

CITY OF NEW PHILADELPHIA

SIDEWALK REPLACEMENT PROGRAM

What this infopac contains:

- Information concerning the requirements and regulations for the Sidewalk Replacement Program
- Sidewalk Replacement Assistance Filing Instructions with Examples
- Sidewalk Replacement Assistance Application
- Application Ranking Descriptions
- Contractor Guidelines
- Sidewalk Replacement Specifications
- Chapter 903 of the New Philadelphia Codified Ordinance

Joel B. Day

Mayor

Mary Ann Otte

Executive Assistant to the Mayor

Administrative Service Ext. 1242

Ron McAbier

Service Director

Maureen Wenger

Secretary to the Service Director

Service Director Ext 1275

150 East High Avenue New Philadelphia, Ohio 44663 Phone (330) 364-4491

Revised 4/1/2017

INTRODUCTION ♦ SIDEWALK REPLACEMENT ASSISTANCE


Dear Friends,

In 1998, New Philadelphia City Council passed legislation authorizing the Mayor's office to administrate a program to assist residents in the cost of sidewalk replacement on public right-of-way. Varying amounts will be allocated for these projects on a first come – first serve basis after administrative ranking.

This infopac was developed to present the requirements of the program in a clear and concise manner. We hope it helps in determining whether your property qualifies for sidewalk replacement assistance.

We continue to strive to make this and other services better. If you have a concern or comment, which could improve this infopac, please address it to: Mayor Joel Day, 150 East High Avenue, New Philadelphia, OH 44663.

Kindest Regards,



Joel B. Day

GENERAL INSTRUCTIONS ♦ SIDEWALK REPLACEMENT ASSISTANCE

1. The property owner/applicant must submit a totally completed and signed application for sidewalk replacement assistance. The property owner, or their agent, is permitted only one funded application per year.

2. You **MUST** attach a copy of your contractor's written estimate for the total cost of the project, along with the contractor's address, telephone number and Federal Employment Identification (FEI) number or social security number.

3. The Service Director's Office will be accepting the Sidewalk Replacement Assistance applications until June 1st. After June 1st the Service Director will rank the sidewalks. If you receive an approval letter, you must submit your bank or cashier's check or money order for the difference between the contractor estimate and the City's share made payable to the City of New Philadelphia within ten (10) days from the date of the letter. No personal checks will be accepted for the sidewalk replacement assistance program.

4. Review the sidewalk replacement specification sheet provided in this infopac and advise your contractor to do the same. Your contractor should have a copy of the Sidewalk Replacement Specification for their files. Assistance is only available for sidewalks along the public right-of-way.

5. **Your contractor SHALL NOT start your sidewalk project until the property owner receives confirmation from the Service Director's Office that the application has been approved and payment has been received. If your contractor**

does proceed ahead of prior notification your application will become VOID.

6. Two (2) business days before the contractor is to pour your new sidewalk, the property owner or contractor must contact the Service Director's Office to arrange for an inspection for the forms. If the contractor's work meets the guidelines, an approval to proceed will be issued. Inspections will be conducted between the hours of 8:00am and 4:30 pm, Monday through Friday with the exception of holidays.

7. After the contractor finishes with the entire project, the contractor must submit a final invoice to the Service Director's Office for payment.

8. Payments made to the City will be returned to the property owner should their application become void, rejected or incomplete prior to the end of the program year. If incomplete, the application may be resubmitted the following year.

9. The application, with the attached contractor's estimate, must be returned to the Service Director's Office and found in satisfactory order before the project is ranked and placed on the sidewalk replacement assistance list. **Deadlines for applications are June 1st of each year.** Applications can still be submitted after the deadline and may be funded if money is still available for assistance projects.

10. If you should have any questions or need assistance, please contact the Service Director's office at (330) 364-4491 Ext 257.

