



The City of NORMAN

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PUBLIC WORKS DEPARTMENT

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August 31, 2023

City of Norman Sidewalk Program & Policy

Sidewalks are a vital component of our city infrastructure. They enable accessibility and mobility for our residents. Sidewalks convey us to the places we need to go and serve as the connective tissue of our community. Accordingly, the city allocates funds to six sidewalk and driveway programs on an annual basis. They are:

- **Citywide Sidewalk Reconstruction Program** for residential areas and public pedestrian pathways and includes the *Sidewalk and Curb Replacement Participation Program (SCRPP)*, also referred to as the “50/50 Program.”
- **Sidewalk Accessibility Program** to assure mobility for differently abled persons.
- **Sidewalk Program for Schools and Arterials** to facilitate safe pedestrian traffic near municipal schools and primary streets.
- **Downtown Area Sidewalks and Curbs Program** to beautify and ensure accessibility throughout our vibrant city center.
- **Sidewalks & Trails Program** designated for non-arterial roads and public use areas.
- **Horizontal Saw Cutting Program** for applications where high volumes of minor hazards exist but do not warrant full sidewalk panel replacements.

City Responsibilities

As a general rule, the municipality has the duty of maintaining its sidewalks in a safe condition, free of defects and obstructions for pedestrian traffic. But sidewalk repair, replacement and new construction does not fall solely on the city. Pursuant to *City Ordinance Section 19-409 (See Attachment 2)*, with few exceptions, developers are responsible for sidewalk construction in new developments. And pursuant to *Oklahoma State Statute, Title 11, Para 36-104 (See Attachment 1)*, the repair and replacement of residential sidewalks are the responsibility of the abutting property owner. Accordingly, the city leverages enforcement mechanisms to assure second/third party compliance, to carry out its duty of maintaining sidewalks.

Regardless of Residential or Municipal designation, Engineering Staff will ensure all new construction and repairs meet current [*Americans with Disabilities Act Guidelines \(ADAG\)*](#) and [*Public Right-of-Way Accessibility Guidelines \(PROWAG\)*](#) specifications, in addition to the most currently approved [*City of Norman Engineering Design Criteria*](#) and [*City of Norman Standard Specifications and Construction Drawings*](#) requirements.

City Engineering Staff will receive hazardous sidewalk reports, investigate the reported area(s), validate/invalidate the complaint and provide a written or telephonic response to the complainant and/or Action Center representative within 1-3 business days.

When a hazardous condition report is validated, Engineering Staff will conduct a cost estimate and track the hazard in a database. This database will incorporate a weighted scoring formula to be fairly

applied across competing projects in order to prioritize construction and aid in budget forecasting.

Sidewalk projects may be identified through a resident complaint, discovery by City staff, inquiry from a City Council-member, or other means. Engineering Staff will maintain a database and prioritized list of all capital and residential projects, from validation through remediation. Prior to each fiscal year, the engineering team will review the prioritized list and identify the highest scoring projects within each program category and determines their viability as projects for that year. Then, the City Engineer and Public Works Director propose these projects to the City Council for approval.

For residential areas, Engineering Staff will send a Hazard Notice, a “city cost” repair estimate, and an ***SCRPP Information and Application Form (See Attachment 3)*** to the abutting property owner. Engineering staff will track this complaint to resolution in a database and will work with the property owners to facilitate the hazard remediation. In the event the property owner does not make repairs within 30 days of notification and/or has not made significant progress toward repairs, Engineering Staff may draft an Emergency Resolution for City Council. If approved, Engineering Staff will deliver the notice to the property owner to complete the work within three days from receipt of the notice. If the work is not performed, Engineering Staff will coordinate city construction to remedy the hazardous condition. Subsequently, Engineering Staff may initiate the process to assess the costs against the property.

When the city or its contractors are performing the work, Engineering Staff will provide hazard warnings and barricades where deemed appropriate, will provide advance notice to residents and make reasonable effort to mitigate impact to residents and pedestrians.

