



Legislation Text

File #: R-234-22, **Version:** 1

TDOT052422SIDEWALKRESOLUTION
Engineering and Construction Management
Christy Soncrant (x2851)
Revised

Declaring it necessary and providing for the replacement of sidewalks and driveway approaches on various streets in the City of Toledo; and declaring an emergency.

SUMMARY & BACKGROUND:

This resolution declares the City's intent and provides property owner notice of the replacement of existing sidewalk or the construction of new sidewalks as part of the annual sidewalk rehabilitation program. By attending to the replacement of sidewalks, the City will be preserving and enhancing this important asset for the benefit of residents. The 2022 approved Capital Improvement (CIP) budget allocates \$750,000 for City's portion of the total project cost to pay for the installation of pedestrian curb ramps. The anticipated assessed sidewalk budget identifies \$1,200,000 for the property owners' portion of the total project cost. The property owners' portion will be assessed to the properties identified as in need of sidewalk replacement or construction. It is necessary to perform both City portion and property owner portion together in this program since the rehabilitation is completed in conjunction with one another. This resolution initiates the assessment process by providing notice to those property owners whose property is in need of sidewalk rehabilitation in accordance with the City's sidewalk policy and assessment law. The locations targeted for this year's program are identified by address in Exhibit A.

NOW, THEREFORE, Be it resolved by the Council of the City of Toledo:

SECTION 1. That City Council finds, determines and declares it necessary for the sidewalk and driveway approaches to be rehabilitated at the listed locations throughout the City as identified in the attached Exhibit A.

SECTION 2. That the plans, specifications and estimated cost of the proposed rehabilitation by reconstructing or installing new sidewalks, including driveway approaches and curbs, heretofore filed in the Office of the Clerk of Council are hereby approved, and that owners of the lots and lands abutting thereon shall cause said rehabilitation to be made on or before August 1, 2022 in accordance with the specifications on file in the Office of the Clerk of Council. In the event that the sidewalks, including driveway approaches, are not rehabilitated in accordance with such plans and specifications and within the time prescribed in this Resolution, this Council will cause such rehabilitation and the entire cost will be assessed on the property of the abutting property owner. The Director of Transportation and/or Director of Public Service are authorized and directed to cause said rehabilitation to be made. Said assessments shall be based on the actual costs incurred for the rehabilitation work performed on sidewalks and driveway approaches abutting the specific property and shall be paid for in either a one time, up front charge, or via an assessment placed on the real estate tax duplicate over a period of ten years.

SECTION 3. That notice of the passage of this Resolution shall be served by the Director of Transportation and/or Director of Public Service in accordance with provisions of Sections 212 and 213 of the City Charter or as otherwise provided by law. The notice shall provide that the property owner receiving the same shall have an opportunity for a hearing before the Board of Revision of Assessments not less than five (5) days after the service of notice. The notice shall advise as to the date, time and location of the hearing before the Board of Revision of Assessments, and the Director of Transportation and/or Director of Public Service shall make the necessary arrangements for said meeting.

SECTION 4. That this Resolution is declared to be an emergency measure and shall be in force and effect from and after its adoption. The reason for the emergency lies in the fact that same is necessary for the immediate preservation of the public peace, health, safety and property and for the further reason that this resolution must be immediately effective in order to allow for the expeditious rehabilitation of sidewalk and driveway approaches to locations listed in Section 1 herein.

Vote on emergency clause: yeas _____, nays _____.

Adopted: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of a Resolution adopted by Council

_____.

Attest: _____
Clerk of Council