Sidewalks
Work Session 03-28-16

I. Planning Session Report, 08-29-15
New Priority Projects, Programs, Policies and Initiatives

- Review City sidewalk policy; investigate developing a sidewalk repair program.

II. Regulatory

A. Sidewalk Policy No. 0710 (Attachment 1)

1. Repair, replace existing walks and fill in gaps
2. Install a sidewalk along one side of previously constructed arterial and collector streets
3. New sidewalks

B. City Code of Ordinances

1. Sidewalk referenced in 32 Chapters

2. Chapter 136 – Sidewalk Regulations (Attachment 2)

a. 136.04 Responsibility for Maintenance
b. 136.05 City May Order Repairs
c. 136.06 Sidewalk Construction Ordered

C. Iowa Code

- Section 364.12(2) "A city shall keep all . . . sidewalks open, in repair, and free from nuisance, with the following exceptions: . . .

c. The abutting property owner may be required by ordinance to maintain all property outside the lot and property lines and inside the curb lines upon the public streets . . .
d. A city may serve notice on the abutting property owner . . . requiring the abutting property owner to repair, replace or reconstruct sidewalks.
e. If the abutting property owner does not perform an action required under this subsection within a reasonable time, a city may perform the required action and assess the costs against the abutting property for collection in the same manner as a property tax . . ."

D. ADA Accessible Sidewalk Requirements

- Transition Plan: Identification of steps necessary to meet ADA accessibility requirements for all pedestrian access routes.

III. Design Criteria and Construction Specifications – SUDAS

A. Design

1. General Sidewalk Requirements
2. Accessible Sidewalk Requirements (Attachment 3)

B. Construction Specifications

- Sidewalks, Shared Use Paths and Driveways

C. Construction Plans (Attachment 4)

IV. Plans

A. Safe Routes to Schools

- Adopted/endorsed by Resolution September 12, 2011

V. Historical Projects

A. Sidewalk Repair Program: 1983, 1984, 1987
B. Pedestrian Curb Ramps: 1998, 2001, 2002, 2003
C. Sidewalk Evaluation
The Building Inspectors
1999-2000

VI. Sidewalk Programs

A. Pedestrian Curb Ramp Program

- Transition Plan DRAFT (Attachment 5)

B. Sidewalk Repair Program

- Inspection/evaluation (Attachment 6)

C. Sidewalk Construction Program

1. Locations
2. Cost responsibility

ATTACHMENT 1

CITY OF CARROLL

POLICIES AND PROCEDURES MANUAL

Subject	Policy No.
Sidewalk Policy	0710
Responsible Division(s), Office(s)	**Related Policies & Procedures**
All	
Effective/Revision Date	**Approval(s)**
10-26-98; 08-26-13	Gerald L. Clausen

I. Repair, replace existing walks and fill in gaps.

A. An inventory shall be taken of all "gaps", listing those which are possible to fill in. (It may be impossible, impractical or unnecessary in some areas). The staff shall establish priorities and recommend to the Council those which are not in need of filling.

B. An inventory shall be taken of walks which need repair or replacement. The staff shall establish priorities and recommend to the Council those which are in need of repair or replacement.

C. Follow orders under City Code of Ordinance Section 185.06 (repairs) and Section 185.07 (construction) for citizen compliance.

D. New construction "gap" sidewalks to be completed within 5 years; repairs or replacement of existing defective sidewalks to be completed immediately. If there is no voluntary compliance, proceed with assessment process under Chapter 384, Iowa Code.

II. Install a sidewalk along one side of previously constructed arterial and collector streets.

A. An inventory shall be taken listing action to be taken. (It may be impossible, impractical or unnecessary in some areas). The staff shall establish priorities and recommend to the Council the action to be taken.

III. New Sidewalks

A. Residential Streets: all new subdivisions to have walks on southerly and westerly sides of streets except where doing so would create gaps from previously constructed walks, for example: where the adjacent subdivision had walks on north or east.

B. Cul-de-sacs: all new subdivision cul-de-sacs less than 250 feet in length, measured from the right-of-way line of the cross street to the center of the cu-de-sac, shall not be required to have walks. All new subdivision cul-de-sacs exceeding 250 feet in length, measure from the right-of-way line of the cross street to the center of the cul-de-sac, to have walks on the southerly and westerly sides of the cul-de-sacs.

C. Arterial & Collector Streets: all new subdivisions to have walks on both sides of these streets.

CHAPTER 136

SIDEWALK REGULATIONS

136.01 Purpose
136.02 Definitions
136.03 Removal of Snow, Ice, and Accumulations
136.04 Responsibility for Maintenance
136.05 City May Order Repairs
136.06 Sidewalk Construction Ordered
136.07 Sidewalk Standards
136.08 Barricades and Warning Lights
136.09 Failure to Repair or Barricade
136.10 Interference with Sidewalk Improvements
136.11 Encroaching Steps
136.12 Openings and Enclosures
136.13 Fires or Fuel on Sidewalks
136.14 Defacing
136.15 Debris on Sidewalks
136.16 Merchandise Display
136.17 Sales Stands

136.01 PURPOSE. The purpose of this chapter is to enhance safe passage by citizens on sidewalks, to place the responsibility for the maintenance, repair, replacement, or reconstruction of sidewalks upon the abutting property owner and to minimize the liability of the City.

136.02 DEFINITIONS. For use in this chapter the following terms are defined:

1. "Broom finish" means a sidewalk finish that is made by sweeping the sidewalk when it is hardening.

2. "Defective sidewalk" means any public sidewalk exhibiting one or more of the following characteristics:

A. Vertical separations equal to three-fourths (¾) inch or more.

B. Horizontal separations equal to one-half (½) inch or more.

C. Holes or depressions equal to three-fourths (¾) inch or more and at least four (4) inches in diameter.

D. Spalling over fifty percent (50%) of a single square of the sidewalk with one or more depressions equal to one-half (½) inch or more.

E. Spalling over less than fifty percent (50%) of a single square of the sidewalk with one or more depressions equal to three-fourths (¾) inch or more.

F. A single square of sidewalk cracked in such a manner that no part thereof has a piece greater than one square foot.

G. A sidewalk with any part thereof missing to the full depth.

H. A change from the design or construction grade equal to or greater than three-fourths (¾) inch per foot.

3. "Established grade" means that grade established by the City for the particular area in which a sidewalk is to be constructed.

4. "One-course construction" means that the full thickness of the concrete is placed at one time, using the same mixture throughout.

5. "Owner" means the person owning the fee title to property abutting any sidewalk and includes any contract purchaser for purposes of notification required herein. For all other purposes, "owner" includes the lessee, if any.

6. "Portland cement" means any type of cement except bituminous cement.

7. "Sidewalk" means all permanent public walks in business, residential or suburban areas.

8. "Sidewalk improvements" means the construction, reconstruction, repair, replacement, or removal, of a public sidewalk and/or the excavating, filling or depositing of material in the public right-of-way in connection therewith.

9. "Wood float finish" means a sidewalk finish that is made by smoothing the surface of the sidewalk with a wooden trowel.

136.03 REMOVAL OF SNOW, ICE, AND ACCUMULATIONS. It is the responsibility of the abutting property owners to remove snow, ice, and accumulations promptly from sidewalks. If a property owner does not remove snow, ice, or accumulations within a reasonable time, the City may do so and assess the costs against the property owner for collection in the same manner as a property tax.

