

**CITY OF DELAWARE
PUBLIC WORKS/PUBLIC UTILITIES
COMMITTEE
CITY COUNCIL CHAMBERS
CITY HALL
1 S. SANDUSKY ST
6:00 P.M.**

AGENDA

February 4, 2020

1. ROLL CALL
2. ELECTION OF OFFICERS
 - A. Chairperson
 - B. Vice-Chairperson
3. APPROVAL of the Motion Summary for the meeting of the Public Works/Public Utilities Committee meeting held August 6, 2019, as recorded and transcribed
4. PUBLIC COMMENTS
5. DISCUSSION of Transportation Needs/Funding
6. UPDATE and DISCUSSION relating to Public Utilities
 - A. Dogwood Drive Stormwater Culvert Rehabilitation
 - B. Stratford Road Energy Dissipation Project
 - C. DISCUSSION on New PFAS Regulations
7. UPDATE and RECOMMENDATION relating to Sidewalks
 - A. Code Section 909-Sidewalks
 - B. Resolution of Necessity for 2020 Sidewalk Maintenance Program
 - C. Resolution of Necessity for Downtown Sidewalk Maintenance Program
8. UPDATE and RECOMMENDATION relating to Public Works
 - A. Code Section 901 – Excavations in Public Right-of-Way
 - B. Code Section 197.02 – Right of Way Permitting Fees Draft
 - C. Maintenance of Traffic and Public Notification Policy
 - D. Roadside Memorials Policy Draft
9. STAFF COMMENTS

10. MEMBER COMMENTS

11. ADJOURNMENT

PUBLIC WORKS/PUBLIC UTILITIES COMMITTEE
MOTION SUMMARY
August 6, 2019

ITEM 1. Roll Call

Vice-Chairman Browning called the meeting to order at 6:02 p.m.

Members Present: Councilmember George Hellinger and Vice-Chairman Jim Browning

Members Absent: Chairman Chris Jones

City Staff Present: Bill Ferrigno, Public Works Director/City Engineer and Blake Jordan, Public Utilities Director and Kyle Kridler, Assistant City Manager

Motion to Excuse: Mr. Hellinger motioned to excuse Mr. Jones, seconded by Mr. Browning. Motion approved by a 2-0 vote.

ITEM 2. APPROVAL of the Motion Summary of the Public Works/Public Utilities Committee meeting held May 7, 2019 as recorded and transcribed.

Motion: Vice-Chairperson Browning moved to approve the Motion Summary of the Public Works/Public Utilities Committee meeting held May 7, 2019, seconded by Mr. Hellinger. Motion approved by a 2-0 vote.

ITEM 3. PUBLIC COMMENTS

ITEM 4. DISCUSSION on Honorary Street Naming Policy

Mr. Ferrigno request for honorary signage for Elmer W.B. Curry and Rutherford B. Hayes. He reviewed the presented policy and discussed the qualifications that includes individuals will be considered 10 years posthumously. He discussed that the signs will be done in-house with a simplistic design. Mr. Ferrigno explained that the signage would only be honorary and would not rename the street and will be posted adjacent to the designated street name sign.

Motion: Mr. Hellinger motioned to move forward with policy development for a honorary street naming and present to Council as a resolution for their consideration, seconded by Vice-Chairman Browning. Motion approved by a 2-0 vote.

ITEM 5. DISCUSSION on Cluster Mailbox Guidelines

Mr. Ferrigno discussed the request by the USPS in moving towards a Cluster Mail Box Unit installation for residential, single-family residences. In lieu of each single-family residence having their own mailbox at their address, mailboxes are now required to be at a centralized location. He discussed that the aesthetics will be worked on by the Planning Department.

ITEM 6. DISCUSSION of 2020 Resurfacing Program

Mr. Ferrigno discussed the existing funding sources for the Resurfacing Program, including the State Gas Tax Increase. He discussed the Proposed Annual Resurfacing Program Expenditures and Annual Paving Program. He discussed the annual cost for the different classification of road and how many miles and resurfacing cycle. He summarized the 5-Year Arterial/Collector Resurfacing Grant Program.