Part A Instructions - Applicant's Information

- | | |
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| <p>Item 1: Enter the applicant's first name</p> <p>Item 2: Enter the applicant's middle initial</p> <p>Item 3: Enter the applicant's last name</p> <p>Item 4: Enter the applicant's street address.
Abbreviations, such as Ave, St, Ln, Dr
Etc., may be used</p> <p>Item 5: Enter the applicant's city.</p> | <p>Item 6: Enter the applicant's two letter state abbreviation (OH for Ohio)</p> <p>Item 7: Enter the applicant's postal zip code</p> <p>Item 8: Enter the applicant's Social Security Number</p> <p>Item 9: Enter the applicant's home telephone Number</p> |
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Part A: Applicant's Information																																								
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Part B Instruction - Property Owner's Information

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| <p>Note: It the applicant is the same person as the property owner, you may leave this blank.
If the property is owned by two people, like husband and wife, enter the second person's information in this part of the application.</p> <p>Item 1: Enter the property owner's first name</p> <p>Item 2: Enter the property owner's middle initial</p> <p>Item 3: Enter the property owner's last name</p> <p>Item 4: Enter the property owner's street address
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Part B: Property Owner's Information (If different from Part A)																																								
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Part C-7 Worksheet		
Step 1	Enter length from C-3	<input type="text"/>
Step 2	Enter width from C-4	<input type="text"/>
Step 3	Multiply step 1 and 2	<input type="text"/>
Step 4	Enter cost per sq. ft. from C-5	\$ <input type="text"/>
Step 5	If step 4 is greater than \$4.50 enter \$4.50. If step 4 is less than \$4.50. enter amount in step 4	\$ <input type="text"/>
Step 6	Subtract step 5 from step 4	\$ <input type="text"/>
Step 7	Enter value from 3 above	<input type="text"/>
Step 8	Multiply step 5 and step 7	\$ <input type="text"/>
Step 9	Divide step 8 by 2 (total 1/2 of walk @ \$4.50 per sq. ft.)	\$ <input type="text"/>
Step 10	Multiply step 3 and step 6. (additional paid by owner)	\$ <input type="text"/>
Step 11	Add step 9 and step 10	\$ <input type="text"/>
Step 12	Add building permit fee	\$ <input type="text" value="2"/> <input type="text" value="0"/>
Step 13	Add the nonrefundable building permit fee and place this value in part C-7	\$ <input type="text"/>

Ranking - Official Use Only	
Residential (5 pt.) or Commercial (1 pt.)	<input type="text"/>
Location of Sidewalks (5 pt. Max) High Traffic (5 pts), Others (3 pts.) Sidewalks for Schools (2 pts additional)	<input type="text"/>
Replacement: One Section of replacement = 1 point Up to 25% replacement = 2 points Up to 50% replacement = 3 points Up to 75% replacement = 4 points Up to 100% replacement = 5 points	<input type="text"/>
Condition (5 pt Max) Raised section up to 2" - 3pt. Raised section above 2" - 5pt. Missing Pieces - <25 sq.in. - 3pt Missing Pieces - >25 sq.in. - 5pt. Brick - 3pt. New Sidewalk - 1pt.	<input type="text"/>
Tree Removal: None - 5pt. Roots - 2pt. Removal & Roots - 1pt.	<input type="text"/>
Total:	<input type="text"/>
Evaluation Date:	<input type="text"/>
Evaluated By:	<input type="text"/>

Check List - Official Use Only		
Part A Completed?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Part B Completed?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Part C Completed?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Part C Worksheet correct?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Part D Completed and Signed?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Property Owner Verified?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Contractor Approved?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Applicant:		
Delinquent Water/Sewer Account?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Delinquent Income Tax Due?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Delinquent Parking Fines?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Delinquent Court Fines?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Property Liens?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Owner:		
Delinquent Water/Sewer Account?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Delinquent Income Tax Due?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Delinquent Parking Fines?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Delinquent Court Fines?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Property Liens?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Checked By:	<input type="text"/>	

Approvals - Official Use Only	
Application Approved:	Yes <input type="checkbox"/> No <input type="checkbox"/>
Service Director	<input type="text"/> Date <input type="text"/>
Purchase Order No:	<input type="text"/>
Form Inspection Approval:	
Assistant Service Director	<input type="text"/> Date <input type="text"/>
Final Inspection Approval/Submit for Payment	
Assistant Service Director	<input type="text"/> Date <input type="text"/>
Explanation of Rejection: <input type="text"/>	
<input type="text"/>	
<input type="text"/>	

◆ Application Ranking Description ◆

The law makes provision for an application filing deadline for the purposes of rating or ranking each proposed project.

