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919.03 Hazardous Sidewalk or Curb

- (a) A hazardous sidewalk is defined, for the purposes of the Sidewalk and Curb Replacement Program, as a sidewalk which exhibits any of the following criteria:
- (1) A vertical separation of more than 1.5 inches at either a crack or joint;
 - (2) A horizontal separation or crack greater than 1 inch;
 - (3) The cross slope of the sidewalk is unnecessarily greater than 1-1/2 inch per foot;
 - (4) Water accumulation due to insufficient grade of the sidewalk;
 - (5) Severely rough, uneven surface due to spalling;
 - (6) Severe cracking;
 - (7) Missing pieces;
 - (8) Gross deterioration due to tree roots or other decay caused by the presence of trees;
 - (9) Deterioration due to unauthorized vehicular traffic or parking on a sidewalk; and
 - (10) Other conditions not listed above which render the sidewalk/curb hazardous for public use as determined by the City Engineering Department.
- (b) A hazardous curb is defined as a curb that exhibits missing portions, broken pieces, excessively-raised or settled portions, and severe cracking as determined by the City Engineering Department. (Ord. 59-2001. Passed 4-9-01.)

905.01 Owner to Repair Notice; Work by City; Costs a Lien

- (a) It shall be the duty of owners of lots abutting on sidewalks and curbs to keep such sidewalks and curbs, and also the tree lawn or grass strip existing between any sidewalks and curbs, in a state of good repair and safe condition in front of or adjacent to their premises, and to further prevent the existence of any nuisance or hazard to persons or property upon such tree lawns or grass strips arising by any reason whatsoever, including the criteria specified in Section 919.03. It shall be the duty and responsibility of the Civil Engineering Department to inspect the City's sidewalks upon receipt of a complaint. It shall be the duty of the Clerk of Council to first cause notice to be given to the owner of the premises abutting upon such sidewalks, curbs, grass strips, or tree lawns of any necessary repairs or improvements required to be made pursuant to this section.
- (b) If such owner does not, within thirty-one days after notice to do so, weather permitting, make the necessary repairs or improvements to such sidewalks, curbs, tree lawns, or grass strips, Council, upon resolution, shall notify the property owner of its intent to make the necessary repairs and shall thereafter, if repairs are not made within five days after the service of notice of resolution, authorize the Director of Public Service to make the necessary repairs and improvements, and further direct that the expense of such repairs or improvements shall be assessed upon the property so abutting and certify to the County Auditor for collection in the manner of other taxes and assessment against real estate.
- (c) Such assessments shall be credited by the proper City officials to the County Auditor; and such assessment shall act as a lien upon the property assessed and shall be collected as provided for in the case of other special assessments against real estate.

Ord. 59-2001. Passed 4-9-01.)

The City does have a sidewalk replacement program available to homeowners. For more information, contact the Canton City Engineers Office.