

FREQUENTLY ASKED QUESTIONS REGARDING THE CITY OF WAUWATOSA
SIDEWALK REPAIR PROGRAM

Q: Why does the City have a Sidewalk Repair Program?

A: Sidewalks are an essential asset to the community by providing residents and visitors safe routes to schools, churches, civic places, residential areas and commercial establishments. Repair or replacement of unsafe or defective sidewalk is necessary for pedestrian access and safety. Therefore, the City established a sidewalk repair program to ensure that sidewalk in the public right-of-way is maintained in good condition for the benefit of all pedestrians.

Q: How does the City determine the geographical area covered by an annual Sidewalk Repair Program project?

A: There are over 5 million square feet of public sidewalk within the City limits. The City attempts to inspect approximately 10% of that public sidewalk area annually so that unsafe or defective sidewalk is identified and repaired or replaced on a 10 year rotation. Therefore, once a sidewalk repair program is complete in your neighborhood, 10 years will typically pass before the program is in your neighborhood again.

A map of the sidewalk repair program areas proposed for the next 10 years can be found on the City's website. The proposed areas vary in size because sidewalk is not distributed uniformly throughout the City. The sidewalk program boundaries shown on the map may also be revised each year depending on the budget for the sidewalk program for that year.

Q: How does the City determine whether or not a sidewalk section needs to be repaired or replaced?

A: City inspectors walk the proposed sidewalk repair program area in the fall prior to the year in which the work is to be completed in order to identify unsafe or defective sidewalks which are potential pedestrian hazards in the public right-of-way. Unsafe or defective sidewalks could be raised, settled, excessively tilted, badly cracked, or badly deteriorated along the joints. For example, if a sidewalk section is raised or settled at least 3/4" along the joint where pedestrians walk, then the section is considered to be a potential tripping hazard which needs to be repaired.

Q: How much will this cost?

A: The price of concrete sidewalk replacement varies from year to year, depending on the lowest total bid the City obtains from qualified concrete contractors. The City will mail a Sidewalk Repair notice letter to you if you are within the Sidewalk program area and if there is repair or replacement work that has been identified at your property. This letter lists the quantity of work planned and the estimated assessment cost of the work.

Q: Why is the cost of repairing the public sidewalk assessed to the abutting property?

A: Under Wisconsin State Statutes s. 66.0907(3), property owners are responsible for the repair or replacement of unsafe or defective sidewalk in the public right-of-way adjacent to the owners' property. However, many property owners are not prepared to perform the necessary work themselves. Therefore, under the State Statute, the City performs the work and assesses the cost to the property owner.

Q: How are the rates for assessment costs determined?

A: The City obtains bids from qualified concrete contractors in the spring of the year in which the work is to be completed. The contractor who submitted the lowest total bid for the overall work is awarded the sidewalk repair contract. The rates for assessment costs are based on the unit prices listed in the lowest total bid, plus 25% for City engineering management and inspection costs.

Q: Does the City notify property owners about the amount of work planned and the estimated cost prior to beginning the work?

A: Yes, the City mails a Sidewalk Repair notice letter to property owners, no less than twenty days prior to the start of work, for each property where assessed work is scheduled to be done. The letter lists the quantity of work planned and the estimated assessment cost of the work.

Q: When will the required repair or replacement work be done?

A: The Sidewalk Repair notice letter will tell you the approximate construction time frame for the entire Sidewalk Program area for that year. Unfortunately, the City cannot predict

the exact days during that time frame when work will be done at your property. However, you can anticipate that work will begin soon when you see that barricades are being delivered or set up in your neighborhood.

Q: Why are there paint marks on the sidewalk?

A: The white paint marks were made by the City inspectors to identify unsafe or defective pavement in need of repair or replacement in the sidewalk repair program area.