Each application submitted prior to the rating deadline is ranked to determine priority. The goal of this ranking system is to assure the worst public walkways are replaced first. These applications are rated and placed in order of highest to lowest score. The highest scored projects are funded first, followed by lower scored projects until the funding is exhausted. Applications with the same ranking score will receive priority based on the application submission date.

Applications may be submitted after the rating deadline if sidewalk assistance funding is available. These applications will receive assistance based solely on submission date after an inspection by the Service Director. Applications may be rejected if, in his opinion, the sidewalk does not warrant replacement. Applications will be rejected if the replacement is for cosmetic reasons only.

Residential or Commercial

The law provides for a higher priority for sidewalk replacement assistance in residential areas. This is defined as a sidewalk not located in front of or adjacent to a commercial establishment or other place where a group of ten or more persons hold meetings or a place open to the public. Churches and other not for profit organizations are, under this law, considered to be commercial. Residential properties receive 5 points and commercial properties receive 1 point.

Sidewalk Location

In an effort to provide the most public benefit, sidewalks located in areas of high pedestrian traffic receive a higher rating. Sidewalks near schools also warrant a higher priority.

North & South Broadway, East & West High Avenue, Tuscarawas Avenue, 4th Street NW, Front Avenue SW and SE, Fair Avenue NW & NE, Ray Avenue NW & NE receive 5 points. All others receive 3 points.

If the property is located on a highly traveled path for school children, an additional 2 points is added. The total for this category cannot exceed 5 points.

Tree Removal

THE SIDEWALK ASSISTANCE PROGRAM DOES NOT INCLUDE FUNDS FOR TREE OR ROOT REMOVAL. IF THE PRESENT SIDEWALK HAS BEEN DAMAGED BY TREES, THESE TREES MUST BE REMOVED PRIOR TO APPLYING FOR REPLACEMENT ASSISTANCE. IF THE TREE IS LOCATED IN THE PUBLIC RIGHT-OF-WAY (BETWEEN THE SIDEWALK AND CURB) YOU SHOULD CONTACT THE TREE COMMISSION FOR EVALUATION AND POSSIBLE REMOVAL. IF THE TREE IS ON THE PROJECT'S PROPERTY, YOU MUST MAKE ARRANGEMENTS WITH A PRIVATE LICENSED CONTRACTOR TO REMOVE THE TREE, STUMP AND ROOTS.

No tree removal necessary receives 5 points. If roots need removal the project receives 2 points. If a tree and roots need removal, 1 point is awarded.

While there is a rating given for trees affecting the replacement project, if funding is not available for removal of trees on city property, the application cannot be approved.

Total or Partial Replacement

Projects that propose to totally replace the existing sidewalks are given priority over partial replacements. This category is awarded points based on the following:

Less than 25% replacement	1 point
Up to 25% replacement	2 points
Up to 50% replacement	3 points
Up to 75% replacement	4 points
Up to 100% replacement	5 points

Condition of Existing Sidewalk

This category rates the condition of the sidewalk along with the materials the present sidewalk is constructed. These guidelines are an attempt to quantitatively rate the present condition without the possibility of a subjective analysis. A maximum of 5 points is awarded for this category. The following provides a guideline:

For every uneven joint or raised section that is 2 inches or less, 2 points are awarded. If 1 uneven joint is above 2", the maximum 5 points is awarded.

If there are pieces missing in the present sidewalk of less than 25sq. inches, 3 points are awarded for each one. If the pieces are larger than 25sq. inches, the maximum 5 points are awarded.

If the present sidewalk is brick, 3 points are given. If there is no sidewalk presently in the proposed project, 1 point is awarded.