ITEM 7. REVIEW of ODOT Safety Fund Applications

A. U.S. 23/Drive Median Improvements

Mr. Ferrigno discussed that ODOT is supporting the closure of the median at U.S. 23 and Hull Drive.

B. E. Central Avenue and Lake Street Intersection Improvement

Mr. Ferrigno discussed the higher rate for collisions due to the higher rate of congestion. This will cause the need for more safety needs and safety funding.

ITEM 8. UPDATE on Riverby Sewer

Mr. Jordan provided an update and that the County Commissioners have approved to fund the project. He discussed that the project will be funded upfront and the HOA will be assessed.

ITEM 9. STAFF COMMENTS

ITEM 10. MEMBER COMMENTS

ITEM 11. ADJOURNMENT

Motion: Vice-Chairman Browning motioned to adjourn the Public Works/Public Utilities Committee meeting. The meeting adjourned at 6:58 p.m.

Chairman

Elaine McCloskey, Clerk

AGENDA ITEM: 5

Transportation Needs

Public Works Department

2020 Roadway Maintenance Program

*Submitted by William L. Ferrigno, P.E., Public Works Director/City Engineer
Revised January 21, 2020*

This update summarizes the funding resources and corresponding expenditures for the 2020 Roadway Maintenance Program, with recommendations for additional funding required to support a sustainable street, traffic and pavement maintenance operation. As growth continues across the City, the need to dedicate additional resources toward the maintenance and repair of existing highway pavement and traffic management infrastructure becomes more pressing. At existing funding levels, the Roadway Maintenance Program is not sustainable. An additional \$1.6 million in annual funding is recommended to fully support a sustainable roadway maintenance program.

2020 Roadway Maintenance Program – Funding	
Ohio Gas Tax	\$2,045,000
License Fees	\$698,000
Ohio Public Works Commission Grant (OPWC)*	\$495,000
Delaware County OPWC Grant Match*	\$150,000
<u>General Fund Revenue (Income Tax)</u>	<u>\$1,266,572</u>
Total Revenues	\$4,654,572

*\$645,000 of the funding is available through a competitive grant application process and is not a guaranteed annual revenue source.

2020 Roadway Maintenance Program – Expenses	
<u>Street Maintenance:</u>	\$1,838,025 allocated for staffing and the maintenance and repairs to public streets including potholes, patching, crack sealing, parking lots, bikepaths, sidewalk, curbs, bridge maintenance, and snow and ice removal.
<u>Traffic Maintenance:</u>	\$966,547 for staffing and the maintenance and repairs to traffic signals, street lights, pavement markings, roadway signage and guardrails.
<u>Street Resurfacing:</u>	\$1,850,000 for paving residential and arterial streets.

Roadway Maintenance Program – Annual Funding Levels

<u>Street Paving</u>	<u>Current</u>	<u>Recommended</u>
Pavement Resurfacing & Preservation	\$1,850,000	\$3,050,000
Alley Resurfacing	\$0	\$50,000
	\$1,850,000	\$3,100,000
<u>Street Maintenance</u>	<u>Current</u>	<u>Recommended</u>
Pavement Repairs	\$310,000	\$400,000
Pedestrian Paths & Bikeways	\$35,000	\$100,000
Public Parking Lots	\$60,000	\$130,000
Bridge Maintenance	\$50,000	\$50,000
Sidewalk & ADA Ramp Repairs	\$200,000	\$200,000
Curb Repairs	\$0	\$150,000
Snow & Ice Removal	\$200,000	\$200,000
	\$855,000	\$1,230,000
<u>Traffic Maintenance</u>	<u>Current</u>	<u>Recommended</u>
Streetlights	\$55,000	\$55,000
Street Signage	\$40,000	\$40,000
Pavement Markings	\$105,000	\$105,000
Traffic Signal System	\$185,000	\$200,000
Guardrail Maintenance	\$45,000	\$75,000
	\$430,000	\$475,000
Totals	\$3,135,000	\$4,805,000

The difference between the current available and proposed funding is \$1.67 million