Property Owner Rights & Responsibilities

Property owners shall, in good faith, maintain safe and serviceable sidewalks, free of defects and obstructions for pedestrian traffic on the sidewalks abutting their property. Hazards on existing sidewalks include, but are not limited to:

- Heaving and buckling sidewalk panels, creating tripping hazards of greater than ¼.”
- Significant sidewalk spalling
- Discontinuous sidewalk
- Inadequate vertical and horizontal obstruction clearance: zero protrusion from 0-27” from the surface, and no more than 4” of protrusion from 27-80” vertically.
- Excessive vegetation growth in sidewalk panel joints, and/or vegetation overgrowth, to include trees and bushes that do not meet the clearance requirements.
- Natural (i.e., leaves, dirt, limbs, snow, etc.) and unnatural objects or obstructions (i.e., trash, toys, vehicles, protruding utility covers, etc.), along sidewalks and driveway crossings.
- Paint or other substances that may degrade non-slip surfaces

When city utility covers are an obstruction, they should be reported to the city for investigation and remediation. Other non-city utility boxes should be reported to the respective utility providers.

When sidewalks are damaged through a private contractor or non-city utility company, residents are encouraged to make every effort to elevate their concerns with the responsible party in close proximity to the time of the damage, to seek immediate relief or remediation. The city does not inject itself as a third party into a two-party dispute. However, this does not absolve the property owner of remedying unsafe conditions within the specified time.

Residents may report hazards to:

Steve Guizzo
City of Norman, Engineering Assistant
Phone: 405-366-5315
E-mail: steve.guizzo@normanok.gov

-or-

The Action Center at 405-366-5396 or Action.Center@NormanOK.gov
or online at: <https://www.normanok.gov/>

In order to keep projects within a cost-effective scope, complainants should provide specifics of the hazard(s) and location(s) with some precision. Sending pictures of hazardous condition is encouraged. Although, anonymous reports are acceptable, contact information enables the Engineering Staff to seek more detail and report progress back to the originator.

Pursuant to ***Oklahoma State Statute, Title 11 (See Attachment 1)*** the repair and replacement of residential sidewalks are the responsibility of the abutting property owner. Once a hazard report is received, Engineering Staff are obligated to investigate. This may result in unintended consequences, such as notices of violation to multiple property owners in the reported area. However, City Staff will exercise the utmost discretion to protect the identity of the complainant(s).

Once a Hazard Notice is received, the property owner is responsible to remediate the hazard within 30 days of receipt. Recognizing that the statutory procedure may be burdensome on some property owners, the Norman City Council annually allocates a limited amount of funds to the **Citywide Sidewalk Reconstruction Program** to assist property owners in repairing hazardous and deteriorated sidewalks. The SCRPP is the mechanism under the **Citywide Sidewalk Reconstruction Program**, which makes available up to 50% of competitive cost-sharing for the construction.

Participation in the SCRPP can manifest through individual request and through hazard reporting. Those receiving a sidewalk Hazard Notice are also provided the city's estimated cost, which is the basis for the 50% reimbursement/pre-payment calculation, as well as an ***SCRPP Information and Application Form (See Attachment 3)***. Funds are limited, and are allocated on a first-come/first-serve basis. When **Citywide Sidewalk Reconstruction Program** funding is depleted it does not absolve the property owner from their responsibility to remedy the unsafe conditions within the specified time, even at a 100% cost burden.

The ***SCRPP Information and Application Form (See Attachment 3)*** provides more detail of the program and options available to the resident.

If a resident is experiencing an extreme financial hardship, they should reach out to the City Engineering Assistant to determine a workable solution, such as an extended grace period or payment plan. The primary objective is to achieve sidewalk safety, through cooperation of all parties. Open & cooperative dialog is essential to meeting this goal.

Steve Guizzo
Engineering Assistant
City of Norman

Attachment 1

OKLAHOMA STATUTES TITLE 11. CITIES AND TOWNS

§11-36-104. Emergency sidewalk repairs - How made - Notice to owner.