(Code of Iowa, Sec. 364.12[2b & e])

136.04 RESPONSIBILITY FOR MAINTENANCE. It is the responsibility of the abutting property owners to repair, replace or reconstruct, or cause to be repaired, replaced or reconstructed, all broken or defective sidewalks and to maintain in a safe and hazard-free condition any sidewalk outside the lot and property lines and inside the curb lines or traveled portion of the public street.

(Code of Iowa, Sec. 364.12[2c])

136.05 CITY MAY ORDER REPAIRS. If the abutting property owner does not maintain sidewalks as required, the Council may serve notice on such owner, by certified mail, requiring the owner to repair, replace or reconstruct sidewalks within a reasonable time and if such action is not completed within the time stated in the notice, the Council may require the work to be done and assess the costs against the abutting property for collection in the same manner as a property tax.

(Code of Iowa, Sec. 364.12[2d & e])

136.06 SIDEWALK CONSTRUCTION ORDERED. The Council may order the construction of permanent sidewalks upon any street or court in the City and may specially assess the cost of such improvement to abutting property owners in accordance with the provisions of Chapter 384 of the *Code of Iowa.*

(Code of Iowa, Sec. 384.38)

136.07 SIDEWALK STANDARDS. Sidewalks repaired, replaced, or constructed under the provisions of this chapter shall constructed in accordance with the plans and specifications on file in the office of the Public Works Director.

136.08 BARRICADES AND WARNING LIGHTS. Whenever any material of any kind is deposited on any street, avenue, highway, passageway or alley when sidewalk improvements are being made or when any sidewalk is in a dangerous condition, it shall be the duty of all persons having an interest therein, either as the contractor or the owner, agent, or lessee of the property in front of or along which such material may be deposited, or such

dangerous condition exists, to put in conspicuous places at each end of such sidewalk and at each end of any pile of material deposited in the street, a sufficient number of approved warning lights or flares, and to keep them lighted during the entire night and to erect sufficient barricades both at night and in the daytime to secure the same. The party or parties using the street for any of the purposes specified in this chapter shall be liable for all injuries or damage to persons or property arising from any wrongful act or negligence of the party or parties, or their agents or employees or for any misuse of the privileges conferred by this chapter or of any failure to comply with provisions hereof.

136.09 FAILURE TO REPAIR OR BARRICADE. It is the duty of the owner of the property abutting the sidewalk, or the owner's contractor or agent, to notify the City immediately in the event of failure or inability to make necessary sidewalk improvements or to install or erect necessary barricades as required by this chapter.

136.10 INTERFERENCE WITH SIDEWALK IMPROVEMENTS. No person shall knowingly or willfully drive any vehicle upon any portion of any sidewalk or approach thereto while in the process of being improved or upon any portion of any completed sidewalk or approach thereto, or shall remove or destroy any part or all of any sidewalk or approach thereto, or shall remove, destroy, mar or deface any sidewalk at any time or destroy, mar, remove or deface any notice provided by this chapter.

136.11 ENCROACHING STEPS. It is unlawful for a person to erect or maintain any stairs or steps to any building upon any part of any sidewalk without permission by resolution of the Council.

136.12 OPENINGS AND ENCLOSURES. It is unlawful for a person to:

1. Stairs and Railings. Construct or build a stairway or passageway to any cellar or basement by occupying any part of the sidewalk, or to enclose any portion of a sidewalk with a railing without permission by resolution of the Council.

2. Openings. Keep open any cellar door, grating, or cover to any vault on any sidewalk except while in actual use with adequate guards to protect the public.

3. Protect Openings. Neglect to properly protect or barricade all openings on or within six (6) feet of any sidewalk.

136.13 FIRES OR FUEL ON SIDEWALKS. It is unlawful for a person to make a fire of any kind on any sidewalk or to place or allow any fuel to remain upon any sidewalk.

136.14 DEFACING. It is unlawful for a person to scatter or place any paste, paint, or writing on any sidewalk.

(Code of Iowa, Sec. 716.1)

136.15 DEBRIS ON SIDEWALKS. It is unlawful for a person to throw or deposit on any sidewalk any glass, nails, glass bottle, tacks, wire, cans, trash, garbage, rubbish, litter, offal, or any other debris, or any substance likely to injure any person, animal, or vehicle.

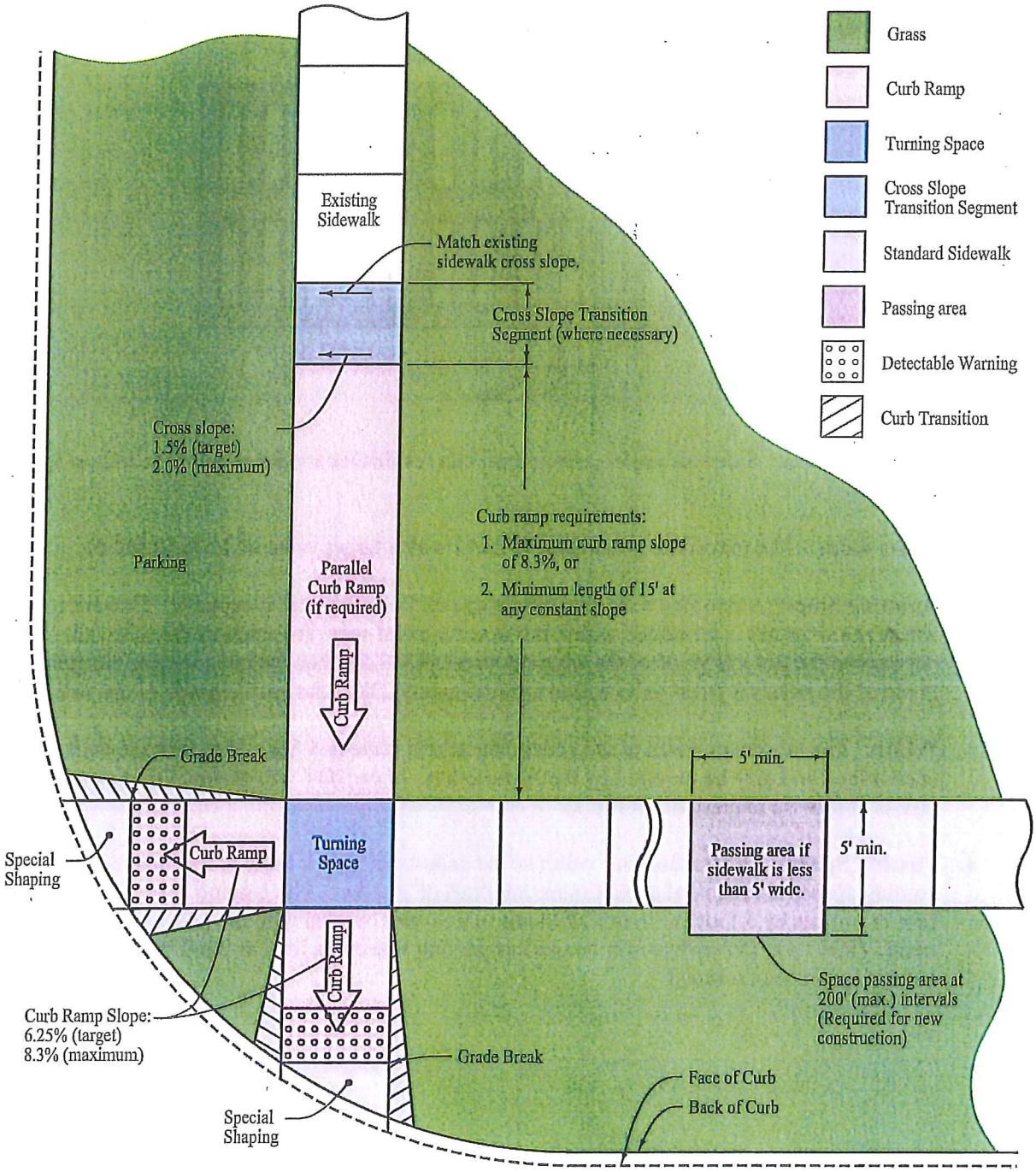
(Code of Iowa, Sec. 364.12[2])