Roadway Maintenance Program Activities

Street Resurfacing & Pavement Preservation – The street network in Delaware is made up of 171 miles of Arterial, Collector and Local roadway. Based on the age and condition of Delaware’s overall street network, a sustainable pavement maintenance program requires an estimated \$3.1 million in annual funding. Each new mile of roadway constructed in Delaware increases the overall annual street resurfacing program cost by an estimated \$20,000 per year for local streets and \$28,000 for collector streets. The anticipated useful life of an asphalt pavement surface of any given street varies depending on pavement age, traffic volumes, and how well it has been preserved, and can generally be expressed in ranges from 10-15 years for arterials, 15–25 years for collectors, and 20–30 years for local residential streets. Delaying pavement maintenance work including preservation treatments and surface course replacement, ultimately results in shorter pavement life cycles, higher repair costs, and an overall increase in the cost of establishing a sustainable pavement maintenance program. Based on the current condition of Delaware’s local streets, additional funding is required to address all streets throughout the community.

The City road network has increased by 67% (68.6 miles) in the past 25 years while the cost of asphalt has more than doubled.

Annual Pavement Maintenance Costs (2020)							
Pavement Network				Life Cycle Costs			
	% City Responsibility	CL Miles	Area (SF)	AVG YRS	Area/Year	\$/SF	Annual Cost
Local Streets	100	94.31	12,890,946	25	515,638	2.93	1,510,819
Collector Streets	100	43.07	6,614,175	20	330,709	2.93	968,977
Arterials	100	10.13	2,218,158	15	147,877	3.25	480,601
SR/US Arterials	20	13.96	3,115,859	10	311,586	1.50	93,476
US23	0	9.77	3,489,002	10	N/A	N/A	0
Alleys	100	9.1	509,789	20	25,489	1.50	38,234
Totals		171.24	28,328,140		1,331,299		3,092,106

Alley Maintenance – The city has 78 public alleys with a combined length of 9.1 miles, many of which are in serious disrepair. Alleys provide primary, and in some cases, the only access for many resident’s properties, and as such, greater consideration to alley maintenance should be included as part of a sustainable pavement maintenance program. The last comprehensive alley improvements by the City were completed in the 1990’s. Alley maintenance by the City is currently limited to pothole repair and patching. Public alleys require resurfacing the same as the local residential streets, and as such should be repaved every 20-25 years.

Pavement Maintenance & Repairs – Annual pavement maintenance work performed by the Public Works Street crew includes pothole repairs, pavement patching, berm and edge repairs, crack filling and sealing, and pavement base repairs. Much of this work is completed by the Public Works Street crew, though contractors are used for some activities such as crack sealing and concrete repairs. Though the local and collector street network has expanded by over 70% in the last 25 years, the staffing level dedicated to the maintenance and repair of our public streets has remained stagnant. As such it becomes increasingly difficult to maintain the same level of service regarding street maintenance and repair efforts through the Street Division.

Pedestrian & Bike Paths - The City's inventory of pedestrian and bikeway trails continues to increase as new development and capital initiatives expand the public system. The current network totals just over 24 miles of pathway requiring ongoing maintenance, and ultimately pavement replacement. Like asphalt streets, paved paths require routine maintenance and eventually resurfacing. The majority of maintenance work over the past several years has been limited to surface sealing, crack sealing and edge repairs. Each additional mile of new bikeway constructed adds an estimated \$4,500 per year to the overall cost of network maintenance. Applying conservative estimates for the longevity of a properly maintained bikeway and assuming a pavement life cycle of 25 years, an annualized program cost of \$100,000 is estimated for the existing public pathway network.

Public Parking Lots – The City maintains 28 public parking lots including the downtown lots, public buildings, and park properties. The pavement requires both routine asphalt maintenance and eventual replacement as surfaces deteriorate. Parking areas are sealed and restriped every five years. Pavement replacement is anticipated every 20-30 years. Based on the current inventory of parking lots, the annualized maintenance cost is estimated at \$130,000.

