

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

Policy # 2012-04

Approval Date May 7, 2012

Revision Date



Sections:

- I. Introduction
- II. General Provisions
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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.” In other words, a service sidewalk is usually the small section of sidewalk that connects the main sidewalk to the street. This section of sidewalk usually runs perpendicular to the street and crosses through the parkway providing a path from the street curb to the main walk.

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:
 - 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 submit a Right-of-Way Permit (including a covenant) to the Building Department and record it with the county. This recorded document is put on file for that property for any future impacts to the service sidewalk.

Note: (See attached “Exhibit A – City of St. Charles Right-of-Way, Driveway or Street Cut Permit” and “Exhibit B – City of St. Charles Service Sidewalk Removal Program Letter”)

- 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.