136.16 MERCHANDISE DISPLAY. It is unlawful for a person to place upon or above any sidewalk, any goods or merchandise for sale or for display in such a manner as to interfere with the free and uninterrupted passage of pedestrians on the sidewalk; in no case shall more than three (3) feet of the sidewalk next to the building be occupied for such purposes.

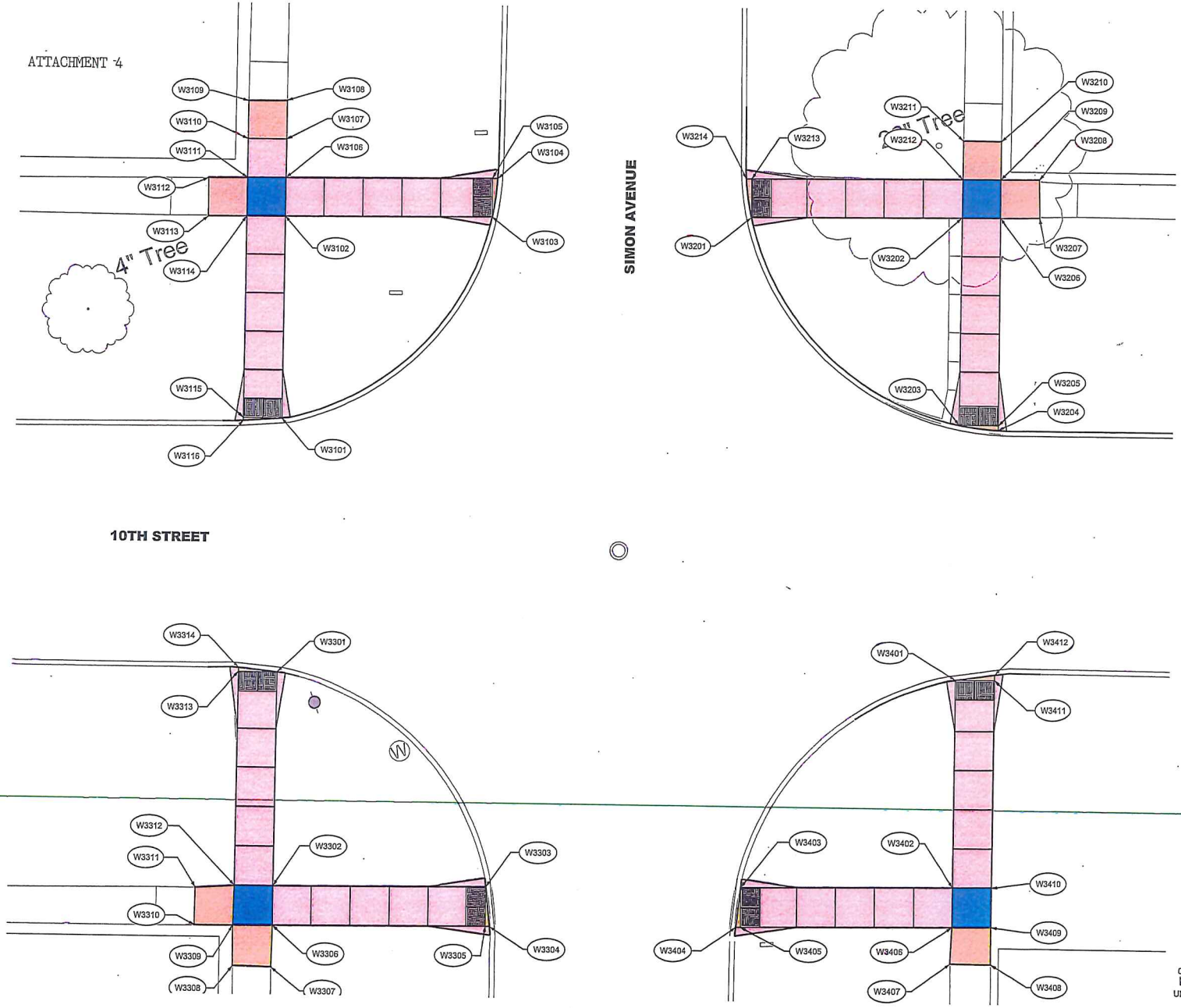
136.17 SALES STANDS. It is unlawful for a person to erect or keep any vending machine or stand for the sale of fruit, vegetables or other substances or commodities on any sidewalk without first obtaining a written permit from the Council.

[The next page is 751]

Figure 12A-2.03: Standard Sidewalk and Curb Ramp Elements



ATTACHMENT 4



ATTACHMENT 4

JEO CONSULTING GROUP INC
800.723.8567

STREET RESURFACING
2015
CARROLL, IOWA

SIDEWALK SHEETS
10TH STREET & SIMON AVENUE

GRAPHIC SCALE
0 5 10
UNIT OF MEASURE IS FEET

PROJECT NO.	120657.00
DATE	4/21/2015
DRAWN BY	aschlader
FILE NAME	S-120657-S04.dgn
FIELD BOOK	SEMKE DATA
FIELD CREW	SEMKE
SURVEY FILE NO.	120657.00
PLAN IN HAND INITIALS	DGM
DATE	2/11/15
70 PERCENT REVIEW INITIALS	JJV
DATE	3/20/15
95 PERCENT REVIEW INITIALS	95% I/D
DATE	95%DATE
REVISIONS	

Plot Driver Used: Image Driver fully integrated in MicroStation V8 (Plot Raster Size = PDF (x,y) .pltcfg
Pen Table Used: P:\Engineering\120657.00 - Carroll 2015 Street Program\07 Design\120657-SUDAS-PLANS.tb

By: aschlader
Date/Time: 4/21/2015

SIDEWALK COMPLIANCE

See S Sheets

* Does not include curb
(1) Staking required by Contracting Authority per Article 2511.03 of the Standard Specifications.