The City maintains 24 miles of public pedestrian paths and bikeway, 28 public parking lots and 22 bridge structures

Bridge Maintenance – The City is responsible for the full maintenance and replacement responsibility of sixteen vehicular, and six multi-use path bridges. An additional eighteen State bridges within Delaware require minor maintenance by the City for items including pothole repair, crack sealing, crash barrier, striping, and signage. The City allocates \$50,000 per year to address minor bridge maintenance needs as identified through annual bridge inspections. Separate large bridge projects are identified through the 5-Year Capital Improvement Plan and include initiatives such as the Springfield Branch Trail Bridge over US23, the old clay mine rail tunnel under North Street, and the Delaware Run Bridge on Houk Road.

Sidewalks & ADA Ramps – The City completed the successful Safe Walks Program in 2017 capping a 10-year initiative to address residential sidewalk safety community wide. Nevertheless, sidewalks continue to deteriorate requiring ongoing maintenance. The City responds to customer driven complaint as a means to address sidewalk deficiencies throughout the community. In some cases, the repairs become the responsibility of the abutting property owner; However, the majority of

deficiencies are city responsibility and are associated with sidewalk sections heaving from the tree roots. \$150,000 has been allocated to address sidewalk repairs with an additional \$50,000 for ADA ramp repairs by the Public Works crew. An estimated 3,775 feet missing sidewalk has been identified through the last inventory with a construction cost estimated at \$280,000, though no funding is currently available to address this work.

Curb Repairs – Many of the City's 174 miles of local, collector and arterials streets include both concrete and sandstone curb in various states of disrepair. The appropriate time to address curb repairs is when a street is being resurfaced, though limited funding prevents implementation of such an approach. As a result, the need to address deteriorating curb conditions continues to grow. Some communities include curb repair as part of their resurfacing program while others assess the cost of repairs to abutting property owners. Additional funding is required to include spot curb repair as part of the annual resurfacing efforts by the city.

Snow & Ice Removal – The Street Division is responsible for snow plowing operations throughout the winter season. This work requires on average, the application of 2,500 to 3,000 tons of road salt and 110,000 gallons of pretreatment brine solution during the winter season. Participation in the annual ODOT Road Salt Fill Program provides cost control and reliable material availability for the season. The use of salt brine allows for the more efficient, effective and reduced waste of road salt, maximizing level of service to the community while lowering environmental impacts. Because winter temperatures and precipitation vary widely in Ohio, the total materials and labor dedicated toward snow and ice management vary by year making it difficult to determine consistent budgetary needs.

Streetlights - The City currently maintains 2,312 streetlights, a number continually increasing with each new residential development. In addition to the cost of routine lamp, photo-eye, and ballast replacements, future cost increases are anticipated to address conduit and wiring repairs, and the re-painting of streetlight poles as the equipment ages. In 2018, the City implemented new streetlight standards requiring more energy efficient LED fixtures to be installed, replacing the former High-Pressure Sodium (HPS) lamps. The City is evaluating the cost to replace all remaining HPS lamps with LED fixtures. Such an initiative would be included as part of a future 5-Year Capital Improvement Plan and could cost upward of \$875,000.

The City maintains
62 traffic signals,
2,312 streetlights
and 8,986 traffic
control signs

Street Signage – The City maintains 8,986 regulatory, warning, directional and informational signs throughout the community. Retro-reflectivity standards apply to all regulatory and warning signage, of which we have a total of 3,765 (excluding parking). The City adopted the “expected sign life” methodology in 2014 to abide by the standards and has focused on regulatory and warning sign replacements on Expressway and Arterial roadways. The majority of sign maintenance and repair is performed by the Public Works Traffic crew.

Pavement Markings – Pavement markings on roadways have important functions in providing guidance and information to the road user, especially during reduced visibility conditions at night and/or rainy and foggy conditions. To maintain the appropriate level of highway safety, the City must maintain pavement markings by restriping arterials every 2-4 years, collectors every 6 years, and

local streets every 10 years. The majority of 'short line work' i.e. crosswalks, stop bars and pavement symbols is managed by the Traffic crew, while 'long line work' is managed through state bid contractors who has the equipment to perform the long line striping.

