary and expedient to construct or rebuild any sidewalk in the city, it may adopt a resolution to that effect, which resolution shall specify the place or places where such sidewalk shall be constructed or rebuilt, the kind and quality of materials to be used therein, the width, the size and manner of construction thereof, and the time within which the same shall be completed. The council shall hold a public hearing on the proposed improvement following two publications in the newspaper of a notice stating the time and place of the hearing, the general nature of the improvement, the estimated cost, and the area proposed to be assessed. The two publications shall be a week apart, and the hearing shall be at least 3 days after the last publication. The hearing may be adjourned from time to time, and a resolution ordering the improvement may be adopted at any time within 6 months after the date of the hearing by a vote of four-fifths of all members of the council; provided that where owners of not less than 35% of the property fronting petition for such improvement only a majority vote of council is necessary.

The cost of any improvement, or any part thereof, may be assessed upon property benefitted by the improvement, whether the property abuts on the improvement, or not, based upon the benefits received. The area assessed may be less than, but may not exceed the area proposed to be assessed as stated in the notice of hearing on improvement. The city may pay such portion of the cost of the improvement as the council may determine from general ad valorem tax levies or from other revenues of funds of the city available for the purpose.

At any time after a contract is let or the work ordered by day labor, the expense incurred in its making shall be calculated under the direction of the council. The council shall then determine by resolution the amount of the total expense the city will pay, other than the amount, if any, which it will pay as a property owner, and the amount to be assessed. Thereupon the clerk with the assistance of an engineer or other qualified person selected by the council shall calculate the proper amount to be specially assessed for the improvement against every assessable lot, piece or parcel of land without regard to cash valuation. The proposed assessment roll shall be filed with the clerk and be open to public inspection. The clerk shall thereupon under the council's direction, publish notice that the council will meet to consider the proposed assessment. Such notice shall be published in the newspaper at least once, not less than two weeks prior to such meeting of the council, and shall state the date, time, and place of such meeting, and general nature of the improvement, the area proposed to be assessed, and that written or oral objections will be considered.

At such meeting, or at any adjournment thereof, the council shall hear and pass upon all objections to the proposed assessment, if any, and may amend the proposed assessment as to

any parcel and by resolution adopt the same as the special assessment against the lands named in the assessment roll. Notice of any adjournment of the hearing shall be adequate if the minutes of the meeting so adjourned show the time and place when and where the hearing is to be continued, or if 3 days notice thereof be published in the newspaper.

604.03. **Specifications and Regulations.** All sidewalks and curbs and gutters constructed upon any street, alley, avenue, or other public property in this city shall be constructed according to the plans and specifications herein provided.

604.04. **The Sub grade.** Sub grade for sidewalks and curb and gutter shall be firm, compact and of uniform density. All soft, spongy material or vegetative matter must be removed and replaced with suitable material. The sub grade shall be finished to a uniform surface at the required depth below the established grade of the improvement.

604.05. **Forms.** All forms shall be made of rigid metal or straight and sound lumber not less than 1 1/2 inches in thickness. Forms shall be free from warp and of sufficient strength to resist springing out of shape. All forms shall be thoroughly cleaned and oiled before the concrete is placed. The forms shall be securely staked to the established line and grade.

604.06. **Materials.** Subdivision 1. **Cement:** The quality of the cement used shall conform to the latest "Standard Specifications for Standard Portland Cement" of the American Society of Testing Materials.

Subd. 2. **Fine Aggregate:** The fine aggregate shall be sand consisting of particles of sound, durable rock washed clean and free from an injurious amount of organic matter, lumps of clay and other deleterious substances.

Subd. 3. **Coarse Aggregate:** The coarse aggregate shall be screened gravel or crushed quarry rock of the proper size. It shall be clean and free from shale or injurious organic matter.

Subd. 4. **Water:** The water used in the concrete shall be reasonably clear, and shall be free from oil, acid, injurious alkali or vegetable matter. Not more than 6 gallons of water per bag of cement shall be used.

604.07. **Methods.** Subdivision 1. **The Mixture:** The materials used in each batch shall be weighed or accurately measured so as to get a uniform product. The materials shall be proportioned so as to produce a uniform, dense, workable concrete which will have a compressive strength of not less than 2000 lbs. per square inch at 28 days. In no case will a mixture be used which has less than 6 bags of cement for each cubic yard of concrete.

Subd. 2. **Mixing and Placing:** The mixing shall be done in an approved batch mixer until the cement is uniformly distributed, and the mass is uniform in color and consistency. The mixing period shall be not less than 90 seconds after all ingredients are in the mixer, The concrete shall be placed in the forms before it begins to set, tamped and struck off to the proper grade.

Subd. 3. **Curing:** The concrete shall be cured by covering with a wet burlap or other approved covering for 3 days or by using an admixture of calcium chloride. If the work is placed in weather when freezing temperatures may be expected, the concrete shall be given adequate protection.

Subd. 4. **Moistening:** The sand base for concrete walks and the sub grade for curb and gutter shall be moistened before the concrete is placed.

604.08. **Sidewalks.** Subdivision 1. **Width:** The walks in the business district shall be not less than 10 feet in width except that where it joins an existing sidewalk it shall be the same width; and shall be not less than 5 feet in width in the residential district except where the council shall by resolution order different widths. The widths of new walks shall conform as far as possible to that of adjacent walks.

Subd. 2. **Thickness:** The sidewalk shall consist of two parts; referred to as the base and the surfacing. The surfacing of the walk shall be not less than 4 inches thick where used by pedestrians only, and not less than 6 inches in thickness where crossed by vehicles.

Subd. 3. **Base:** The base shall consist of a layer of pit run sand or gravel not less than 4 inches in thickness and shall be thoroughly tamped to a uniform grade. The base of the walk shall be not less than 4 inches in thickness, except where the nature of the soil is such that the city council shall order a thicker base.

Subd. 4. **Surface:** The surfacing of the walk shall be concrete having not less than the thickness prescribed herein, laid to a slope of one-eighth inch per foot downward towards the street, and shall be composed of materials and placed according to the methods described above.

Subd. 5. **Joints:** Contraction joints shall be made not more than 5 feet apart, perpendicular to the center line and to the surface of the sidewalk, and shall, where possible, align with joints of abutting or adjacent work. Expansion joints may be pre-formed or poured type. They shall be one-half inch wide placed on all property lines, and at uniform intervals not to exceed 30 feet apart. Expansion joints shall also be placed between the walk and all abutting curbs, buildings and other masonry and concrete work.

604.09. **Inspection and Surfacing.** The council shall require inspection and supervision of all work done hereunder as deemed necessary. Any work not done according to specifications shall be corrected or removed at the expense of the permit holder. Any unsatisfactory work in the process of being constructed shall be stopped by the inspector as soon as discovered.

604.10. **Cost Allocation.** The city will pay for repair to sidewalks, curb, and gutter that is under 20 years old. Any curb and gutter over 20 years old will be the responsibility of the owner of the abutting property, and they will be assessed for the cost of repair.

604.11. **Property Owner's Responsibility.** It is made the duty of all owners of land adjoining any street in the city to construct, reconstruct and maintain in good repair such sidewalks along the sides of the streets, next to the lands of said owners respectively as may have been or shall hereafter be constructed.

The construction or reconstruction shall be directed by the City Council and be built of such material and width and upon such place and grade as the City Council may prescribe.

No sidewalks shall be permanently removed without the express authority of the City Council.
(09/19/16)