CONTRACTOR GUIDELINES ♦ SIDEWALK REPLACEMENT ASSISTANCE

In 1998, New Philadelphia City Council passed legislation authorizing the Mayor's Office to administer a program to assist residents in the cost of sidewalk replacement on a public right-of-way. Varying amounts will be allocated for these projects on a first come first serve basis after administrative ranking.

Each contractor who wishes to participate in this project must register with the New Philadelphia Service Director's Office, 150 East High Avenue, 330-364-4491, Ext 257. Registration is easy, only requiring key information about your business.

To make this process as easy as possible for your business and your customer, you must follow these simple guidelines:

1. Only sidewalks on public right-of-way qualify for assistance. If your customer wishes additional work, such as walk replacement for the right-of-way to a structure, it must be quoted separately.
 2. Read and understand the Sidewalk Replacement Specifications thoroughly. If you have questions, contact the Service Director's office. In general, **Sidewalks Must Conform to Ohio Department of Transportation Standards and American with Disabilities Act.**
 3. The quote you submit to your customer is considered a bid for the replacement work and will be the basis for assistance by the city.
 4. Your written quote **must** be on stationary which contains the following information. Not providing this information will delay or void your customer's application causing needless frustration to you and your customer.
 - a. your company name and/or your name.
 - b. Your mailing address
 - c. Your telephone number
 - d. Either your Social Security Number if an individual or your company's Federal Employment Identification (FEI) number.
 - e. The total length of the sidewalk to be measured on the edge adjacent to the public street
 - f. The width of the sidewalk to be replaced.
 - g. The average cost per square foot for replacement
 - h. The total cost of the project.
5. You will be responsible for completion of the entire project. Bids made with the property owner providing part of the labor will not be accepted.
 6. **IMPORTANT!** You cannot begin the project prior to approval by the Service Director in writing or without the proper building permit. Failure to comply will risk voiding your customer's application and assistance possibilities.
 7. Once your customer's project is approved, an approval letter and signed sidewalk replacement application will be issued from the Service Director's Office.
 8. Arrangement must be made with the Service Director's Office to inspect the site and set the sidewalk grade level prior to construction
 9. After evacuation and forming, the Service Director's Office must inspect the forms. This must be done prior to pouring and should be scheduled within two working days from delivery of the concrete.
 10. Following completion and inspection of the project, the city will forward the total project payment to you based on the application amount. Any charges proposed by the property owner/applicant after application submission will be at the expense of the property owner/applicant.

◆SIDEWALK REPLACEMENT SPECIFICATIONS◆

1. Existing Sidewalk Removal

- a. Joints at terminal points of removal shall be saw cut to full depth.
- b. All debris shall be removed from the project site by the contractor and disposed of properly at the contractor's expense

2. Excavation

- a. Excavation shall be made to the required depth and to a width that will permit the installation and bracing of forms.
- b. The sub-grade shall be shaped and uniformly compacted
- c. Any fill used to grade shall be granular

3. Forming

- a. Forms shall be made of wood or metal and extend the full depth of the concrete
- b. Forms must be of sufficient strength to resist the pressure of the concrete without springing
- c. Sidewalks shall be reconstructed to the same width as the previous sidewalk with the completed surface at the level of existing adjacent sidewalks
- d. Sidewalks shall be a full 4 inches in depth
- e. Sidewalks in driveway areas shall be a full 6 inches in depth
- f. Sidewalks shall be 5 feet in width or the same width as the original

4. Placing and Finishing

- a. The sub-grade shall be moistened thoroughly immediately prior to placing concrete
- b. The concrete shall be Portland cement 6½ bag mix (600 psi) and be deposited in a single layer
- c. The concrete shall be struck off with a template and smoothed with a float to obtain a sandy texture. No plastering is permitted
- d. All outside edges and joints shall be edged with a ¼ inch (6mm) radius-edging tool.
- e. The surface of the sidewalks shall be divided into equally spaced blocks at approximately 5 foot (1.5m) intervals to form rectangular blocks
- f. Transverse joints shall be sawed or formed to a depth of not less than ¼ the thickness of the slab and shall be approximately 1/8 inch (3mm) wide.
- g. Expansion joint filler shall be ½ inch (13mm) thick and extend the full depth of the slab between the sidewalk and any fixed structure.

