

# Memorandum

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**To:** Traffic and Safety Commission - Item 6-2  
**Cc:** Jeff Bond, Randy Leptien  
**From:** Aleida Andrino-Chavez  
**Date:** 7/26/2012  
**Re:** Overview of Sidewalk Maintenance and Curb Ramp Policies

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## SIDEWALK POLICY:

According to California Streets and Highway Section 5610 and Albany Municipal Code Section 14-1.5b (attached), sidewalk maintenance is the responsibility of the adjacent property owner. Many sidewalk uplifts in the City are due to the existence of a tree planted in the public right of way, which roots have extended through the sidewalk and protruded the concrete. In order to assist property owners in residential areas with sidewalk repairs, the City of Albany has established a sidewalk program that reimburses up to 50% of the cost of repair to single home property owners if the sidewalk uplift is due to the roots of a public tree. If the sidewalk uplift is not caused by the roots of a public tree, the reimbursement does not apply and the cost of sidewalk repair is furnished only by the property owner. The reimbursement program does not apply either to owners of commercial properties or multifamily units.

The City has not conducted a formal field review of sidewalk conditions, however, staff keeps a record of the letters sent to the property owners of the locations that have been identified as having uplifted sidewalks during walking audits or have been reported by property owners or by residents.

Process: Once an uplift is reported or identified, staff sends a letter to the property owner alerting him or her of the sidewalk uplift and his/her responsibilities to maintain the sidewalk. The letter also states that the uplift is a tripping hazard and the potential liability in the event that somebody trips and falls due to the uplift. The letter explains the reimbursement program if the location qualifies. In order to get the 50% reimbursement, the property owner must provide proof of payment to contractor, pictures of before and after repair, and an encroachment permit signed off by the City Inspector. All of these documents are entered into a database and kept in the record.

The City budgets between \$10,000 and \$20,000 for sidewalk reimbursements per year depending on fluctuations in the economy. The source of funds for this program is a portion of the Landscape and Lighting District revenues.

### **CURB RAMP POLICY**

The City has a program for ADA ramp installation that is primarily funded by Community Development Block Grant (CDBG) funds. While this Commission has made the recommendation that whenever possible, the City should strive to install curb ramps that align with the crosswalks, due to physical barriers or intersection alignment it is sometimes very difficult to accomplish this. In general, the City follows the Federal Highway Administration (FHWA) Design Standards for curb ramps and the American with Disabilities Act (ADA) Guidelines for the design of curb ramps. City staff has also met with representatives of the Albany Rollers & Strollers to refine the details of curb ramps and accommodate the needs of all the users of the facility without overlooking the minimum standards required by the FHWA and ADA law.

The design guidelines for curb ramps have changed over the years. Whenever rehabilitation or development projects arise, City staff attempts to bring the curb ramps to current standards. This is a slow process that depends on available funding and project implementation.