Point to Point		Sidewalk Designation	Distance*	Δ Elevation	Slope	Acceptable Constructed Range	Staking Required on this Quadrant?	Measured Slope	Initials	Remarks
			FT	FT	%	Pos. or Neg.	(1)	%		
W3101	W3102	Ramp Running Slope	20.93	1.30	6.2%	0.5% to 8.3%				
W3102	W3103	Ramp Running Slope	21.32	-0.49	-2.3%	0.5% to 8.3%				
W3103	W3104	Match Existing Cross Slope	4.04	0.03	0.7%	Match Existing				
W3104	W3105	Sidewalk Running Slope	0.55	0.03	5.5%	0.5% to 6.5%				
W3105	W3106	Ramp Running Slope	21.32	0.49	2.3%	0.5% to 8.3%				
W3106	W3107	Ramp Running Slope	4.00	0.16	4.0%	0.5% to 8.3%				
W3107	W3108	Sidewalk Running Slope	4.00	0.23	5.8%	0.5% to 6.8%				
W3108	W3109	Match Existing Cross Slope	4.00	-0.02	-0.5%	Match Existing				
W3109	W3110	Sidewalk Running Slope	4.00	-0.15	-3.8%	0.5% to 5.0%				
W3110	W3111	Ramp Running Slope	4.00	-0.16	-4.0%	0.5% to 8.3%				
W3111	W3112	Sidewalk Running Slope	4.00	0.11	2.8%	0.5% to 5.0%				
W3112	W3113	Match Existing Cross Slope	4.00	-0.05	-1.2%	Match Existing				
W3113	W3114	Sidewalk Running Slope	4.00	-0.12	-3.0%	0.5% to 5.0%				
W3114	W3115	Ramp Running Slope	20.93	-1.36	-6.5%	0.5% to 8.3%				
W3115	W3116	Sidewalk Running Slope	0.30	-0.06	-20.0%	0.5% to 21%				
W3116	W3101	Match Existing Cross Slope	4.01	0.06	1.5%	Match Existing				
W3101	W3115	Ramp Running Slope	4.00	0.00	0.0%	0.5% to 8.3%				
W3102	W3106	Landing/Turning Space	4.00	0.06	1.5%	0.1% to 2.0%				
W3102	W3114	Landing/Turning Space	4.00	0.06	1.5%	0.1% to 2.0%				
W3103	W3105	Ramp Cross Slope	4.00	0.06	1.5%	0.1% to 2.0%				
W3106	W3111	Landing/Turning Space	4.00	0.06	1.5%	0.1% to 2.0%				
W3107	W3110	Ramp Cross Slope	4.00	0.06	1.5%	0.1% to 2.0%				
W3111	W3114	Landing/Turning Space	4.00	-0.06	-1.5%	0.1% to 2.0%				
W3201	W3202	Ramp Running Slope	21.70	1.35	6.2%	0.5% to 8.3%				
W3202	W3203	Ramp Running Slope	21.58	-1.44	-6.7%	0.5% to 8.3%				
W3203	W3204	Match Existing Cross Slope	4.03	-0.04	-1.0%	Match Existing				
W3204	W3205	Sidewalk Running Slope	0.51	0.06	11.8%	0.5% to 12.8%				Drainage issues were considered
W3205	W3206	Ramp Running Slope	21.58	1.48	6.9%	0.5% to 8.3%				
W3206	W3207	Sidewalk Running Slope	4.04	-0.12	-3.0%	0.5% to 5.0%				
W3207	W3208	Match Existing Cross Slope	4.00	0.09	2.2%	Match Existing				
W3208	W3209	Sidewalk Running Slope	3.96	0.09	2.3%	0.5% to 5.0%				
W3209	W3210	Sidewalk Running Slope	4.01	0.01	0.2%	0.5% to 5.0%				
W3210	W3211	Match Existing Cross Slope	4.00	0.03	0.7%	Match Existing				
W3211	W3212	Sidewalk Running Slope	4.01	-0.10	-2.5%	0.5% to 5.0%				
W3212	W3213	Ramp Running Slope	21.70	-0.35	-1.6%	0.5% to 8.3%				
W3213	W3214	Sidewalk Running Slope	0.53	-0.07	-13.2%	0.5% to 14.2%				Drainage issues were considered
W3214	W3201	Match Existing Cross Slope	4.04	-0.99	-24.5%	Match Existing				
W3201	W3213	Ramp Running Slope	4.00	1.06	26.5%	0.5% to 27.5%				
W3202	W3206	Landing/Turning Space	4.00	0.06	1.5%	0.1% to 2.0%				
W3202	W3212	Landing/Turning Space	4.00	0.06	1.5%	0.1% to 2.0%				
W3203	W3205	Ramp Cross Slope	4.00	0.02	0.5%	0.1% to 2.0%				
W3206	W3209	Landing/Turning Space	4.00	0.06	1.5%	0.1% to 2.0%				
W3209	W3212	Landing/Turning Space	4.00	-0.06	-1.5%	0.1% to 2.0%				
W3301	W3302	Ramp Running Slope	21.84	-0.24	-1.1%	0.5% to 8.3%				
W3302	W3303	Ramp Running Slope	21.91	-0.33	-1.5%	0.5% to 8.3%				
W3303	W3304	Match Existing Cross Slope	4.02	0.02	0.5%	Match Existing				
W3304	W3305	Sidewalk Running Slope	0.41	0.15	36.6%	0.5% to 37.6%				Drainage issues were considered
W3305	W3306	Ramp Running Slope	21.91	0.22	1.0%	0.5% to 8.3%				
W3306	W3307	Sidewalk Running Slope	4.22	0.30	7.1%	0.5% to 8.1%				
W3307	W3308	Match Existing Cross Slope	4.00	-0.06	-1.5%	Match Existing				
W3308	W3309	Sidewalk Running Slope	4.09	-0.18	-4.4%	0.5% to 5.0%	Yes			
W3309	W3310	Sidewalk Running Slope	4.02	0.26	6.5%	0.5% to 7.5%				
W3310	W3311	Match Existing Cross Slope	4.00	-0.06	-1.5%	Match Existing				
W3311	W3312	Sidewalk Running Slope	4.06	-0.26	-6.4%	0.5% to 7.4%				
W3312	W3313	Ramp Running Slope	21.84	0.24	1.1%	0.5% to 8.3%				
W3313	W3314	Sidewalk Running Slope	0.40	-0.06	-15.0%	0.5% to 16%				Drainage issues were considered
W3314	W3301	Match Existing Cross Slope	4.02	0.00	0.0%	Match Existing				
W3301	W3313	Ramp Running Slope	4.00	0.06	1.5%	0.5% to 8.3%				
W3302	W3306	Landing/Turning Space	4.00	0.06	1.5%	0.1% to 2.0%				
W3302	W3312	Landing/Turning Space	4.00	0.06	1.5%	0.1% to 2.0%				
W3303	W3305	Ramp Cross Slope	4.00	0.17	4.3%	0.1% to 5.3%				
W3306	W3309	Landing/Turning Space	4.00	0.06	1.5%	0.1% to 2.0%				
W3309	W3312	Landing/Turning Space	4.00	-0.06	-1.5%	0.1% to 2.0%				
W3401	W3402	Ramp Running Slope	21.19	-0.11	-0.5%	0.5% to 8.3%				
W3402	W3403	Ramp Running Slope	21.71	-1.16	-5.3%	0.5% to 8.3%				
W3403	W3404	Match Existing Cross Slope	4.03	-0.09	-2.2%	Match Existing				
W3404	W3405	Sidewalk Running Slope	0.48	0.06	12.5%	0.5% to 13.5%				Drainage issues were considered
W3405	W3406	Ramp Running Slope	21.71	1.25	5.8%	0.5% to 8.3%				
W3406	W3407	Sidewalk Running Slope	3.69	-0.23	-6.2%	0.5% to 7.2%				
W3407	W3408	Match Existing Cross Slope	4.00	0.04	1.0%	Match Existing				
W3408	W3409	Sidewalk Running Slope	3.79	0.25	6.6%	0.5% to 7.6%				
W3409	W3410	Landing/Turning Space	4.00	-0.06	-1.5%	0.1% to 2.0%				
W3410	W3411	Ramp Running Slope	21.19	0.11	0.5%	0.5% to 8.3%				
W3411	W3412	Sidewalk Running Slope	0.56	-0.06	-10.7%	0.5% to 11.7%				Drainage issues were considered

