

SIDEWALK INSPECTION PROGRAM INFORMATION SHEET

City of Dubuque Code of Ordinances Chapter 10-1-1, 10-1-2 requires a property owner to maintain abutting public sidewalks free from cracks, holes, and unevenness so that the sidewalk does not constitute a public safety hazard. The Code of Ordinances declares such state of disrepair a public nuisance. When such conditions are discovered, they are considered defective. Effective on September 2, 2014 Dubuque City Council members amended a section of Dubuque ordinance addressing sidewalk repair and liability. The amended ordinance shifts financial liability to property owners in most cases when people are injured on sidewalks.

Completion:

Property owners are required to replace or reconstruct defects within thirty- (30) days after receipt of a notice identifying the defects, unless an executed "Extension of Time for Sidewalk Repair and Indemnification Agreement" is filed with the City. Pursuant to Iowa Code Section 364.12.2(e) and City of Dubuque Code of Ordinance Section 10-1-2-D, if a property owner fails to complete the required repairs or reconstruction, the City will cause the work to be performed by a City contractor, and the cost plus a 15% administration fee will be assessed against the abutting property for collection in the same manner as a property tax.

Extension/Indemnification Agreement:

An extension of time of an additional sixty - (60) days will be granted if the property owner agrees to assume all liability relating to the defects in the sidewalk during the period of the extension. A property owner must execute an "Extension of Time for Sidewalk repair and Indemnification Agreement" holding the city harmless from any claim relating to the sidewalk during the period of the extension. This agreement must be executed and filed with the City Engineering Department **prior to the initial thirty - (30) day deadline for the work. No extensions will be granted if this form is not on file with the City prior to the original thirty - (30) day deadline.**

Permit:

A permit for work in the public right-of-way is required prior to initiation of the project. Permits may be secured by calling 563-589-4270 at least twelve - (12) hours prior to arrange an appointment with an inspector to answer any questions and verify the scope of the project prior to issuing the permit. Permit fees range in price from

\$10.00 for minor grinding of sidewalks and stop box adjustments to \$50.00 for sidewalk replacement. Sidewalk repairs made within thirty - (30) days of the notice will be reduced by 50% or \$25.00, **Minimum permit fee is \$10.00**. No payment will be accepted on site, permit fees will be invoiced and billed through the City of Dubuque Finance Department.

Utility Location Service

No permit shall be issued if utility locations are not clearly marked or flagged; your contractor will call in his own utility locations as required by Iowa Law. If you are doing the work yourself; call Iowa One Call's free service at **1-800-292-8989**, www.iowaonecall.com or simply calling **811**. The utilities will be located and marked within 48 hours after the initial phone call.

Construction:

All work must comply with the City's sidewalk construction specifications, copies of which are available online at www.Cityofdubuque.org or copies may be obtained at the City of Dubuque Engineering Office on second floor of City Hall. **SURFACE PATCHING is not allowed** and a property owner will be required to replace and reconstruct any patched areas. However, a full depth patch may be performed with the prior approval of the Sidewalk Inspector.

Contractors:

Enclosed is a list of qualified contractors, who have the necessary insurance required by the City and are approved to perform work in the City right-of-way. Please advise your contractor of your thirty - (30) day deadline and the potential need to request an extension. If the contractor you choose is not on our approved contractor list, a permit will be issued to and must be signed by the property owner prior to initiation of the project.

Water Service Box:

Your water service box located in the right-of-way houses the main water control valve for your property; if broken or missing the lid, the valve box will fill with sediment and in an emergency (broken line) will be difficult to shut down. These also pose pedestrian hazards if:

- Higher or lower than $\frac{3}{4}$ " from the grade of the sidewalk, requiring adjustment,
- Missing the lid will require a new lid and possible adjustment

- It will require replacement if broken and incapable of attaching a lid.

Lowering or raising the water service box can be accomplished by contacting a contractor, or making repairs yourself. A tool is available for checkout through the City of Dubuque, Utility Department, at 563-589-4145. (There are two types of water service boxes in use, the tool only works with one type.) replacement parts are available for purchase at local plumbing suppliers. If there are questions about water service box repairs or adjustments, contact the City of Dubuque, Water Department at 563-589-4305 or the Sidewalk Inspector at 563-589-1721.

Tree Standards:

If the sidewalk defect is caused by a tree and the property owner requests removal, the City of Dubuque Forester will evaluate and determine if the tree's health or location warrants removal. If the forester believes the tree is healthy and should stay the inspector will work with you or your contractor on sidewalk alterations to allow future root growth of the tree. If the street tree roots raise the sidewalk after the alterations are made, the City will warrantee those altered sections of sidewalk and replace them at no cost to the property owner. Alterations need to be approved by the Inspector and will be noted on the permit.

Financial Assistance:

Financial Assistance is available through Community Development Block Grant Funds for an **owner-occupied** residential property meeting the City's low and moderate-income guidelines. Financial guidelines and an application for assistance are available upon request.

SIDEWALK DEFECTS

A common complaint involves grass / weeds overgrowing sidewalks causing serious trip hazards. Regular trimming addresses this liability problem. Sidewalk edging cut to deep will cause undercutting of the sidewalk resulting in failure.



Sidewalk panels broke in more than three pieces are marked for replacement. Offsets greater than $\frac{3}{4}$ " are marked for replacement.



Spalling of sidewalk surface leaves loose gravel posing pedestrian hazard and will be marked.

Drive approaches are also inspected and marked for replacement if they do not meet specifications.



Water service boxes are adjustable and must be set to grade, with intact covers attached, whether in the sidewalk or the park lawn area.



