



Legislation Details (With Text)

**File #:** 54408      **Version:** 1      **Name:** Authorizing the Board of Public Works to Order Property Owners to Repair or Replace Substandard and Defective Sidewalks in the 1st, 7th, and 9th Aldermanic Districts

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

**File created:** 1/15/2019      **In control:** BOARD OF PUBLIC WORKS

**On agenda:** 2/5/2019      **Final action:** 2/5/2019

**Enactment date:** 2/8/2019      **Enactment #:** RES-19-00064

**Title:** Authorizing the Board of Public Works to Order Property Owners to Repair or Replace Substandard and Defective Sidewalks in the 1st, 7th, and 9th Aldermanic Districts.

**Sponsors:** BOARD OF PUBLIC WORKS

**Indexes:**

**Code sections:**

**Attachments:** 1. Ald Dist 1 Map\_Include w Ordered Repairs.pdf, 2. Ald Dist 7 Map\_Include w Ordered Repairs.pdf, 3. Ald Dist 9 Map\_Include w Ordered Repairs.pdf

Date	Ver.	Action By	Action	Result
2/5/2019	1	COMMON COUNCIL	Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25	Pass
1/23/2019	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
1/22/2019	1	Engineering Division	Refer	

**Fiscal Note**

The proposed resolution approves assessment and plan documents for the 2019 sidewalk repair and replacement program at a total estimated cost of \$1,470,000. The adopted 2019 capital budget for Engineering-Pedestrian and Bicycle includes \$2,810,000 within the Sidewalk Program to encompass the 2019 sidewalk repair and replacements in aldermanic districts 1,7, and 9. Funding for the program is provided by GO Borrowing and special assessments.

**MUNIS:**

11879-403-200      \$571,000  
11880-403-200      \$822,000  
85131-54425      \$77,000

The total estimated cost is \$1,470,000 of which \$560,000 is assessable.

**Title**

Authorizing the Board of Public Works to Order Property Owners to Repair or Replace Substandard and Defective Sidewalks in the 1<sup>st</sup>, 7<sup>th</sup>, and 9th Aldermanic Districts.

**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 2018 City Engineering staff inspected the sidewalks in the 1<sup>st</sup>, 7<sup>th</sup>, and 9th Aldermanic Districts and detailed the sidewalks in need of repair or replacement, which work is to be done in 2019.

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 1<sup>st</sup>, 7<sup>th</sup>, and 9th 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 1<sup>st</sup>, 7<sup>th</sup>, and 9th 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.