Whenever the municipal governing body deems it necessary for the public safety to repair any sidewalk in the municipality which has been or may hereafter be constructed, it may declare, by resolution, an emergency to exist for the protection of the public safety, by reason whereof it is necessary to make the repairs immediately. Upon the adoption of the resolution, notice shall be given to the owner or occupant of the property directing him to make the repairs within three (3) days after the service of the notice. If the owner or occupant cannot be found, the notice may be served by posting a copy of the notice upon the lot or parcel or real property abutting upon the portion of the street where the sidewalk repairs are necessary. If the repairs are not completed within the three-day period, as directed in the notice, the municipality may proceed to construct or repair the sidewalk, or let a contract therefor without advertisement. The cost of making the repairs shall then be assessed against the abutting property in the manner provided for sidewalk improvements. All such assessments which amount to Ten Dollars (\$10.00) or less shall be paid in one installment at the next tax paying period after the amount is certified.

Laws 1977, c. 256, § 36-104, eff. July 1, 1978.

Attachment 2

Norman, OK Code of Ordinances

Sec. 19-409. - Subdivision design standards: Sidewalks.

A. All subdivisions or sections thereof within the limits of the urban area as reflected in the Norman 2025 Plan, as amended or to be amended, which were approved by the City Council after September 13, 1966, except those subdivisions within the A-1 and A-2 Agricultural zones, the R-Residential Estate zone, and Rural Cluster Developments under the Planned Unit Development Ordinance of the City, shall have installed in them sidewalks to serve each lot and parcel of land situated within such subdivision and, in addition, sidewalks shall be required in those unplatted parcels which are, or will be in the future, contiguous to subdivisions wherein sidewalks are required. Provided, however, that sidewalks shall not be required adjacent to local or collector streets within the I-1, Light Industrial Zoning District or I-2, Heavy Industrial Zoning District Sidewalks shall be required adjacent to all streets abutting such industrial subdivisions and adjacent to any street classified as an arterial on the Transportation Plan which penetrates said industrial subdivisions.

B. No plat shall receive the approval or acceptance of the City Council unless provisions are therein contained for the installation of sidewalks as required by this chapter. On streets forming the exterior boundary of any subdivision, the developer or owner thereof shall be required to install sidewalks only on that side of such boundary street which lies adjacent to the developer's subdivision.

C. All sidewalks shall meet handicapped access requirements per Americans with Disabilities Act (ADA) or any successive federal requirements or standards governing accessibility.

(Ord. No. O-7273-87; Ord. No. O-8081-60; Ord. No. O-9697-43; Ord. No. 0-0001-15; Ord. No. 0-0405-27)

**SIDEWALK PROGRAMS
IN THE CITY OF NORMAN, OKLAHOMA**

Pursuant to State Law (Title 11, Section 36-104), the construction and maintenance of sidewalks is the responsibility of the adjacent property owner. Where emergency sidewalk repair is needed, a city may order the adjacent property owner to make repairs. If the property owner does not do so, the city may repair the sidewalk and assess the costs against the property. A City sidewalk permit is required for all sidewalk construction.

Recognizing that the statutory procedure may be burdensome on some property owners, the Norman City Council may from time to time set aside funds to assist property owners in repairing hazardous and deteriorated sidewalks. These funds will also be available for construction of new sidewalks in those parts of the City where sidewalks were not required at the time of initial development. These funds are intended to pay 50% of the sidewalk costs, as determined by the City through comparative costs or a competitive bidding process. Funds were set aside in two separate capital project accounts. The first targets the downtown area. The second is for sidewalks along residential and collector streets in the remainder of the City. The City will continue, as per current practice, to repair at City expense sidewalks along arterial streets adjacent to residential properties, along areas adjacent to parks and drainage easements, and in areas otherwise deemed to be the sole responsibility of the City.