- A white “**X**”, with no other markings, indicates a sidewalk or pavement section scheduled for replacement and assessed at the standard replacement rate.
- A white “**T**” marked under the “**X**” indicates a sidewalk or driveway section scheduled for replacement where inspectors have determined that the cause of the defective section is due to the roots of a City tree. The assessment for these areas are reduced by 33% to account for damage caused by trees.
- A white “**M**” indicates a settled section of sidewalk which is scheduled to be mudjacked, instead of replaced, and assessed at the standard mudjack rate. Mudjacking on the sidewalk repair program is limited to large areas of settled or depressed sidewalk.
- A white “**C**” (i.e., “City Charge”) marked under an “**X**” or “**M**” indicates sidewalk which is to be replaced or mudjacked but *not* assessed to the abutting property. An example of such work would be at the corner of a street intersection.
- The white letters “**R.O.**” (i.e., “Remove Only”) indicates sidewalk which is to be permanently removed and replaced with grass. Work marked “**R.O.**” is typically *not* assessed to the abutting property.
- The white letters “**SAW**” indicates a line where sidewalk or other pavement is to be sawed.

Q: What are the red crayon marks on the sidewalk?

A: The City inspectors make markings with a construction red crayon prior to the start of work for the following reasons:

- To identify existing defects which do not require repair or replacement.
- To write notes or instructions for the City contractor to follow.

Q: What are the yellow crayon marks on the decorative brick pavers?

A: The yellow crayon marks on the decorative brick pavers were made by City inspectors to identify sections of pavers which are unsafe or defective and need to be reset.

Q: Why was a section of my private house walk, steps, or driveway marked for replacement? Isn't this program for sidewalks only?

A: All pedestrian routes within the Street right-of-way are evaluated for defects. If a driveway is the obvious pedestrian route to a house, the City will correct driveway defects within the right-of-way. The right-of-way line can vary from street to street but is typically 2 ft. **behind** the back edge of the City sidewalk.

Q: How does the City determine which sidewalk sections are my responsibility and which are my neighbors?

A: City inspectors research property boundary records and plat-of-survey records for the properties within the sidewalk repair program area in order to determine property line locations prior to the start of work. If a sidewalk section is replaced near the boundary which separates adjacent properties, then the inspectors will attempt to field locate property stakes in order to confirm location of the property line. The assessment cost of the work is then split between the two properties according to the property line location.

Q: What should I do if I would like to have additional work done along my property's frontage besides the work which is required by the City?

A: A property owner may request to have additional work done in the public right-of-way abutting their property. Requests for additional work must be made in writing to the City Engineering Department prior to the start of work. The owner is required to sign an "Additional Work Request" form to authorize the work. The cost of the additional work is charged at the applicable assessment rate and added to the cost of the work which is required by the City.

Q: The sidewalk in front of my property has a ponding problem. Will the City fix that problem with the Sidewalk Repair Program?

A: City inspectors do not evaluate sidewalk sections for problems related solely to grading or standing water (i.e., ponding), **unless** the Engineering Department receives a written request from the property owner to do so. If a request is received by the City, the

inspectors will determine the amount of work needed to reduce the problem. If the owner agrees to have the additional work done to reduce the ponding problem, then the owner is required to sign an “Additional Work Request” form to authorize the work and the cost of the work is assessed to the property at the applicable assessment rate.

Q: What should I do if I have a buried electric dog fence or sprinkler system in the ground next to the sidewalk which is marked for replacement?

A: If you have buried electric dog fencing or a functional underground sprinkler system in the ground next to the sidewalk that will be replaced, then please contact the City Engineering Department and inform us of the situation as soon as possible. The Engineering Department can then forewarn the City contractor who will be instructed to minimize damage or disturbance to that area as much as possible.

The City contractor will also do their best to minimize damage or disturbance to features such as retaining walls, custom stamped concrete, decorative pavers, or flower beds which are located in the public right-of-way adjacent to the proposed work. However, please be aware that neither the City nor the City contractors are liable for the repair or restoration of features which were privately constructed in the public right-of-way, if such features are unavoidably damaged or disturbed by the work.

Q: Where should I park if part of my driveway is under construction?

A: Residents who cannot access their driveway due to construction work may park on the street where parking is allowed. The City will provide each residence which may have access obstructed by the work with 2 overnight street parking permits before the work begins. If you need more than 2 parking permits then please contact the City Engineering Department to obtain additional permits.

Q: My driveway got new concrete yesterday. When can I use my driveway again?

A: New concrete typically requires 7 days of “cure” time before the concrete can support the weight of a vehicle. Cure time could be longer depending on the contractor’s operations. We ask that residents do **not** drive on any new concrete until the City contractor has removed the barricades.