Traffic Signals & Equipment – The City maintains 62 traffic signals and 24 school zone flasher units, with two additional signals anticipated over the next two years. The total number of traffic signals and school zone flashers has doubled since the early 1990's, not including the more recent installation of RRFB's and speed feedback signs. The Traffic Division implemented a maintenance program in 2015 which includes routine maintenance/replacement of signal components. This program has greatly reduced the number of unexpected call-outs for emergency signal malfunctions; however, there is still need for additional funding to replace aged equipment.

The City maintains seven rectangular rapid flashing beacons (RRFB's) installations throughout the community and has plans to install three in 2020, and an additional three in future years at a cost of \$15,000 per pair. Study and local results support that these devices increase motorist awareness of the presence of pedestrians in crossings and as a result, a reduction in the number of accidents and injuries. The use of dynamic speed feedback signs (DSFB) offer a means to appease neighborhood concerns over speeding through the provision of visual enforcement measures, and for a relatively modest cost of \$7,000 per installation. Eligibility criteria was developed which yielded 18 identified locations for potential installation with the first permanent installations planned for 2020.

The Traffic Division is responsible for addressing maintenance of traffic operations for the 40 planned special events and approximately 10,000 utility locate requests received annually for all underground street lighting, traffic signal lines, and fiber cable owned by the City. City owned utilities must be identified and marked within 48-hours of a request being submitted. In Delaware, this activity requires 50% of a traffic technician's time on an annual basis.

Guardrail Maintenance – The City currently maintains an inventory of 13.6 miles of roadside barrier in various locations throughout the City. Over 85% of all roadside barrier is located on US23, US42, US36, and SR37. \$50,000 is budgeted annually for the maintenance of existing guardrail, excluding accident related guardrail repairs, generally covered through insurance claim reimbursements. The City has identified ten locations requiring an estimated 4,200 LF of new guardrail to address highway safety. These installations will protect traffic at locations that include sharp curves, steep embankments and bodies of water. The cost to complete the installations is estimated at \$130,000 and will be included in future 5-Year Capital Improvement Plans.

The Facts about Road Maintenance in Delaware

Additional Funding Would Help

The city needs an additional \$1.6 million in annual funding to fully support a sustainable street maintenance program

The City Road Network has Increased by 69%

In 1995 the City maintained 102 miles of roadway. In just 25 years the total miles of roadway the City maintains has increased to 171 miles

Is the New Gas Tax Helping?

The State enacted an additional Motor Fuels Sales Tax "Gas Tax" in 2019 providing the City with an additional \$758,000 per year for our local street maintenance program, and helping close a \$2.5 million gap in annual roadway maintenance

Where Does the Money Go?

- Street paving
- Potholes & Patching
- Snow Plowing
- Crack sealing
- Bikeways
- Public Parking Lots
- Traffic Signals
- Street lights
- Pavement Striping
- Guardrail
- Street signs

Your Tax Dollars Don't Go as Far

In 1995 the cost of asphalt paving was just under \$30.00 per ton. Today that figure has increased over 300% to \$90 per ton for street paving; and the cost today to pave a mile of residential street can exceed \$300,000

What do we Maintain?

US 23	10 miles
US & State Routes	14 miles
Local Arterials	10 miles
Collector Streets	43 miles
Local streets	94 miles
Alleys	9 miles

Street Surfaces Wears Out

Residential streets need to be repaved every 20 to 30 years depending on its condition and how well it's been maintained.

We Need to Pave More Residential Streets in Delaware

There are currently over 100 residential streets in Delaware in need of paving at an estimated cost of \$8 million.