FOR INFORMATION ONLY:
VALUES USED TO DETERMINE DESIGNED SLOPES

Point	Station	Offset	Elevation
W3101	207+94.87	-13.30	1272.90
W3102	207+94.91	-34.27	1274.20
W3103	208+16.26	-34.44	1273.71
W3104	208+16.78	-38.44	1273.74
W3105	208+16.23	-38.44	1273.77
W3106	207+94.91	-38.27	1274.26
W3107	207+94.92	-42.27	1274.42
W3108	207+94.93	-46.27	1274.65
W3109	207+90.92	-46.19	1274.63
W3110	207+90.92	-42.28	1274.48
W3111	207+90.91	-38.24	1274.32
W3112	207+86.87	-38.21	1274.43
W3113	207+86.91	-34.21	1274.38
W3114	207+90.91	-34.24	1274.26
W3115	207+90.87	-13.31	1272.90
W3116	207+90.87	-13.01	1272.84
W3201	208+43.00	-34.65	1273.97
W3202	208+64.66	-34.82	1275.32
W3203	208+64.63	-13.27	1273.88
W3204	208+68.63	-12.76	1273.84
W3205	208+68.63	-13.27	1273.90
W3206	208+68.61	-34.85	1275.38
W3207	208+72.66	-34.88	1275.26
W3208	208+72.57	-38.86	1275.35
W3209	208+68.61	-38.85	1275.44
W3210	208+68.61	-42.81	1275.45
W3211	208+64.75	-42.83	1275.48
W3212	208+64.73	-38.82	1275.38
W3213	208+42.96	-38.65	1275.03
W3214	208+42.43	-38.64	1274.96
W3301	207+94.83	12.85	1272.84
W3302	207+94.79	34.69	1272.60
W3303	208+16.70	34.54	1272.27
W3304	208+17.13	38.54	1272.29
W3305	208+16.73	38.54	1272.44
W3306	207+94.82	38.69	1272.66
W3307	207+94.71	42.91	1272.96
W3308	207+90.74	42.83	1272.90
W3309	207+90.71	38.74	1272.72
W3310	207+86.69	38.75	1272.98
W3311	207+86.74	34.92	1272.92
W3312	207+90.79	34.68	1272.66
W3313	207+90.83	12.85	1272.90
W3314	207+90.83	12.45	1272.84
W3401	208+64.59	13.00	1273.70
W3402	208+64.56	34.22	1273.59
W3403	208+42.82	34.37	1272.43
W3404	208+42.36	38.37	1272.34
W3405	208+42.84	38.37	1272.40
W3406	208+64.55	38.22	1273.65
W3407	208+64.40	41.91	1273.42
W3408	208+68.55	41.99	1273.46
W3409	208+68.55	38.20	1273.71
W3410	208+68.56	34.23	1273.65
W3411	208+68.59	13.01	1273.76
W3412	208+68.59	12.45	1273.70

JEO CONSULTING GROUP INC
800.723.8567

STREET RESURFACING
2015
CARROLL, IOWA

SIDEWALK SHEETS
10TH STREET & SIMON AVENUE

PROJECT NO. 120657.00
DATE 4/21/2015
DRAWN BY aschlader
FILE NAME S-120657-S05.dgn
FIELD BOOK SEMKE DATA
FIELD CREW SEMKE
SURVEY FILE NO. 120657.00
PLAN IN HAND INITIALS DATE DCM 2/11/15
70 PERCENT REVIEW INITIALS DATE JJV 3/28/15
85 PERCENT REVIEW INITIALS DATE 85% INI 85%DATE
REVISIONS

113-10
10-15-13

SIDEWALK COMPLIANCE

See S Sheets

* Does not include curb
(1) Staking required by Contracting Authority per Article 2511.03 of the Standard Specifications.

Point to Point		Sidewalk Designation	Distance*	Δ Elevation	Slope	Acceptable Constructed Range	Staking Required on this Quadrant? (1)	Measured Slope	Initials	Remarks		FOR INFORMATION ONLY: VALUES USED TO DETERMINE DESIGNED SLOPES			
												Point	Station	Offset	Elevation
			FT	FT	%	Pos. or Neg.		%							
W3412	W3401	Match Existing Cross Slope	4.04	0.00	0.0%	Match Existing									
W3401	W3411	Ramp Cross Slope	4.00	0.06	1.5%	0.1% to 2.0%									
W3402	W3410	Landing/Turning Space	4.00	0.06	1.5%	0.1% to 2.0%									
W3402	W3406	Landing/Turning Space	4.00	0.06	1.5%	0.1% to 2.0%									
W3403	W3405	Ramp Running Slope	4.00	-0.03	-0.7%	0.5% to 8.3%									
W3408	W3409	Landing/Turning Space	4.00	0.06	1.5%	0.1% to 2.0%									

JEO CONSULTING GROUP INC
800.723.8567

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DATE 3/26/15
95 PERCENT REVIEW INITIALS SSK MS
DATE 05/DATE
REVISIONS

Plot Driver Used: Imagelinedwfprlp/Resources/plotters/PlotMAX-Sec-PDF.pc3 pltlp
Pen Table Used: P:\Engineering\120657.00 - Carroll 2015 Street Resurfacing\Drawings\120657-SIDEWALK-PLANS.tbl

By: aschlader

~~Sample~~ Pedestrian Access Route Transition Plan

City of [*city name*] ***Carroll***, Iowa
[*date approved*]

Overview

The goal of the Americans with Disabilities Act (ADA) Transition Plan is to ensure that the City creates accessible paths of travel in the public right-of-way for people with disabilities.

The City evaluated the pedestrian circulation paths for pedestrian accessible route features within the public right-of-way as required by the Americans with Disabilities Act (ADA) and its implementing regulations (28 CRF 35) and Section 504 (49 CFR 27). The evaluation included, but was not limited to, sidewalks, curbs, curb ramps, the portion of the street surface in the crosswalk area, pedestrian signals, and elevators or lifts provided in the public right-of-way and was based on the requirements in Chapter 12 of the ~~Iowa Department of Transportation (Iowa DOT)~~ ***Statewide Urban Design and Specification (SUDAS)*** Design Manual, ~~effective [*date*]~~ ***2016 Edition***.

On the basis of this information, this ~~transition plan~~ ***Transition Plan*** outlines the steps the City will take to provide new, or upgrade existing, pedestrian access route features as required by the ADA and its implementing regulations. The pedestrian access route features will be constructed or reconstructed to meet the requirements in Chapter 12 of the ~~Iowa DOT~~ ***SUDAS*** Design Manual, effective at the time of letting or at the time of construction if using City forces.

