



Legislation Details (With Text)

**File #:** 63854      **Version:** 1      **Name:** Authorizing the Board of Public Works to Order Property Owners to Repair or Replace Substandard and Defective Sidewalks in the 13th and 14th Aldermanic Districts

**Type:** Resolution      **Status:** Passed

**File created:** 1/22/2021      **In control:** Engineering Division

**On agenda:** 2/23/2021      **Final action:** 2/23/2021

**Enactment date:** 3/3/2021      **Enactment #:** RES-21-00129

**Title:** Authorizing the Board of Public Works to Order Property Owners to Repair or Replace Substandard and Defective Sidewalks in the 13th and 14th Aldermanic Districts (13th & 14th ADs)

**Sponsors:** BOARD OF PUBLIC WORKS

**Indexes:**

**Code sections:**

**Attachments:** 1. Ald Dist 13 Map\_Include w Ordered Repairs.pdf, 2. Ald Dist 14 Map\_Include w Ordered Repairs.pdf

Date	Ver.	Action By	Action	Result
2/23/2021	1	COMMON COUNCIL	Adopt Unanimously Under Suspension of Rules 2.04, 2.24, & 2.25	Pass
2/3/2021	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - REPORT OF OFFICER	Pass
1/22/2021	1	Engineering Division	Refer	

**Fiscal Note**

The proposed resolution authorizes the Board of Public Works to order property owners to repair or replace identified substandard and defective sidewalks in the 13<sup>th</sup> and 14<sup>th</sup> Aldermanic Districts. The estimated cost of this work is \$2,755,000, of which \$1,095,000 is assessable. Funding is available in MUNIS 13220, 13221, and 13434. No additional appropriation is required.

**Title**

Authorizing the Board of Public Works to Order Property Owners to Repair or Replace Substandard and Defective Sidewalks in the 13<sup>th</sup> and 14<sup>th</sup> Aldermanic Districts (13th & 14th ADs)

**Body**

WHEREAS, pursuant to City policy under the Sidewalk Repair and Rehabilitation Program, each year all of the sidewalks in designated Aldermanic Districts are inspected by City Engineering staff to determine if sidewalks are broken, offset, settled, cracked, damaged, or otherwise defective and need to be repaired or replaced. Defective sidewalks are then repaired or replaced to ensure that the sidewalk continues to function properly. Under this Program, each Aldermanic District is inspected once every 10 years; and,

WHEREAS, pursuant to Wis. Stat. Sec. 66.0907, and MGO Secs. 4.09(12), upon learning of unsafe, defective or insufficient sidewalks, the City is authorized to order the adjoining property owner to repair or replace the sidewalk and perform the work if not done, charging the amount to the property owners as a special charge; and,

WHEREAS, in 2020 City Engineering staff inspected the sidewalks in the 13<sup>th</sup> and 14<sup>th</sup> Aldermanic Districts and detailed the sidewalks in need of repair or replacement, which work is to be done in 2021.

NOW THEREFORE, BE IT HEREBY RESOLVED that the Board of Public Works, pursuant to its authority in Wis. Stat. Sec. 66.0907(3)(b), is authorized to order property owners in the 13<sup>th</sup> and 14<sup>th</sup> Aldermanic Districts adjacent to sidewalks in need of repair or replacement to replace and/or repair sidewalks, or parts thereof, in full compliance with the requirements of the Ordinances governing such construction and repair.

BE IT FURTHER RESOLVED that, pursuant to Wis. Stat. Sec. 66.0907(3)(f), the Common Council authorizes that the expense incurred by the City in making the repairs may be paid in up to 5 annual installments with interest thereon, following the procedures applicable to special assessments as set forth in MGO Sec. 4.08, and that all charges will be collected in installments as above provided except such charges on property where the owner of the same has paid the charge to the City Treasurer on or before the next succeeding November 1st.

EDITOR'S NOTE: Parcels in the 13<sup>th</sup> and 14<sup>th</sup> Aldermanic Districts are subject to deletion due to work being done by other City of Madison Contracts, utility work, insufficient funds, or other circumstances which justify deletion.