

## ORDINANCE

Date: \_\_\_\_\_

An ordinance to repeal and recreate Section 8.02 of the Municipal Code of the Village of Sharon, Walworth County, Wisconsin, regarding sidewalk construction and repair.

The Village Board of the Village of Sharon, Walworth County, Wisconsin, does hereby ordain as follows:

Section One: Section 8.02 of the Municipal Code of the Village of Sharon, Walworth County, Wisconsin is hereby repealed and recreated to read as follows:

**8.02 SIDEWALK CONSTRUCTION AND REPAIR.** (1) COST. Whenever the Village Board by resolution determines that sidewalk be laid, rebuilt, repaired, lowered or raised upon any public street within the Village, the Village shall be liable to pay for removal of old sidewalk, removal of trees as necessary, grading for new sidewalk and finish landscaping; and the abutting property owner shall be liable to pay for all concrete and labor, although such services may only be contracted by the Village. The costs for perpetual maintenance shall be divided in the same manner, except that Section 66.0907(5), Stats., shall apply to snow and ice on sidewalks. If the abutting property owner is required to pay in excess of \$500.00 for any such work, such property owner may elect to pay such costs in three equal yearly installments, together with interest at 1% above the prime rate, the first payment being due on January 31 of the year following the completion of any such work.

(2) STATUTES; RECORDS. Section 66.0907, Wis. Stats., shall apply to the construction or repair of sidewalks in the Village. The Village Clerk shall issue notices as prescribed by Section 66.0907, Stats. The expense of laying, removing and repairing sidewalks in front of each lot or parcel of land shall be kept by the Clerk for entry on the tax roll as a special tax against such property.

(3) CORNER LOTS. For corner lots at the intersection of two(2) streets where sidewalks are constructed along either street, the provisions for division of payment in subsection (1) shall apply, except that the Village shall be solely liable to pay for any labor or materials to lay, remove, replace or repair any sidewalk on corner lots, for those sections of sidewalk between a street and the intersecting sidewalk.

(4) CONTRACT OR PERMIT REQUIRED. No person shall lay, remove or repair any sidewalk within the Village unless he or she is under contract with the Village to do so such work or has obtained a permit from the Village Clerk before the work proposed is begun. No fee shall be charged for such permits.

(5) LOCATION OF SIDEWALK. The Village Board shall determine the necessity for and location of all sidewalks within the Village limits.

(6) WIDTH. All residential sidewalks within the Village shall be 4 feet in width unless otherwise required by the Village Board.

(7) COMPLIANCE WITH SPECIFICATIONS. All sidewalks within the Village shall comply with the following specifications:

- (a) Sidewalks shall be 4 inches thick except at a driveway area. The driveway area shall be 6 inches thick. The driveway shall be independent of the main run of sidewalk.
- (b) Sidewalk cement mix shall be a 5-bag mix minimum.
- (c) Reinforcing is not required.
- (d) Minimum bedding under sidewalks shall be 3 inches of crushed stone, or pea stone or equal.
- (e) Top elevation of a sidewalk shall not exceed 2 inches above land grade. Sidewalk elevations shall match adjacent property intersections. The width of a sidewalk shall be 4 feet; where a sidewalk is less than 4 feet the contractor shall match the width of the original sidewalk.
- (f) Sidewalks shall be finished with a broom finish. Sidewalk section lines shall be 4 feet or 5 feet, to be chosen by the contractor.
- (g) The contractor shall properly dispose of waste material.
- (h) The contractor shall consult and cooperate as necessary with the Water Department on the location of water shut-off valves located along sidewalks.
- (i) The contractor shall show proof of bonding.
- (j) Curb ramping shall be provided as mandated in Section 66.0909, Stats., or as otherwise directed by the Village.

(8) NEW CONSTRUCTION. All new construction shall require sidewalk installed within twelve months, complying with Sections 8.01 and 8.02.

(9) SIDEWALK REPAIR PROGRAM AND GUIDELINES. The Village of Sharon hereby establishes a sidewalk inspection and repair program which will be managed by the Public Works Department, which will review all existing sidewalks for defects or repairs. All inspection results shall be memorialized by written document which will include the condition of subject sections of sidewalk, the address of such sections of sidewalk, date of inspection, and name of inspector. When a defect or need for repair, as defined herein, is found by such inspection, such section of sidewalk shall be placed on a schedule for repair as part of the repair program for that year. The criteria for determining whether a sidewalk is defective or otherwise needs repair are as follows:

- (a) Differential settlement or heaving of 3/4 inch or more at any point along a joint.
- (b) The sidewalk is cracked and such cracking has caused or has potential to cause breaking out of concrete or settling.
- (c) The sidewalk has pieces missing or the sidewalk slabs have separated.
- (d) A slab that slopes more than one inch per foot in any direction.
- (e) Where elevations over the years have become so warped due to settling or heaving individual replacements, it may be necessary to remove a "good" slab in order to save a number of warped slabs and obtain proper drainage.
- (f) Deteriorated surface, rough, pitted or loose gravel-like condition has occurred to the extent that scaling or pitting has progressed 1/2

inch from the surface and there are three or more areas meeting such criteria.

(g) Broken corners greater than 3 inches in any direction.

(h) All protruding vegetation shall be removed to eliminate safety hazards.

Section Two: Pursuant to Sec. 66.0103 and 60.80(1) and (3), Wis. Stats., this Ordinance shall be effective the day after its publication subsequent to its adoption.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Bob Carlson, Village President

Attest: \_\_\_\_\_  
Dawn Redenius, Village Clerk