



SIDEWALK COST SHARE PROGRAM

Approved 7/14/2020

BACKGROUND

Chapter 15-11 of the Berthoud Municipal Code requires sidewalks, curbs, and gutters to be “maintained with an even surface in good repair and in conformity with the established grade of the streets along which they are constructed”. In addition, Chapter 15-11.1 requires the “property owner adjacent to or open which the improvement is constructed to construct or repair the same in accordance with the specifications of the Superintendent of Streets.”

The Town inspects sidewalks, curbs, and gutters routinely and notifies property owners when those improvements have failed. Specifically, failed sidewalks, curbs, and gutters include broken concrete, trip hazards, sunken or lifted areas, and other structural or safety deficiencies as identified by the Town staff. Failure does not include aesthetic issues such as surface spalling or cracks that do not pose a safety, drainage, or accessibility problem.

When a property owner is notified by the Town that a failed sidewalk exists on their property, those failed segments must be replaced within 60 days from the date of notification, barring weather delays as agreed to by the Town.

Without removing any requirements of Municipal Code sections 15.11 and 15.11-1 (Code), but to lessen the burden of replacing sidewalks, the Town has created a Sidewalk Repair Cost-Sharing Program. Under the Cost-Share Program the property owner agrees to pay for all the labor and materials associated and related to the project with the City providing reimbursement of up to 50% of the total cost subject to the availability of budgeted funds and the Town’s sole discretion. Additionally, under the Cost-Share Program, the City’s required ROW Access Permit fee is waived.

ELIGIBILITY

All single-family residential property owners within the Berthoud Town Limits are eligible for participation in this program.

Multi-family, commercial, and industrial properties are not eligible for reimbursement but may still be required to repair failed sidewalks as identified by the Town consistent with the Code. Additionally, any sidewalks that are part of a private street network maintained by a Metro District or HOA are not eligible for reimbursement.

PROCESS

Property owners that believe they have a failed sidewalk may approach the Town at any time and request participation in the Cost-Share Program. Upon submittal of a request form, the Town will inspect the sidewalks on the property in question and will determine if the sidewalks have failed. Determination of sidewalk failure will be at the Town’s sole discretion but in general, failure of the

sidewalk will be related to drainage or safety issues such as a tripping hazard or settled curb and cutter. Aesthetic issues such as surface spalling do not qualify for the program.

Additionally, the Town may notify a property owner of a failed sidewalk on their property and provide a deadline for repairs to be made. When this notification is given, a request form for cost-sharing will also be provided. Failure for the property owner to return the form will not relieve a property owner from the requirement to repair the sidewalk, nor extend the deadline for repair.

Upon determination by the Town that the sidewalk has failed, the property owner will solicit a minimum of three bids from qualified contractors to repair or replace the sidewalk. These bids must be provided to the Town and will be approved or disapproved for reimbursement within five business days of being received. If approved, the Town will notify the property owner in writing that they may proceed. When the work is complete, the property owner will request an inspection from the Town. Upon receiving a passed inspection, the property owner will submit a reimbursement request form with accompanying proof of payment and the Town will reimburse the property owner within 30 days of receipt.

ADDITIONAL PROGRAM DETAILS

- Funding for this program is limited to the annually budgeted amount for sidewalk replacements, so claims are paid on a first-come, first-served basis.
- Flagstone sidewalks will be replaced with concrete.
- Applicants will not be reimbursed for any work done prior to receiving approval from the Town.
- The property owner must obtain three bids from concrete contractors and provide the Town with copies of these bids prior to beginning the work. Contractors must meet the Town's insurance requirements.
- The contractor performing the work is required to obtain a free Right-of-Way permit from the Town in order to perform the concrete repairs; all repairs will meet Town standards.
- The Town will reimburse the property owner for 50% of the lowest bid received. Aspects of the project involving ADA compliance (i.e. corner ramps) will be fully covered by the Town but must be included in the bid documents as separate line items.