Constant flow of water over the sidewalk causes algae build up, causing very slippery conditions in the summer and icing in the winter. Tiling of the area helps eliminate this hazard during all seasons



Holes or gaps larger than $\frac{3}{4}$ " are marked for replacement.

Tree Issues

Tree roots raise sidewalks. The City of Dubuque encourages the preservation of our street trees. Altering the sidewalk around the tree trunk when done properly will allow tree growth for many years without disturbing the sidewalk. However, sometimes the tree just requires removal.



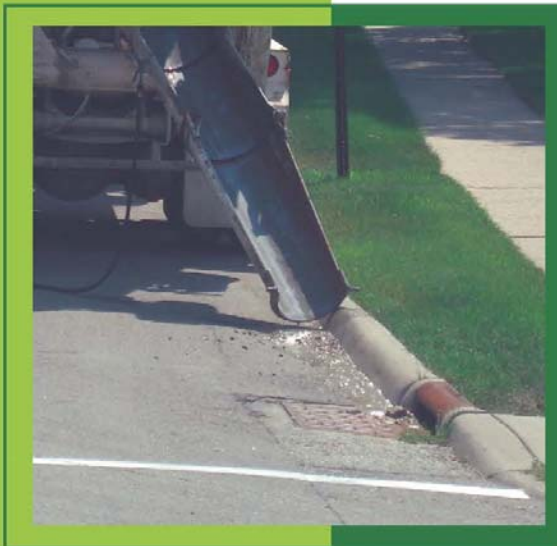
The inspector will meet and explain what options will work best for each situation. Arching the sidewalk around the base of the tree combined with a gentle raise in grade past the tree will allow room for future growth. When this method is used and approved by the inspector, the City of Dubuque warrants the adjusted section of sidewalk if tree roots raise it again. Sidewalk alterations must be approved by the inspector for the sidewalk to be warranted.

Concrete Washout



The City of Dubuque's Illicit Discharge Ordinance prohibits the dumping of concrete or concrete wash water into the City's storm sewer system, which includes the following places:

- streets and gutters
- natural and artificial drains
- channels and watercourses
- any other facility owned or maintained by the City of Dubuque for use in collecting, storing, transporting, or disposing of stormwater.



Anyone who illegally disposes of concrete wash water, including home owners, contractors, concrete truck drivers, or ready mix operators, is subject and may be fined up to \$1,000.



Some acceptable washout locations would include, but are not limited to, the following:

- areas on site that have been approved by the owner (grassy areas not within the parkway)
- within piles of excavated dirt
- areas that are going to be paved over
- environmental bags or sacks
- concrete washout station
- excavated holes



Reporting a Violation

Help prosecute violators by taking a photo of the violation taking place. Call the City of Dubuque at 563-690-6200 to report any illicit activity. Your call may remain anonymous.



For more information on preventing stormwater pollution, visit www.cityofdubuque.org/stormwaterquality

**APPROVED SIDEWALK CONTRACTORS
CITY OF DUBUQUE, IOWA**

Skyline Construction
ATTN: Mark Arthofer
165 Westside Court
Dubuque, IA 52003
563) 583-2699 or 599-
2375

Arendsdorf Construction
Dan Arendsdorf
8785 Scenic Hill Lane
Dubuque, IA 52003
(563) 582-1510

Perry Construction
ATTN: John Perry
10600 Freedom Ridge Rd.
Dubuque, IA 52003
(563) 556-8065

Max Smith Construction
P.O. Box 1199
Dubuque, IA 52004-1199
563) 590-0144 or 556-
5042

D & D Concrete Inc.
Keith Dague
P O Box 3040
Dubuque IA 52004
(563) 584-0997

Dimmer Bros., Inc
3009 Burlington Street
Dubuque, IA 52001
(563) 588-2422

Kluesner Construction Inc.
ATTN: Craig Kluesner
1007 1st Avenue NW
Farley, IA 52046
(563) 744-3422

Kluck Construction Inc.
Dave Kluck
P.O. Box 1045
Dubuque, IA 52004-1045

Custom Concrete
12679 Foust Rd.
Zwingle, IA 52079-9728
(563) 773-8746

Winger Construction
Mike Winger
2175 Washington St.
Dubuque, IA 52001
(563) 557-7036

ECCI
13247 Terrell Ridge
Dubuque, IA 52003
(563) 588-2026

Hamel Sodding &
Landscaping
Bill Hamel
1660 Wood St.
Dubuque, IA 52001
(563) 583-5444

Midwest Concrete
Ryan Coats
16869 Navarre Ct.
Peosta, IA 52068
(563) 580-9848

Quality Concrete
Roger Kearney
3135 Shiras Ave.
Dubuque, IA 52001
563-451-8770

Helping Hands
George Clark
3589 Crescent Ridge
Dubuque, IA 52003
563-543-6869

JM Construction
James M Owens
10514 Daisy Hill Lane
Dubuque, IA 52001
563-451-6624

Stackis Construction
Ted Stackis
206 Saunders Street
Dubuque, IA 52001
(563) 451-3300

EXCAVATORS:

Mark Fondell Excavating
2270 Crown Point Road
Dubuque, IA 52002
(563) 584-0505

Drew Cook & Sons
Drew Cook
10832 Timber Ridge
Dubuque, IA 52001-8270

McAuliffe Excavating
Jeff McAuliffe
9510 Kemp Rd.
Dubuque, IA 52003
(563)590-5547

McDermott Excavating
14407 Highway 20 W
Dubuque, IA 52003-9240
(563) 583-4633

Portzen Construction
Mike Portzen
205 Stone Valley Dr.
Dubuque, IA 52003
(563) 557-7642

McClain Excavating
Mark McClain
662 Peosta St.
PO Box 77
Peosta, IA 52068-0077
(563) 556-2348