Inventory

This inventory is based on our evaluation of all locations where no curb ramps are provided at the intersection of existing sidewalks and public streets; where non-compliant curb ramps, sidewalks, and other features exist; and where existing features are in poor condition. Features may include, but are not limited to, sidewalks, curbs, curb ramps, the portion of the street surface in the crosswalk area, pedestrian signals, and elevators or lifts provided in the public right-of-way. The evaluation was completed [~~*month*~~] ***April*** of [~~*year*~~] ***2016*** and will be updated every [~~number~~] years. ~~See Exhibit 1.~~

Priorities

Curb ramps, sidewalks, and other features will be installed or reinstalled in the locations identified on the ~~Pedestrian Access Route Inventory~~ ***pedestrian access route inventory*** according to the following priorities:

~~1. State and local government offices and facilities (city hall, public schools, public library, etc.)~~
~~2. Public transportation facilities (bus stops, train stations, etc.)~~
~~3. Places of public accommodation (central business district, public recreation areas, etc.)~~
~~4. Residential areas~~

1. ***Citizen complaints/requests.***
2. ***Local government offices and facilities (City Hall, Library, Recreation Center, etc.)***
3. ***Places of public accommodation (Central Business District, public recreation areas, etc.)***
4. ***Other areas***

Funding

Funding

Curb Ramp Program

The City has budgeted $[*amount*] annually for its ~~Curb Ramp Program~~ ***curb ramp program*** from the [*funding program*] for ADA specific projects as defined in this ~~transition plan~~ ***Transition Plan***.

Other Projects

Features to the pedestrian access route may be installed as a part of projects that involve new construction, reconstruction, alterations, or maintenance to roadway or pedestrian facilities in the public right-of-way. These pedestrian access route features may be constructed at the time of the roadway or pedestrian project, even if they are identified as a lower priority in this transition plan. The cost of this work will be paid for using funds allocated for the roadway or pedestrian project.

Implementation Plan and Schedule

The City will implement this ~~transition plan~~ ***Transition Plan*** based on the number of pedestrian access route features identified in the ~~Pedestrian Access Route Inventory~~ ***pedestrian access route inventory***, the estimated cost of those features, and the funding levels identified above. ~~The following implementation strategy will be used:~~

~~Priority 1~~

~~Number of locations: [*number*]~~
~~Estimated number of locations constructed per year: [*number*]~~
~~Construction season targeted for completion: [*calendar year*]~~

~~Priority 2~~

~~Number of locations: [*number*]~~
~~Estimated number of locations constructed per year: [*number*]~~
~~Construction season targeted for completion: [*calendar year*]~~

~~Priority 3~~

~~Number of locations: [*number*]~~
~~Estimated number of locations constructed per year: [*number*]~~
~~Construction season targeted for completion: [*calendar year*]~~

~~Priority 4~~

~~Number of locations: [*number*]~~
~~Estimated number of locations constructed per year: [*number*]~~
~~Construction season targeted for completion: [*calendar year*]~~

~~These estimates are subject to change.~~

Responsible Parties

~~[*Title and contact information of appropriate city official*] is responsible for the implementation of this transition plan.~~

~~[*Title and contact information of appropriate city official*] is responsible for ADA and Section 504 compliance.~~

The following City official is the City's ADA Coordinator, responsible for ADA and Section 504 compliance.

City Manager
City of Carroll
112 E. 5th Street
Carroll, IA 51401
712-792-1000

The following City official is responsible for the implementation of this Transition Plan.

Public Works Director
City of Carroll
112 E. 5th Street
Carroll, IA 51401
712-792-1000

Complaint Procedures

The attached ~~complaint procedure~~ ***Complaint Procedure*** will be followed to provide citizens the ability to file a complaint to the ~~city~~ ***City*** for alleged ADA and Section 504 discrimination. See Exhibit ~~2~~***1***.

Public Involvement

Public input was obtained in the development of this ~~transition plan~~ ***Transition Plan*** by soliciting comments from [*include any advisory committees, task forces, organizations that represent persons with disabilities, or any other groups that were provided an opportunity to comment*], the City Council, and the general public for 30 days from [*date*] to [*date*]. All comments have been reviewed and incorporated as appropriate.

_____ _____

Eric P. Jensen, Mayor
~~[*name*], [*title*]~~
~~City of~~ [~~*city name*~~]
[~~*street address*~~]
[~~*city*~~], ~~IA~~ [~~*zip code*~~]
[~~*office phone number*~~]
[~~*e-mail address*~~]

Date

Exhibit 1

Complaint Procedure ~~Exhibit 2~~

Allegations of discrimination in ~~federally~~ Federally assisted programs or activities

The ~~LPA~~ ***City of Carroll*** adopts the following ADA discrimination complaint procedures for complaints relating to transportation-related programs or activities.

1. **Filing a discrimination complaint**: Any person who believes that they, or any class of individuals, or in connection with any disadvantaged business enterprise (DBE), has been or is being subjected to discrimination prohibited by the Civil Rights Act of 1964, the American with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973, and Civil Rights Restoration Act of 1987, as amended, has the right to file a complaint.

   Any individual wishing to file a discrimination complaint ~~must be~~ ***is*** given the option to file the complaint with the ~~LPA~~ ***City***, or directly with the Iowa DOT, FHWA, USDOT, and U.S. Department of Justice (USDOJ). Complaints may be filed with all agencies simultaneously.

   No individual or agency shall refuse service, discharge, or retaliate in any manner against any persons because that individual has filed a discrimination complaint, instituted any proceeding related to a discrimination complaint, testified, or is about to testify, in any proceeding or investigation related to a discrimination complaint, or has provided information or assisted in an investigation.

2. **Complaint filing time-frame**: A discrimination complaint must be filed within 180 calendar days of either:

   ~~(a)~~***a.*** The alleged act of discrimination,
   ~~(b)~~***b.*** Date when the person(s) became aware of the alleged discrimination, or
   ~~(c)~~***c.*** Date on which the conduct was discontinued, if there has been a continuing course of conduct.

   The ~~LPA~~ ***City*** or ~~their~~ ***it's*** designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

3. **Contents of a complaint**: A discrimination complaint must be written. The document must contain the following information:

   ~~(a)~~***a.*** The complainant's name and address, or other means by which the complainant may be contact.
   ~~(b)~~***b.*** Identification of individual(s) or organization(s) responsible for the alleged discrimination.
   ~~(c)~~***c.*** A description of the complainant's allegations, which much include enough detail to determine if the ~~LPA~~ ***City*** has jurisdiction over the complaint and if the complaint was filed timely.
   ~~(d)~~***d.*** Specific prohibited bases of alleged discrimination (i.e., disability, race, color or gender, etc.).
   ~~(e)~~***e.*** Apparent merit of the complaint.
   ~~(f)~~***f.*** The complainant's signature or signature of their authorized representative.

In the event that a person makes a verbal complaint of discrimination to an officer or employee of the ~~LPA~~ ***City***, the complainant shall be interviewed by the ~~LPA's~~ ***City's*** ADA ~~coordinator~~ ***Coordinator***. If necessary, the ~~LPA's~~ ***City's*** ADA ~~coordinator~~ ***Coordinator*** will assist the complainant in reducing the complaint to writing and then submit the written version of the complaint to the person for signature.