If residents move the barricades before the City contractor does and drive on the new concrete prematurely, then the concrete could be damaged. If such damage occurs the City may direct the contractor to redo the work. The redone work would need to “cure”

for another minimum of 7 days and the cost for needing to redo the work would be added to property's assessment.

Q: Am I responsible for replanting and watering the grass which was disturbed?

A: The City contractor is required to install sod or seed to restore any grass area which is disturbed by the sidewalk work. The City contractor is also responsible for watering the restoration area for 10 days. After this 10 day period is over, the residents are responsible for watering the restoration area regularly for at least 2 weeks to help ensure proper grass growth.

Q: When do I have to pay my assessment bill? Will this get added to my property taxes?

A: City inspectors make final measurements of all work actually completed at each property at the end of construction. A Special Assessment Invoice, based on those final measurements, is then generated for each property. The invoice is typically mailed to the respective property owner in early spring of the year following construction. This invoice offers the owner several payment options:

Option 1. Pay the total amount due, without interest, by the beginning of May.

Option 2. Delay payment of the total amount due, without interest, until the beginning of November. However, if this option is selected but payment of the total amount due is not made by the beginning of November, then the entire amount due, plus interest, will be added to the year's property tax bill.

Option 3. 5-Year Installment Payment Plan. The total amount due, plus interest, is divided into five equal installments and added to the annual property tax bill over the next five years, one installment per year, beginning with the year of the Special Assessment Invoice. This payment plan is only available for an assessment of \$200 or more and will automatically be applied if neither Option 1 nor Option 2 above is selected.

Please note that:

- An assessment total under \$200 must be paid using either Option 1 or Option 2.
- An assessment total over \$5,000 is eligible for a 10-Year Installment Payment Plan. Contact the City Finance Department at 414-479-8960 for additional information.

Q: Can I choose to hire my own contractor to perform the work which is required by the City?

A: Yes, a property owner has the option of privately hiring their own qualified contractor to perform the required work. If a property owner chooses to do this, then the property owner **must** notify the City's Engineering Department in writing or by e-mail no later than the date specified in the Sidewalk Repair notification letter. Notifications may be e-mailed to Paul Fassbender, City of Wauwatosa Engineering Technician at pfassbender@wauwatosa.net. Also, the owner would need to sign an agreement form in which the owner agrees that the work will be completed by a designated date. The City will then delete the work and the associated assessment from the sidewalk repair program. If no notification is received by the City by the date specified in the Sidewalk Repair notification letter, the City contractor will perform the required work.

Please be aware that any privately hired contractor who does concrete pavement replacement work within the public right-of-way **is required** to have a City of Wauwatosa Concrete License. The fee for the license is \$25.00 and must be purchased by the contractor at the City Engineering Department.

A Street Occupancy Permit for Drive Approach, Sidewalk and Paving in City Right-of-Way **must also be obtained** at the Engineering Department prior to performing the work. There is no cost for this permit for those properties within the sidewalk program area which are correcting defective sidewalk identified by the City.

Q: What should I do when the sidewalk in front of my property is unsafe or defective but my property is not in this year's Sidewalk Repair Program area?

A: Property owners always have the option of doing repairs themselves or hiring a qualified contractor to do it. Please see the information listed in the previous question and call the Engineering Department to discuss your project and to obtain the necessary permits. The cost of the Street Occupancy Permit for Drive Approach, Sidewalk and Paving in City Right-of-Way for those properties not within the sidewalk program area is dependent on the amount of work being done.

Q: Do other options exist besides replacement for privately repairing unsafe or defective sidewalk?

A: Depending on the type of problem, some alternatives to replacement which property owners can privately employ include the following:

- Mudjack raising of sidewalk sections which are settled/depressed.
- Grind down the edge of a raised sidewalk section to match adjacent sidewalk.
- Epoxy patching of defects such as holes in slabs or deteriorated, widened joints between slabs.

If you choose to do any work yourself or with your own contractor, please contact the Engineering department by the date specified in the Sidewalk Repair notification letter. The City will then change the contractor's work schedule. If you delay, we cannot guarantee that our contractor's schedule can be modified.

Q: Whom can I contact for more information about the Sidewalk Repair Program?

A: For more information about the Sidewalk Repair Program, please contact:

- Paul Fassbender
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E-mail: pfassbender@wauwatosa.net
- John Weber
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