

# **DEERFIELD TOWNSHIP SIDEWALK INSTALLATION POLICY**

## **SECTION 1: INTRODUCTION**

### **1.1 Function and purpose of the Deerfield Township Sidewalk Installation policy**

To adopt an official policy pertaining to sidewalk construction requests from property owners along residential and collector streets. This policy covers the procedure for initiating, designing and constructing a project to install new sidewalks in residential areas. The sidewalk system is to be designed and constructed in such a manner that it will enhance pedestrian safety and minimize conflict with vehicular traffic. **NOTE: A separate policy exists for the repair of existing sidewalks.**

### **1.2 Legal Authority**

Only the Deerfield Township Board of Trustees (herein "DTBOT") can authorize the placement of sidewalks along township streets.

## **SECTION 2: PROGRAM ELEMENTS**

### **2.1 Request For Sidewalks by Property Owners**

Sidewalks may be requested by individual homeowners, neighborhoods, homeowners associations. All new sidewalks installed in accordance with this policy shall be the responsibility of the abutting property owners through a special assessment. The abutting property owners shall pay 100% of the installation costs, which include design, engineering, construction, and restoration.

### **2.2 Establishment of an Assessment District**

The assessment district will consist of the street(s) that sidewalks are requested, the limits of construction, intersecting side streets, and other areas that may be affected. Properties may be excluded for the assessment district on a case-by-case basis, if it is determined that the property owner would receive zero or limited benefit of the construction of sidewalks.

### **2.3 Petition Process**

A petition will have to be circulated within the assessment district, and all of the property owners in the assessment district shall be contacted and given the opportunity to vote on the sidewalk proposal. If there is joint ownership of a property, all owners must sign the petition individually, with each lot counting as only one vote. If a lot requires more than one signature and there is not a unanimous vote for the proposal, the vote will not be counted. This includes owners of undeveloped lots and landlords. Renting tenants are not an acceptable substitute for the legal homeowner. No signature will be withdrawn from the petition after it is filed with the Township. At least 75% of the homeowners must vote in favor of sidewalks for the petition to be considered by the Township. Once the petition is signed, notarized, and returned, it will be checked against tax records and land lot maps to insure that the petition area meets all requirements for sidewalk installation.

### **2.4 Township Initiated Projects**

Deerfield Township may assist in the funding of township initiated projects. Township-initiated projects are generally focused on fixing gaps along higher volume streets, such as thoroughfares. Each proposed sidewalk project is evaluated and rated based on a variety of factors, including

street classification, existing demand, special population need, feasibility, and the proximity of places people want to walk to, e.g. parks, schools, and shopping areas. The DTBOT reserves the right to prioritize a sidewalk project when a neighborhood or homeowners association pledges an amount of funding equal to the cost of project design and engineering. Such pledge of funding does not constitute a guarantee that the project will be constructed and the board of trustees will use established evaluation criteria in making their determination.

## **SECTION 3: SIDEWALK DESIGN**

### **3.1 Design**

The sidewalks must be designed, constructed, and installed per Warren County Subdivision Design Regulations. The design for sidewalks shall be in accordance with the American Association of State Highway and Transportation Officials (AASHTO) "A Policy on Geometric Design of Highways and Streets" and Ohio Department of Transportation (ODOT) specifications.

### **3.2 Expenses**

The Homeowners Association/Neighborhood will be fully responsible for all costs for the design and construction of the sidewalks.

### **3.3 Design Review Process**

A copy of the final subdivision plat may be obtained from the Deerfield Township Community Development Department for use in sidewalk plans. All plans must be submitted to Deerfield Township Public Works (herein "DTPW") for approval, allowing for up to 60 days, and possible modifications to the design plans. Once the plan is approved by DTPW, it will be forwarded to the DTBOT for final approval of the design and plans.

## **SECTION 4: PERMIT APPLICATION**

### **4.1 Permit**

Once approval is granted, a permit for construction must be applied from the DTPW. The applicant will be required to provide three (3) sets of design plans with the completed permit.

### **4.2 Escrow/Bond Requirements**

Each applicant is required to provide a performance bond or letter of credit to insure that the sidewalk plans are being built in accordance with the approved permit and design plan. All letters of credit must be from a bank located in the State of Ohio. A letter of credit must be without an expiration date or written in a manner to renew automatically annually. The security will be described on an approved Township form and insured amount will be based on the estimated cost of construction, as determined by DTPW. Once said construction is approved, DTPW will perform a final inspection. The bank must agree to notify DTPW by registered letter at least 60 days prior to its expiration date if it does not intend to renew the letter of credit. The DTBOT will give written authorization to release the bank from its obligation as soon as all the construction authorized under the permit has been completed satisfactorily. Once the construction is finished, the applicant must notify the appropriate permit inspector for approval. No bond or escrow may be released without written authorization from the DTBOC.

## **SECTION 5. GENERAL CONSTRUCTION GUIDELINES**

### **5.1 Materials & Methods**

The work shall consist of constructing sidewalks in accordance with Item 608 of the most recent edition of the Ohio Department of Transportation Construction and Material Specifications and to the line, grades, and dimensions shown on the plans or established by the DTPW. The work shall encompass excavation to grade, excavation of unsuitable sub-grade materials, furnishing and placing of backfill and bedding material, and removal of existing sidewalks located in the area of the new work.

### **5.2 Inspection**

DTPW does not commit to furnishing full time inspection for sidewalk installation. It is the responsibility of the permit holder to assure that the materials and construction are meeting all specifications and guidelines.

### **5.3 Construction Procedures**

All work must be performed in such a manner to provide at least one (1) lane of traffic at all times, or use a DTPW approved traffic detour plan. When directed by DTPW, the permit holder shall limit the hours of operation to avoid affecting the peak hour traffic volumes.

### **5.4 Traffic Control**

The permit holder shall furnish, install, maintain, and remove all traffic control devices as necessary. This includes signs, barricades, striping, cones, lights, flagging and all other required devices as required by DTPW, ODOT and the Manual on Uniform Traffic Control Devices (MUTCD).

### **5.5 Additional Requirements and Review**

At the time of reviewing the site plan or plat review, DTPW may require additional conditions to be met in regards to sidewalk placement, design, construction or maintenance. Access ramps are to be placed at all drives, intersections and all curb encroachments; all ramps and be constructed/installed in compliance with the Americans with Disabilities (ADA) Act. No sidewalk sections will be permitted to "jog" around a fire hydrant or utility pole.