4. **Complaints against the ~~LPA~~ *City*:** Any complaints received against the ~~LPA~~ ***City*** should immediately be forwarded to the Iowa DOT for investigation. The ~~LPA~~ ***City*** shall not investigate any complaint in which it has been named in the complaint. The contact information for the Iowa DOT ADA Program Coordinator is:

   Iowa Department of Transportation
   Office of Employee Services – Civil Rights
   800 Lincoln Way
   Ames, IA 50010
   (515) 239-1422
   (515) 817-6502 (fax)

5. **Notice of Receipt**: All complaints shall be referred to the ~~LPA's~~ ***City's*** ADA ~~coordinator~~ ***Coordinator*** for review and action. Within 10 days of receipt of the discrimination complaint, the ~~LPA's~~ ***City's*** ADA ~~coordinator~~ ***Coordinator*** shall issue an initial written Notice of Receipt that:

   ~~(a)~~***a.*** Acknowledges receipt of the discrimination complaint.
   ~~(b)~~***b.*** Advises the complainant of their right to seek representation by an attorney or other individual of their choice in the discrimination complaint process
   ~~(c)~~***c.*** Contains a list of each issue raised in the discrimination complaint.
   ~~(d)~~***d.*** Advises the complainant of the time-frames for processing the discrimination complaint and providing a determination.
   ~~(e)~~***e.*** Advises the complainant of other avenues of redress of their complaint, including the Iowa DOT, FHWA, USDOT and USDOJ.

6. **Notification to the Iowa DOT of a complaint**: The ~~LPA~~ ***City*** shall advise the Iowa DOT ADA Program Coordinator within 10 business days of receipt of the complaint. Generally, the following information will be included in every notification to the Iowa DOT.

   ~~(a)~~***a.*** Name, address and phone number of the complainant
   ~~(b)~~***b.*** Name(s) and address(es) of alleged discrimination official(s)
   ~~(c)~~***c.*** Basis of complaint (i.e., race, color, national origin or gender)
   ~~(d)~~***d.*** Date of alleged discriminatory act(s)
   ~~(e)~~***e.*** Date of complaint received by the ~~LPA~~ ***City***
   ~~(f)~~***f.*** A statement of the complaint
   ~~(g)~~***g.*** Other agencies (state, local or federal) where the complaint has been filed
   ~~(h)~~***h.*** An explanation of the actions the ~~LPA~~ ***City*** has taken or proposed to resolve the issue identified in the complaint.

7. **Processing a complaint and time-frame**: The total time allowed for processing ~~the~~ ***a*** discrimination complaint is 90 calendar days from the date the complaint was filed. There is no

extension available at this level. This time-frame includes 60 calendar days at the ~~LPA~~ ***City*** level and 30 days for review at the ~~state~~ ***State*** level, if needed.
If the complainant elects to file a complaint with both the ~~LPA~~ ***City*** and Iowa DOT, the complainant shall be informed that the ~~LPA~~ ***City*** has 90 calendar days to process the discrimination complaint and the Iowa DOT shall not investigate the complaint until the 90 calendar-day period has expired.

Immediately after issuance of the Notice of Receipt to the complainant (step 5), the ~~LPA's~~ ***City's*** ADA ~~coordinator~~ ***Coordinator*** shall either begin the fact-finding or investigation of the discrimination complaint, or arrange to have an investigation conducted.

Based on the information obtained during that investigation, the ~~LPA's~~ ***City's*** ADA ~~coordinator~~ ***Coordinator*** shall render a recommendation for action in a Report of Findings ~~to the head of the LPA~~.

8. **Alternative dispute resolution/mediation process**: The complainant ~~must~~ ***will*** be given an invitation to participate in mediation to resolve the complaint by informal means. The ~~LPA's~~ ***City's*** ADA ~~coordinator~~ ***Coordinator*** ~~shall~~ ***will*** include an invitation to mediation with the Notice of Receipt, offering the opportunity to use the alternative dispute resolution/mediation process.

   If the complainant selects mediation, it allows disputes to be resolved in a less adversarial manner. With mediation, a neutral party assists two opposing parties in a dispute come to an agreement to resolve their issue. The mediator does not function as a judge or arbiter, but simply helps the parties resolve the dispute themselves.

   Upon receiving a request to mediate, the ~~LPA's~~ ***City's*** ADA ~~coordinator~~ ***Coordinator*** shall identify or designate a mediator who must be a neutral and impartial third party. The mediator must be a person acceptable to all parties and who will assist the parties in resolving their disputes.

   If the complainant chooses to participate in mediation, they, or their designee, must respond in writing within 10 calendar days of the date of the invitation. This written acceptance must be dated and signed by the complainant and must also include the relief sought.

   After mediation is arranged, a written confirmation identifying the date, time and location of the mediation conference shall be sent to both parties. If possible, the mediation process should be completed within 30 calendar days of receipt of the discrimination complaint. This will assist in keeping within the 90 calendar-day timeframe of the written Notice of Final Action if the mediation is not successful.

   If resolution is reached under mediation, the agreement shall be in writing. A copy of the signed agreement shall be sent to the Iowa DOT ADA Program Coordinator. If an agreement is reached but a party to it believes their agreement has been breached, the non-breaching party may file another complaint. If the parties do not reach resolution under mediation, the ~~LPA's~~ ***City's*** ADA ~~coordinator~~ ***Coordinator*** shall continue with the investigation.

9. **Notice of Final Action**: A written Notice of Final Action shall be provided to the complainant within 60 days of the date the discrimination complaint was filed. It shall contain:

   ~~(a)~~***a.*** A statement regarding the disposition of each issue identified in the discrimination complaint and reason for the determination.
   ~~(b)~~***b.*** A copy of the mediation agreement, if the discrimination complaint was resolved by mediation.
   ~~(c)~~***c.*** A notice that the complainant has the right to file a complaint with the Iowa DOT, FHWA, USDOT or USDOJ within 30 calendar days after the Notice of Final Action, if they are dissatisfied with the final action on the discrimination complaint.

   The ~~LPA's~~ ***City's*** ADA ~~coordinator~~ ***Coordinator*** shall provide the Iowa DOT ADA Program Coordinator with a copy of the decision, as well as a summary of findings upon completion of the investigation. Should deficiencies be noted in the implementation of these discrimination complaint procedures by the ~~LPA~~ ***City***, the Iowa DOT ADA Program Coordinator will work in conjunction with ~~LPA's~~ ***City's*** ADA ~~coordinator~~ ***Coordinator*** to review the information and/or provide technical assistance in the discrimination complaint process, mediation process, and/or investigation.

10. **Corrective action**: If discrimination is found through the process of a complaint investigation, the respondent shall be requested to voluntarily comply with corrective action(s) or a conciliation agreement to correct the discrimination.

11. **Confidentiality**: ~~LPA~~ ***City ADA Coordinator*** and Iowa DOT ADA Program Coordinator are required to keep the following information confidential to the maximum extent possible, consistent with applicable law and fair determination of the discrimination complaint.

   ~~(a)~~***a.*** The fact that the discrimination complaint has been filed.
   ~~(b)~~***b.*** The identity of the complainant(s).
   ~~(c)~~***c.*** The identity of individual respondents to the allegations.
   ~~(d)~~***d.*** The identity of any person(s) who furnished information relative to, or assisting in, a complaint investigation.