- h. Expansion joint filler shall be 1 inch (25mm) thick and extend the full depth of the slab between the sidewalk and a curb
- i. The finished surface of the sidewalk shall have a transverse slope of 0.02 with the low side adjacent to the roadway

5. Curing

- a. Curing may be accomplished by means of water curing with wet burlap cloth, waterproof paper or polyethylene sheeting
- b. Curing shall be applied as soon after the finishing operations as possible without marring the surface of the concrete
- c. The entire surface of the top and sides of the newly placed concrete shall be covered and maintained for seven days
- d. The contractor shall be responsible for protecting the concrete from freezing until cured.

6. Curb Ramps

- a. All sidewalks constructed adjacent to a vehicular traveled area shall be constructed to American's with Disabilities Act (ADA) standards and include a curb ramp
- b. The removal, excavation, forming, placing, finishing and curing shall conform to those specifications previously set forth in this specification
- c. The final surface texture shall be rougher than the adjacent sidewalk and be obtained by coarse brooming or related method to obtain striations transverse to the ramp slopes

7. Project Completion

- a. Contractor shall remove all construction materials, backfill, grade and seed prior to final approval and payment by the city
- b. Contractor shall submit the invoice to the Service Director's Office after project is completed

8. City's Volunteer Participation

- a. The City's financial participation shall be limited to ½ of the project cost, but not to exceed \$2.25 per square foot of new sidewalk area
- b. Projects may not be completed by owner. Only projects completed by reputable and approved contractors will be considered.

CODIFIED ORDINANCE ♦ CHAPTER 903 ♦ SIDEWALKS

903.01 DEFINITIONS

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

“Residential In Nature” A sidewalk not located in front of or adjacent to a commercial establishment or other place where a group of (10) or more persons hold meetings or a place open to the public.

“Sidewalk” The specification for replacement of a sidewalk shall be those of a six (6) bag mix Portland cement concrete sidewalk of not less than four (4) inches thickness or not less than six (6) inches thickness at driveways.

903.02 WIDTH IN BUSINESS DISTRICT

All sidewalks in the business portions of the city shall be constructed to extend from the property line to the curb.

903.03 WIDTHS OUTSIDE BUSINESS DISTRICT

All sidewalks outside the business portions of the city shall be constructed next to the property line and shall be of the following widths:

Those on streets with a public right-of-way fifty (50) feet or more in width shall be five (5) feet wide and there shall be a lawn strip between sidewalk and the curb of the street.

However, on all streets and alleys where sidewalks have heretofore been constructed and such sidewalks are to be reconstructed or extended, such reconstructions or extensions shall be of the same widths as the walks then existing thereon upon approval of the Director of Public Service.

903.04 NOTICE TO REPLACE, PARTIAL PAYMENT BY THE CITY

The Mayor is empowered, authorized, and directed to replace, or cause to be replaced, public sidewalks within the city limits and to commit the city to the payment of not more than 50% of the costs of such replacement. Provided, however, that notice as required by the R.C. Section 729.03 has been served upon the owner, lessee, tenant, or agent having charge of such lands upon which a public sidewalk to be replaced is situated, and further, that such owner, lessee, tenant, or agent has failed to comply with the notice to replace the sidewalks within 30 days after service of such notice, and

provided that the Mayor, or his representative, that the sidewalks require replacement.

903.05 BIDS FOR SIDEWALK REPLACEMENT

The Mayor is authorized to obtain bids or informal estimates in accordance with the normal city bidding procedures, or in accordance with other procedures as may be required by law, for the replacement of such sidewalks pursuant to section 903.04. The Mayor shall make or cause to be made an inspection of the sidewalk to be replaced and if upon inspection determines, in concurrence with the Service Director or his representative, that is in the public interest that such replacement be carried out, the Mayor shall receive bids or informal estimates for such replacement of sidewalks.