**Local Street Resurfacing Program (DRAFT)
'Poor' & 'Very Poor' Rated Streets**

Revised January 22, 2020

Street	Length(ft)	CL Miles	Area SF	Cost
ABLEMARLE CIRLE	927	0.18	22,257	\$72,334
ASH ST	930	0.18	22,329	\$72,571
ASPEN CT	859	0.16	20,621	\$67,017
BERNARD AVE	985	0.19	19,223	\$62,474
BOULDER DR	1,320	0.25	42,255	\$137,329
BOWTOWN RD	2,897	0.55	52,138	\$169,448
BRANCH ST	748	0.14	11,963	\$38,880
BRIDGEPORT WAY	1,672	0.32	40,123	\$130,398
CALM ST	769	0.15	12,311	\$40,009
CAPITAL CT	202	0.04	5,241	\$17,035
CARLISLE AVE	294	0.06	4,710	\$15,308
CASTLETON WAY	650	0.12	16,239	\$52,777
CATHERINE ST	518	0.10	15,529	\$50,468
CHAMBERLAIN ST	684	0.13	14,366	\$46,689
CHAMBERLAIN ST	592	0.11	9,464	\$30,758
CHANNING ST	1,471	0.28	32,359	\$105,166
CHATHAM LN	174	0.03	4,527	\$14,713
CHATHAM LN E	299	0.06	7,769	\$25,251
CHATHAM LN W	326	0.06	8,466	\$27,515
COBBLESTONE DR	1,408	0.27	45,066	\$146,465
COLOMET DR	1,622	0.31	40,543	\$131,763
COURT ST	509	0.10	9,157	\$29,759
DARLINGTON RD	416	0.08	8,311	\$27,009
DAVIDSON LN	638	0.12	30,646	\$99,601
DOGWOOD DR	930	0.18	22,329	\$72,569
EAST BRANCH RD	384	0.07	9,972	\$32,409
EAST POINT XING	1,291	0.24	27,112	\$88,113
ELIZABETH ST	996	0.19	33,864	\$110,058
FAIR AVE	2,218	0.42	46,001	\$149,502
FIRESTONE DR	1,617	0.31	42,051	\$136,664
FLINTWOOD DR	735	0.14	19,114	\$62,122
FOLEY ST	255	0.05	5,103	\$16,585
FOREST AVE	1,773	0.34	49,642	\$161,335
GIBRALTAR CT	210	0.04	5,462	\$17,751
GOLD DUST DR	156	0.03	4,061	\$13,197

GRAND CIRCUIT BLVD	974	0.18	31,161	\$101,274
GRANITE CT	345	0.07	8,969	\$29,148
GRISWOLD ST	291	0.06	8,733	\$28,384
HALSTEAD CT	154	0.03	3,707	\$12,048
HAMMOND ST	362	0.07	6,523	\$21,201
HAMMOND ST	173	0.03	3,106	\$10,096
HAVENS RD	757	0.14	15,145	\$49,222
HAYES ST	772	0.15	16,209	\$52,679
HEARTHSTONE DR	2,886	0.55	75,034	\$243,861
HICKORY LN	1,351	0.26	24,314	\$79,019
HILLSIDE DR	2,399	0.45	41,451	\$134,717
HILLS-MILLER RD	796	0.15	17,513	\$56,917
KENSINGTON DR	2,452	0.46	61,289	\$199,191
LANDEMERE CT	241	0.05	5,788	\$18,812
LEWIS ST	483	0.09	14,481	\$47,062
LITTLE ST	486	0.09	14,080	\$45,759
LUSK LN	558	0.11	6,143	\$19,966
MAPLE STREET	812	0.15	17,000	\$55,250
MASON AVE	1,060	0.20	21,202	\$68,907
MINERAL CT	207	0.04	5,386	\$17,505
N FRANKLIN ST	4,102	0.78	126,263	\$410,354
N WASHINGTON ST	3,466	0.66	92,551	\$300,792
N WASHINGTON ST	1,614	0.31	38,634	\$125,562
NEIL ST	717	0.14	10,044	\$32,642
NOBLE ST	1,455	0.28	33,353	\$108,396
NORTH ST	1,386	0.26	30,482	\$99,065
NORTHHAMPTON CT	449	0.09	10,786	\$35,053
NUTTER FARMS LN	1,709	0.32	61,510	\$199,906
OAK HILL AVE	2,518	0.48	63,132	\$205,180
OHIO ST	450	0.09	7,647	\$24,854
OHIOHEALTH BLVD	786	0.15	37,706	\$122,544
ORCHARD LN	610	0.12	10,976	\$35,673
OWEN-FRALEY RD	2,295	0.43	39,010	\$126,782
PADDOCK CT	141	0.03	3,532	\$11,479
PAGE CT	236	0.04	6,130	\$19,922
PARK LN	639	0.12	11,493	\$37,353
PARKER ST	537	0.10	9,664	\$31,407
PENICK AVE	1,053	0.20	33,701	\$109,528
PERKINS ST	599	0.11	10,176	\$33,071
PICKAWAY ST	349	0.07	6,289	\$20,441
PINOAK CT	390	0.07	9,361	\$30,423
POTTER ST	1,635	0.31	39,388	\$128,010
PROVIDENCE LN	1,549	0.29	39,824	\$129,428
REID ST	1,110	0.21	19,973	\$64,914
RENNER ST	1,041	0.20	14,568	\$47,345
ROCK CREEK DR	2,840	0.54	90,879	\$295,356
ROSS ST	617	0.12	13,565	\$44,087