12. **Record keeping**: The ~~LPA's~~ ***City's*** ADA ~~coordinator~~ ***Coordinator*** shall maintain a log of complaints filed that alleged discrimination. The log must include:

   ~~(a)~~***a.*** The name and address of the complainant.
   ~~(b)~~***b.*** Basis of discrimination complaint.
   ~~(c)~~***c.*** Description of complaint.
   ~~(d)~~***d.*** Date filed.
   ~~(e)~~***e.*** Disposition and date.
   ~~(f)~~***f.*** Any other pertinent information.

All records regarding discrimination complaints and actions taken on discrimination complaints must be maintained for a period of not less than three (3) years from the final date of resolution of the complaint.

ATTACHMENT 6

CITY of CARROLL, IOWA

CITY OFFICES (712) 792-1000 ZIP CODE 51401

March 25, 1987

MEMO TO: The Honorable Mayor and City Council Members

MEMO FROM: Dick Hierstein, City Manager

SUBJECT: Sidewalk inspection program

Recent decision of the Iowa Supreme Court have greatly increased the need for a city sidewalk inspection program. Liability can be decreased by a regular program of inspection and repair.

It is proposed that such a program be implemented by our Building Inspector. The city would be divided into three areas with one area inspected each year.

The attached standards are suggested to determine if repair or replacement would be required. Standards vary among cities. Generally, repair code "A" is less restrictive than many cities which allow only 1/2" vertical edge.

The inspection procedure would involve several steps:

1. After an initial inspection, an informal repair notice would be left at the home. The notice would state the nature of the defect and the necessary corrective action. The sidewalk area to be repaired would also be marked with spray paint. This notice would ask that repair be made within thirty days to avoid the more expensive official repair procedure. A voluntary assessment form would be attached in case the owner wanted the city to conduct the repair.

2. A followup inspection would occur in thirty days.

3. If the necessary repair had not been made, we would determine the owner of the property. Then official repair notification by certified mail would take place. Again, thirty days would be allowed for the repair to be done.

4. A second followup inspection would take place.

5. If the necessary repair still had not been made, the city would have the repair performed. All costs of the repair including inspection, notice and assessment schedule costs would be assessed against the property.

Although we estimate that 5% or less of the sidewalks in town will require repair, complaints can be anticipated. However, the program is necessary to keep our sidewalks in safe condition.

Options to the program are:

1. Do nothing
2. Eliminate the informal first step
3. Adopt an ordinance making failure to maintain the sidewalk a misdemeanor

Doing nothing would expose the city to the full liability opened by the Supreme Court. This option would also subject the public to preventable hazards.

Elimination of the informal first step could speed up the repair process in some cases. It would save staff time in those cases where the informal notice would not get the problem corrected. However, the legal format of the official notice would offend many persons who would comply with a less formal request to improve pedestrian safety. In cases where the informal notice obtained the desired repair, it would involve much less time and expense (researching ownership and sending certified notice).

Some cities have made the failure to repair sidewalks a misdemeanor. Charges can be filed until the necessary repair is made. This has also been done in conjunction with our basic repair procedure.

RECOMMENDATION: The full sidewalk inspection procedure, including an informal notice, be approved.

Dick Hierstein

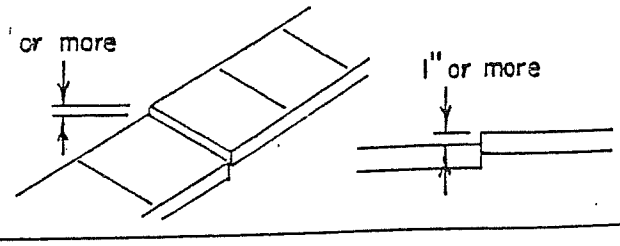
Dick Hierstein

DH:kas

attachment

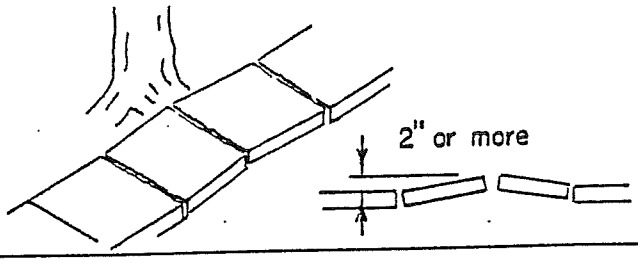
STANDARDS FOR DEFECTIVE SIDEWALKS

CITY OF CARROLL, IOWA



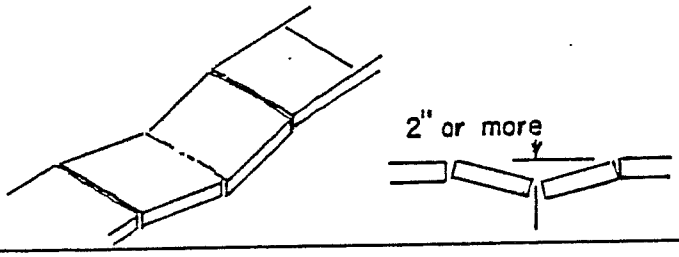
REPAIR CODE "A"

The sidewalk is cracked with a vertical edge existing of more than one inch high.



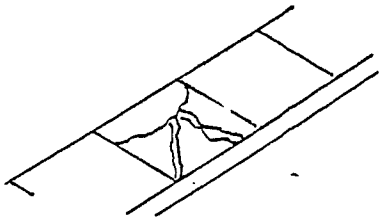
REPAIR CODE "B"

The sidewalk has raised more than two inches in a eight to ten (8'-10') foot area from the normal line of grade of the sidewalk.



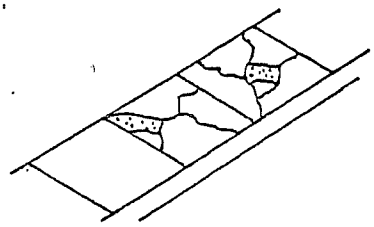
REPAIR CODE "C"

The sidewalk is depressed more than two inches in a eight to ten (8'-10') foot area from the normal line of grade of the sidewalk.



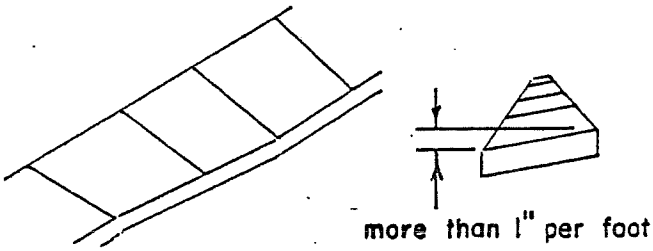
REPAIR CODE "D"

The sidewalk has cracked into more than three pieces per 4' x 4' square and sections are distorted or distressed with a vertical height difference of one-half inch or more or a horizontal separation of two inches or more.



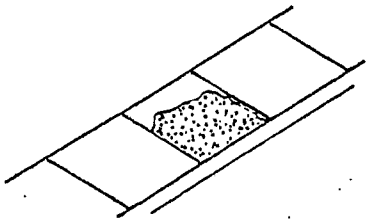
REPAIR CODE "E"

The sidewalk has cracked and part of the sidewalk is missing, forming holes.



REPAIR CODE "F"

The sidewalk has settled or for some other reason is sloped and tilted more than one inch per foot (toward either side).



REPAIR CODE "G"

The sidewalk has spalled and the surface is gone.