

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
P.O. Box 370
Norman, OK 73070
Attention: David Miller, Engineering Assistant

For additional information call: (405) 366-5459

Email: david.miller@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: X _____ 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 _____

THIS APPLICATION IS NOT AN OFFSITE CONSTRUCTION PERMIT.

**AN OFFSITE CONSTRUCTION PERMIT MUST BE OBTAINED PRIOR TO THE COMMENCEMENT OF ANY
WORK AND CAN BE OBTAINED AT THE CITY OF NORMAN MUNICIPAL COMPLEX.**