Property owners, and occasionally persons other than the property owner, identify hazardous sidewalk conditions and notify the City. All hazardous conditions must be repaired. The City, when notified in writing, will inspect the site and determine whether or not a hazardous condition exists. If it is not, the person who notified the City will be so advised. If it is hazardous, the City will install warning devices, if needed, and notify the property owner(s) of their responsibility to repair and advise them of the City's Participation Program. If the property owner does not choose to use the City's Participation Program, or if funds are not available, they are then responsible for remedying the condition within 30 days of notification, entirely at their expense. Procedures are set forth in state law for this process.

There is no change of policy regarding construction of sidewalks in new development. They will remain the responsibility of the developer. Typically, these are constructed at the same time as platting or with each dwelling at the time of construction.

NEW PARTICIPATION PROGRAMS

The following pages contain procedural explanations and application forms associated with accessing both of the programs.

Please send applications to:

The City of Norman - Engineering Division
Att: Steve Guizzo
P.O. Box 370
Norman, OK 73070

-or-

electronically: steve.guizzo@normanok.gov

PROCEDURE for the CITY of NORMAN's SIDEWALK/CURB REPLACEMENT PARTICIPATION PROGRAM

Maintenance or replacement of existing sidewalks is the responsibility the adjoining property owner. The procedures for soliciting City assistance with any such work are as follows:

- I. All inquiries regarding replacement sidewalks/curb will be in writing and directed to the City Engineer (or designee).
- II. The Permit Desk shall act as the initial contact point for walk in inquiries. They will provide to the inquirer the necessary form or information, depending upon the type of inquiry.
 - A. If no sidewalk currently exists, they will be directed to the City Clerk's Office for information regarding improvement districts and the petition process option.
 - B. If it is believed that an existing sidewalk/curb needs to be repaired or replaced, then an application form for the Sidewalk/Curb Replacement Participation Program will be provided and the potential options explained to the applicant.
 - C. Curb damaged by property amenities located in the public right of way (driveway approach, lead walks, retaining walls, mail boxes, trees, etc.) are the responsibility of the owner to reconstruct, repair or remove to the extent to prevent future damage with reconstruction of the curb. City's cost participation will be for only the curb replacement or repair.
 - D. All fees associated with permits for sidewalk/curb repairs will be waived.

OPTION'S AVAILABLE TO THE PROPERTY OWNER

Option A: Property Owner's Contractor Utilized

- (1) Property owner's application approved by the City.
- (2) Property owner will obtain a copy of City standards and hire a contractor.
- (3) Contractor will apply for a city "offsite construction permit" and, upon approval, commence work.
- (4) City will inspect the work during and after construction.
- (5) The property owner shall notify the City that the work is complete and request reimbursement of 50% of the City's estimated cost.
- (6) City will inspect the completed work. Upon satisfactory completion, the City will authorize payment to the property owner.

Option B: Property Owner Does The Work

- (1) Property owner's application approved by the City.
- (2) Property owner will obtain a copy of City standards, apply for an "offsite construction permit", and upon approval, commence work.
- (3) City will inspect the work during and after construction.
- (4) The property owner shall notify the City that the work is complete and request reimbursement of 50% of the City's estimated cost.
- (5) City will inspect the completed work. Upon satisfactory completion, the City will authorize payment.

Option C: City Contractor Utilized Work (when available)

- (1) Property owner's application approved by the City.
- (2) The property owner's appropriate cost share will be determined by the City and must be received by the City prior to the work commencing.
- (3) A work order will be issued by the City to either a City crew or private contractor
- (4) When the work has been satisfactorily completed and inspected by the City, payment will be made to the contractor.

Option D: When a property owner does not respond to a notice that a hazard exists.