903.06 FAILURE TO PAY; CERTIFICATION TO AUDITOR

If any owner or agent of any owner fails to make payment of the property owner’s share of the actual cost for any sidewalks replaced as required by Section 903.04 within 60 days of the date of completion of the sidewalk replacement, the Mayor shall cause written return to be made to the County Auditor for an amount equal to the property owner’s share or the actual costs of the sidewalk replacement and to enter such amount upon the tax duplicate to become a lien upon such lands from the date of entry, to be collected as other taxes and returned to the city.

903.07 APPLICATION FOR PARTIAL CITY PAYMENT

Any property owner or the agent of any owner who plans to replace public sidewalks upon property, which he controls within the city limits, may make written application to the Mayor for partial payment by the city of the costs for such replacement of sidewalks. Upon receipt of such application, the Mayor shall make or cause to be made an inspection for the sidewalks to be replaced and if upon inspection, determines with the concurrence of the Service Director or his representative that it is in the public interest that such replacement be authorized to commit the city to pay not more than 50% of the costs of such replacement. The property owner or the agent of

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any owner is limited to one funded application per year.

903.08 CHECK TO ACCOMPANY APPLICATION

The application for partial payment by the city for the replacement of sidewalks set forth in Section 903.07 shall be in writing on a form approved by the Mayor and shall be accompanied by a estimate of cost for the proposed replacement along with a certified check or money order, payable to: The City of New Philadelphia, representing the applicant's share of the cost of replacement.

903.09 APPLICATION SUBMISSION; RATING DEADLINE

Written applications as provided for in Section 903.07 shall be submitted to the Mayor for priority rating no later than June 1st of each year. Sidewalks, residential in nature, shall be given priority for available funds over commercial sidewalks. Other priority rating methods shall be determined by the Mayor. If two or more applications have equal priority ratings, the date of application filing will prevail.

903.10 APPLICATION SUBMISSIONS; PAST RATING DEADLINE

Applications may be accepted and approved beyond the dates listed in Section 903.09 within the program's calendar year provided that all funds for replacement assistance have not been committed during priority rating. Priority rating for submission after the rating deadline will be based on the date of application filing.

903.11 NEW APPLICATION FOR UNCOMPLETED WORK

If an application has been approved and deposit made, but work has not been completed as of October 1, of the year in which the application is made, such application and check money deposited by the applicant shall be returned to the applicant without prejudice to the filing of a new application.

903.12 MAYOR TO ADMINISTER

The Mayor is authorized to administer the program for applications for partial payment of sidewalk replacement. This includes application forms, priority rating guidelines, procedural methods and sidewalk specifications so far as they are not in violation with any provision herein.

903.13 APPLICATION REJECTION; APPEAL; OVERRIDE OF MAYOR'S DECISION

If an application for city participation in replacement of sidewalks as provided for in Section 903.07 is rejected by the Mayor, the applicant may appeal the Mayor's decision. Such appeal shall be to Council, through the Mayor in writing. Council shall give its decision on the appeal no later than its second regularly scheduled meeting after Council's receipt of the appeal. Such decision shall be majority of Council and shall be transmitted to the applicant in writing. If Council sustains the Mayor's rejection of the application, the reasons for the rejection shall be stated in Council's written answer to the applicant. Council shall also have the power to override, by majority vote of the members of Council, the Mayor's decision to commit the city to pay a portion of the replacement cost of sidewalks and may establish what, if any, portion of the replacement cost shall be borne by the city.

903.14 MAINTENANCE OWNER'S RESPONSIBILITY

The responsibility for maintaining a sidewalk safe for public use rests with the owner, lessee, tenant, or agent having charge of the lands upon which the walkway exists. The city assumes none of this responsibility by accepting an application for participation in sidewalk replacement or by agreement to participate in sidewalk replacement.

903.15 MAXIMUM YEARLY EXPENDITURE

The amount of money expended by the city for the repair or replacement of sidewalks shall not exceed the sum appropriated by Council per calendar year.

