

ORDINANCE NO. 597

An Ordinance of the Municipal Code of the City of Kiel Amending Section 8.01 (Sidewalk Repair or Replacement)

The Common Council for the City of Kiel do ordain as follows:

SECTION 1: Section 8.01 is amended to now read as follows:

(1) REPAIR OR REPLACE.

- a. Inspection. The City Council in conjunction with the authorized designee shall conduct by ~~June 1 July 1 of each year of the designated year, an annual a~~ **biennial** inspection of the City to determine where sidewalks should be repaired or replaced. Sidewalk sections in need of repair or replacement under Para. (b) will be marked with a single dot of paint; a white dot signifies replacement, and a pink dot signifies the possibility of repair, though replacement is always an option.
- b. Defective Sidewalk. The following are definitions of defective sidewalk:
 - (1) Vertical Displacement: The shifting of sidewalk in a vertical direction, resulting in a long-term change in elevation. Repair by mudjacking using polyurethane foam or replacement is required when vertical displacement has occurred where sidewalk is 3/4 inches high or greater for 12 inches of a joint.
 - (2) Horizontal Displacement: The shifting of sidewalk in a horizontal direction, often evidenced by cracking or splitting. Repair or replacement is required when horizontal displacement has occurred where sidewalk has greater than a 1/2 inch crack for 3 feet or longer. If the crack is level, it may be repaired by cleaning and filling the crack with concrete epoxy. If the crack is not level, it must be replaced.
 - (3) Profile Variance: An inconsistency or difference of quality within the sidewalk from a side view. Repair or replacement is required when the profile varies over 4 inches per slab. Depending on the circumstances, the agent may require either repair or replacement.
 - (4) Inverse Slope: An opposite or contrary position of the rise and fall within the sidewalk, typically indicated by trapped water. Depending on circumstances, the agent may require either repair or replacement.
 - (5) Surface Imperfections: Irregularities on the upper layer of sidewalk. Repair or replacement is required when there are cracks measuring over 10 feet per slab, a missing piece of 3 inches x 3 inches or greater, or spalling of 50% or greater. Replacement will oftentimes be required, but a missing piece of up to 12 inches x 12 inches may be cleaned and filled with concrete epoxy.

DEFECTIVE SIDEWALK AND ACCEPTABLE REPAIRS

CRITERIA	DEFECT	REPAIRS*
<i>Vertical Displacement</i>	3/4" high or greater for 12" of joint	~Replace ~Mudjack
<i>Horizontal Displacement</i>	Greater than 1/2" for crack 3" or longer	~Replace ~Level crack may be cleaned and filled with concrete epoxy
<i>Profile Variance</i>	Over 4" per slab	~Replace ~Mudjack
<i>Inverse Slope</i>	Trapped water	~Replace ~Mudjack
<i>Surface Imperfections</i>	> 50% or more of slab spalled >Missing 3"x3" or greater >Over 10' of cracks per slab	~Replace ~Missing piece up to 12" x 12" may be cleaned and filled with concrete epoxy

*Ramping of Vertical Displacement or Concrete Overlay of sidewalk are NOT acceptable repairs

c. Notice of requirement to repair or replace sidewalk.

- (1) The authorized designee shall by ~~July 1~~ **August 1** of each year send a notice to the owners of all properties indicating the City's determination that sidewalk section(s) should be repaired or replaced. The notice shall specify the following:
- i. The City or its agent will perform the repair or replacement if the property owner does not indicate by December 1 that they will either hire a private contractor to perform the required sidewalk work or do the work themselves.
 - ii. The property owner must complete the required sidewalk work by the following August 15, and that if work is not completed by that date, the City may itself or by its agent perform the work.
 - iii. If the City or its agent performs the repair or replacement, the cost shall be charged to the abutting property owner.
 - iv. Failure to repair or replace the sidewalk by the due date, unless excused for good cause by the authorized designee, shall be a violation of the Kiel Municipal Code is subject to forfeiture established in Section 25.04.

SECTION 2: This ordinance shall take effect upon passage and publication in accordance with the law.

Ordinance No. 597 introduced on August 10, 2021 by Alderperson _____, seconded by Alderperson _____.

Upon a call of votes thereof, the result was as follows:

_____ Votes Cast

_____ Votes Aye

_____ Votes Nay

The Mayor declared Ordinance No. 597 introduced and approved this 10 day of August, 2021.

MICHAEL STEINHARDT, Mayor

COUNTERSIGNED:

JAMIE J. AULIK, City Administrator