- (1) When a property owner is notified that a hazard exists, they will also be informed that they are responsible for making repairs, and, if funds are available, about the City's Participation Program. If they choose not to participate in the program, then the statutory procedure shall be followed and the property owner(s) shall bear all the repair costs.
 - (2) The City shall send written notification to the property owner requesting they make repairs within 30 days.
 - (3) If repairs are not made, the City Council will be asked to pass a resolution declaring an emergency to exist for the protection of the public safety.
 - (4) The City shall then notify the property owner that they have 3 days to make repairs. If the owner cannot be found, notice shall be posted on the property abutting the area of concern.
 - (5) If repairs are not made within 3 days, the City will proceed with the work.
 - (6) The cost of all repairs shall be assessed against the abutting property as provided by State Statute for sidewalk improvements.
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**PROCEDURES for the City of NORMAN's
NEW SIDEWALK CONSTRUCTION PARTICIPATION PROGRAM**

Some areas of the City developed at a time when sidewalks were not required as part of the development process. As there is a public benefit in providing sidewalks throughout all of urbanized Norman, property owners are encouraged to install sidewalks in these areas. Two methods are available should property owners in an area desire sidewalks. State law provides for the construction of sidewalks through the use of "improvement districts". (More information about sidewalk improvement districts is available through the City Clerk's Office, 366-5406). Additionally, the City's new Participation Program provides for funding, if available, for construction of sidewalks in these areas. Access to these funds will be achievable only if certain criteria are met. Those criteria are as follows:

1. Sidewalks along an entire block face must be accomplished as a single project;
2. A petition signed by the owners of not less than 80% of the adjoining properties must be presented to the City Council requesting the improvements and;
3. The petitioners must pay 50% of the actual cost for the improvements.

Procedures for securing City funding for new sidewalks begin with the submission of the required petition. Following receipt of the petition by the City Clerk, the City Engineer will be directed to prepare a preliminary plan and cost estimate for the improvements. When 50% of this estimated cost is delivered to the City, the City will then proceed with the preparation of construction plans and specifications. The project will then be bid through the standard City bidding process to determine the actual costs. Should the bids exceed the original estimate; the petitioners will be required to pay any additional costs to cover the 50% requirement. When the petitioners have paid their share, the City will then contract for the sidewalk improvements to be made. After complete construction of the new sidewalk(s), if the total project costs are less than the original estimate by more than 5%, that amount in excess of 5% will be refunded to the petitioners. In the planning for the addition of new sidewalks, to the maximum extent possible, series of improvements should be placed on the same side of the street to minimize the pedestrian interaction with through traffic.

APPLICATION FORM
CITY OF NORMAN
SIDEWALK REPLACEMENT PARTICIPATION PROGRAM

A. PROPERTY OWNER INFORMATION

Property Owner: _____ Primary Phone: _____

EMAIL: _____

Owners Address: _____ Zip Code: _____

Property Address: _____ **Norman, OK** Zip Code _____

Legal Description:

Addition: _____ Block: _____ Lot: _____

Description of the Problem (Attach sketch and site plan if needed):

I Certify that I am the current property Owner: _____ Date _____

B. CITY'S INSPECTION REPORT

CONDITION: _____

Total Estimated Cost of Project from Estimate Sheet \$ _____

Additional Costs (Specify) \$ _____

Property Owners Required Participation: \$ _____

Estimated By: _____ Date: _____

C. Special Instructions: _____

D. CHECK FROM PROPERTY OWNER for \$ _____

(Unless property owner is to do the work)

Received By: _____ Date: _____

E. WORK ORDER issued to: _____ for project construction on _____ Day
of _____, _____ Offsite Permit No. _____ Total Cost \$ _____

F. WORK COMPLETED NOTICE given to the City by property Owner;

By: _____ Date: _____

G. FINAL WORK APPROVED for Payment to contractor / property owner:

By: _____ Date: _____ Amount \$ _____

PROJECT STATUS: *INSPECTION* ___ *ESTIMATE* ___ *WAITING ON PAYMENT* ___ *WORK ORDER* ___
CONSTR. COMPLETE ___ *FINAL INSPECTION* ___ *INVOICE* ___ *FINAL PAYMENT* ___ Date _____

