

## 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. The permit fee shall be a one-time fee of \$25.00. 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.

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. Sub grade shall not be frozen prior to pouring concrete.

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. **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. **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.

Subd. 5. **ADA Compliance.** Where a sidewalk ends or begins at a street intersection, Chapter 3 from the US Access Board will be strictly followed. It shall be the responsibility of the city to pay for the ADA compliant materials and installation.

Subd. 6. **Adjacent Panels:** Two 1/2" reinforcing bars, 12" long, shall be installed in the adjacent sidewalk panels. This will tie the new and old sidewalk sections together at the construction joint.

Subd. 7. **Air Temp:** When air temperatures begin to fall, concrete shall be protected/covered in order to maintain a minimum of 40 degrees surface temperature for 7 days, to allow for proper curing.

604.07. **Concrete In-drive:** Concrete indrive shall be sawed full depth, in a square or rectangular shape. Any chipped edges or cracks shall be sawed back and removed. The base shall be graded flat with aggregate. The indrive shall be a minimum of 6" thick. An expansion joint shall be placed at the back of the curb and sidewalk line.

604.08. **Restoration:** Backfill material shall be clean dirt topped with seed or sod. The backfill shall be compacted to prevent future settlement. Backfill, seed, or sod shall be done 30 days after the completion of the pouring of the concrete.

604.09. **Inspection:** 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. Inspections shall be done during normal business hours. Concrete forms shall be inspected before concrete is poured.

604.10. **Property Owner's Responsibility.** It is the primary responsibility of the owner of the property upon which there is abutting any sidewalk, to keep and maintain the sidewalk in safe and serviceable condition.

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

604.12. **SIDEWALK REPLACEMENT PROGRAM** (11-20-17)

1. Pink paint means that our inspector/city supervisor has determined the sidewalk, driveway approach, or curb & gutter needs to be repaired or replaced. The criteria for marking defective sidewalk is based on evidence of deterioration and potential safety hazards due to concrete being broken, tilted, raised, settled, chipped, or displaced through overall use, freeze and thaw action, or tree root issues. A sidewalk that may appear in good condition on the surface may still need repair if it does not drain properly.
  - a. **DEFECTIVE SIDEWALK.** Any of the following:
    - (1) Vertical separations of  $\frac{3}{4}$  inch or more;
    - (2) Horizontal separations of  $\frac{3}{4}$  inch or more;
    - (3) Holes or depressions of 3 inches or more in diameter and  $\frac{3}{4}$  inch or more in depth; spanning over 50% of a five-foot by six-foot square or panel of the sidewalk with one or more depressions of  $\frac{3}{4}$  inch or more;
    - (4) A single square or panel of sidewalk cracked in such a manner that no part thereof has a piece greater than one square foot, or is cracked in such a manner that it constitutes a danger or a potential danger to public safety; or
    - (5) A sidewalk with any part thereof missing to the full depth.
2. Property Owners are responsible to pay for the repair or replacement of defective sidewalk along their property frontage. If non-defective sidewalk is impacted by utility construction (for example a water service replacement) and needs to be replaced, the property owner will not be responsible for the cost of this sidewalk replacement. The Property Owner is only responsible for sidewalk immediately adjacent to their property frontage. Replacement of the sidewalk ramps at street intersections will not be billed to Property Owners.
3. If you receive a notice and pink markings from the City of Hayfield for sidewalk repair or maintenance, you have 90 days (*revised 10-21-19*) from the date of the notice to make the necessary repairs. If the repairs to the sidewalk are not made within 90 days, the city's contractor will make the necessary repairs and you will be billed for the work.
4. If you receive a notice for sidewalk repair or maintenance, there are two (2) general repair options available:

(Please read all options including the important notes following the listed options)

**Option 1:** Property owners may choose to repair their own sidewalk, providing repaired sidewalk is in compliance with the City Sidewalk Specifications. Property owners must arrange for the work to be completed by the deadline specified in the notice.

**Option 2:** Property owners can arrange for a private contractor to repair their sidewalk, providing the repair is in compliance with the City Sidewalk Specifications. Property

owners must arrange for work to be completed by the deadline specified in the notice and shall pay the private contractor directly.

**NOTE** – any repairs or replacements performed by Property Owners or Private Contractors that do not meet the requirements of the City’s Sidewalk Specifications will be replaced by the City’s Contractor and the Property Owner will be assessed for the side-walk replacement completed by the City’s Contractor.

5. Payment options for sidewalk replacement if the City’s contractor performs the work. After the work is completed you will be sent an assessment / bill. You will have the following payment options:

**Option 1:** Pay the assessment/bill in full within 30 days of receipt of the invoice.

**Option 2:** Include and pay for the full amount of the assessment/bill on your next property tax bill, at an interest rate of 6% beginning thirty (30) days after the date of the invoice for a period of 2 years.

6. Permanent sidewalk repairs cannot be made with asphalt. Asphalt is only allowed as a temporary measure to alleviate trip hazards until the acceptable concrete repair is made by the deadline. Only concrete raising (“mud-jacking” or “foam-jacking”); concrete grinding, sawing, or shaving; or full replacement of concrete sidewalk panel(s) are acceptable repair methods.
7. Per City Ordinances the maintenance and removal of trees in the boulevard is the responsibility of the property owner. The City will only pay for the removal of a tree when it is necessary for street rehabilitation or reconstruction.
8. Only the portion of the sidewalk abutting (in front of) each property is assessed to the corresponding Property Owner. So, if 2 feet of the panel abut your property and 3 feet of the panel abut your neighbor’s property, you will pay for 2 feet and your neighbor will pay for 3 feet.

*(Revised 10/21/19)*

Rich Fjerstad, Mayor

David Subbert, Council member

Jake Siemers, Council member

AJ Anderson, Council member

Steven Feist, Council member