



**City of St. Charles, Illinois**  
**Resolution No. 2012-41**

**A Resolution Approving the Execution of Policy for Service Sidewalks**

**Presented & Passed by the  
City Council on 07 May, 2012**

BE IT RESOLVED by the Mayor and City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, that the Mayor and City Clerk be and the same are hereby authorized to approve a Policy for Service Sidewalks.

PRESENTED to the City Council of the City of St. Charles, Illinois, this 7th  
day of May, 2012

PASSED by the City Council of the City of St. Charles, Illinois, this 7th  
day of May, 2012

APPROVED by the Mayor of the City of St. Charles, Illinois, this 7th  
day of May, 2012

  
ATTEST: Nancy Gorman  
City Clerk

  
Donald P. DeWitte, Mayor

**COUNCIL VOTE:**

Ayes: 10

Nays: 0

Absent:

Abstain:

Title                                      **City of St. Charles Policy for Service Sidewalks**

Policy #

Approval Date

Revision Date



**Sections:**

- I.        Introduction
- II.       General Provisions
- III.      Legal

**I.        INTRODUCTION**

This policy has been developed to provide clear direction to property owners and to guide City staff regarding the ownership, installation, removal, replacement and maintenance of Service Sidewalks.

Per the Municipal Code Section 12.04.005, a Service Sidewalk is referred to as a "sidewalk, approach type" and is defined as "A parkway structure intended for pedestrian use usually extending from the curbing or edge of pavement right-of-way. This approach sidewalk is intended primarily for the private convenience of the adjacent lot or parcel."

Per Municipal Code Section 12.04.217-C, "It is the responsibility of the owner of the lot or parcel privately served by a sidewalk, approach type, to maintain and repair such sidewalk, approach type."

This Policy in no way shall change or alter the intent of the Municipal Code.

This policy is applicable to all residential properties inside of the City's corporate limits.

**II.       GENERAL PROVISIONS**

1. The City will notify property owners adjacent to a Service Sidewalk in one of the following ways:
  - a. If a property owner is adjacent to a Service Sidewalk that has received a "Poor" rating on the assessment, they will receive notice from the City stating so. At that time, the property owner will have a choice to either: (See "Exhibit A – City's Non-Standard Sidewalk Agreement") (See "Exhibit B – Poor Rating Notice")
    - i. Direct the City to remove the Service Sidewalk and replace with turf at the City's expense or;
    - ii. The property owner will be required to repair any deficiencies with the Service Sidewalk at their expense. The property owner will be required to execute the City's Non-Standard sidewalk agreement and record it with the county. This recorded document is put on file for that property for any future impacts to the service sidewalk.

- b. If the City is notified and confirms that a Service Sidewalk has deteriorated to a “Poor” rating, the adjacent property owner will receive notice from the City stating so. At that time, the property owner will have the same choices as mentioned above in Section 3a.i and ii.
  - c. If at any time, the City, retained street/ ROW contractor, private contractor or any other public or private entity or natural means causes damage to a Service Sidewalk, whether on purpose or by other cause, the City will notify the property owner. At that time, the property owner will have the same choices as mentioned above in Section 3a.i and ii.
- 2. The City at no time will repair or modify any Service Sidewalk.
- 3. Any and all future improvements by Owner in the ROW will require a permit.

#### **IV. Permit**

- 1. The ROW permit can be found on the City’s website under the forms heading.