

Sidewalk Inspection and Maintenance, LMC Model Policy

League staff thoughtfully develops models for your city's consideration. Models should be customized as appropriate for an individual city's circumstances in consultation with the city's attorney. Helpful background information on this model may be found in the Information Memo "[Acquisition and Maintenance of City Streets.](#)"

City of _____, Minnesota Sidewalk Inspection and Maintenance Policy

1. Introduction

The city of _____, Minnesota has _____ miles of public sidewalks. Public sidewalks vary in age and in quality of condition. Not every mere inequality or irregularity in the surface of the sidewalk rises to the level of a defect. The city recognizes that some sidewalk conditions create unreasonable hazards for pedestrians and other sidewalk users.

The city has limited employee and financial resources and cannot reasonably replace all sidewalks needing replacement or repair in the same year the sidewalk is identified as needing replacement and repair. Sidewalk replacement and repair can be costly. Comprehensive sidewalk surveys are expensive and require the use of limited city personnel and other resources. Under appropriate circumstances, some or all of the cost of sidewalk replacement may be passed to the adjacent property owner.

Accordingly, the city and its Public Works Department must exercise both discretion and professional judgment in determining whether and when sidewalks need to be replaced or repaired. The city expects that its agents, employees, and city officials will exercise discretion in identifying conditions requiring replacement and repair, in the scheduling of replacement and repair and in establishing priorities for replacement and repair.

2. Sidewalk inspection procedures

The _____ (*Insert Street Superintendent / Director of Public Works / City Engineer or other applicable staff member*) shall establish procedures for regular sidewalk inspection. Those procedures will include:

- A. An initial city-wide sidewalk survey to be completed by _____ (*Insert date*)
- B. A schedule for routine sidewalk inspections on a regular basis
- C. Criteria for determining whether a particular sidewalk condition is in need of replacement or repair. Those criteria will include, but not necessarily be limited to, a deviation or difference in elevation greater than _____ (*Insert measurement, e.g. 1/2, 3/4, 1*) inch, as determined at the time of inspection.

3. Sidewalk replacement and repair policy

Upon completion of the initial sidewalk survey, the _____ (*Insert Street Superintendent / Director of Public Works / City Engineer or other applicable staff member*) shall establish a replacement and repair schedule. This schedule is subject to modification based both on sidewalk conditions and the availability of resources for sidewalk replacement and repair.

The sidewalk replacement and repair schedule will:

- A. Divide the city into sections or otherwise prioritize replacement of the sidewalks identified as needing replacement or repair so all sidewalks identified in the initial sidewalk survey as needing replacement or repair are replaced or repaired by _____ (*insert date*).
- B. Take into consideration and weigh the following factors:
 1. Sidewalk location and amount of pedestrian traffic
 2. Proximity of sidewalk identified as needing replacement or repair to other sidewalks also needing replacement or repair
 3. The nature and severity of the condition needing replacement or repair
 4. The city's budget for replacement or repair of sidewalks
 5. Whether, or to what extent, the cost of repair can be recovered from adjacent property owners
 6. Availability of employees, equipment, and other resources for sidewalk replacement or repair
 7. Public safety
 8. History of prior accidents or complaints
 9. Schedules of independent contractors and work necessary to prepare bids and bid specifications if work is to be performed by independent contractors

4. Sidewalk maintenance policy

City employees will be responsible for removing snow from sidewalks that abut city-owned buildings or parking lots. Adjacent property owners, including other public entities, are responsible for removing snow and ice from sidewalks that abut their property (see City Ordinance No. _____). The city may, as a public service and for reasons of public safety, remove snow and ice from sidewalks. The _____ (*Insert Street Superintendent / Director of Public Works / City Engineer or other applicable staff member*) will identify sidewalks from which the city will remove ice and snow.

5. Review and modification of policy

The City Council may modify or clarify this policy at any time. Where the city council has delegated responsibility or authority to any city employee or official for development or implementation of any portion of this policy, that employee or official shall have full authority to modify that portion of the policy at any time. The _____ (*Insert Street Superintendent / Director of Public Works / City Engineer or other applicable staff member*) will keep on file comments and complaints received regarding this policy. The policy will be reviewed periodically. Any review will consider comments and complaints since the last review and any other factors affecting the policy or its implementation.

6. Effective date of policy

This policy shall be effective as of _____ (*insert date*). Modifications of the policy shall be effective on the date said modifications are approved by city council resolution or the date city employee or official (with authority granted by the city council) has approved the policy modification or change.