SHELDON ST	717	0.14	11,479	\$37,307
SMITH ST	439	0.08	7,896	\$25,661
SOUTH ST	658	0.12	11,190	\$36,368
SPRING ST	1,470	0.28	51,434	\$167,161
STILSON ST	728	0.14	11,642	\$37,837
SUNBURY RD	129	0.02	3,861	\$12,549
SUPREME CT	442	0.08	11,498	\$37,370
SYCAMORE LN	911	0.17	33,664	\$109,408
TARPY'S LN	796	0.15	14,335	\$46,590
TAYLOR AVE	429	0.08	13,730	\$44,621
THORNAPPLE TRL	565	0.11	13,551	\$44,039
TODD ST	177	0.03	3,177	\$10,327
TODD ST EXT.	683	0.13	12,300	\$39,976
TOLEDO ST	576	0.11	13,834	\$44,960
VANDEMAN AVE	735	0.14	12,497	\$40,615
VERNON AVE	4,013	0.76	45,000	\$146,250
VINE ST	873	0.17	12,218	\$39,709
W FOUNTAIN AVE	1,735	0.33	48,594	\$157,930
W HULL DR	351	0.07	11,233	\$36,507
W LINCOLN AVE	368	0.07	7,368	\$23,946
WALNUT ST	156	0.03	1,562	\$5,076
WEBB ST	600	0.11	12,000	\$38,999
WILLOW ST	449	0.09	8,535	\$27,737
WOODLAND AVE	675	0.13	13,498	\$43,869
YORK AVE	723	0.14	17,361	\$56,424
YORKSHIRE RD	907	0.17	22,668	\$73,670
		19.63	2,454,317	\$7,976,531

Notes:

Included streets have condition ratings as 'Poor' or 'Very Poor' per the 2018 pavement condition evaluation.

Average cost to repave streets in "Poor" to "Very Poor" is \$400,000 per mile including anticipated base repairs, shoulder repairs, areas of full depth replacement, pavement planing, use of SAMI, and pavement overlay.

AGENDA ITEM: 7 A
Code Section 909



FACT SHEET

AGENDA ITEM NO:

DATE: 2/10/20

ORDINANCE NO: 20-XX

RESOLUTION NO:

READING: First

PUBLIC HEARING: 2/24/20

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: William L. Ferrigno, P.E., Director of Public Works/City Engineer

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE REVISING SECTION 909 OF THE CITY OF DELAWARE CODE OF ORDINANCES ESTABLISHING GENERAL RULES AND REGULATIONS FOR THE MAINTENANCE AND REPAIR OF SIDEWALK WITHIN PUBLIC RIGHT OF WAY.

BACKGROUND:

Changes to how the city manages sidewalk permitting and inspection services have occurred over the past several years necessitating updates to current regulations governing sidewalk work. With the completion of the ten-year Safe Walks initiative where over ten-thousand sections of sidewalk were repaired or replaced throughout the community, revisions to how future maintenance activity on public sidewalks are managed are included in the code update. It is important to periodically update regulations that allow for the continued repair of deficient sidewalk sections across the city as they are reported or identified through evaluation.

REASON WHY LEGISLATION IS NEEDED:

To allow for the continued maintenance of deficient public sidewalk throughout the community.

COMMITTEE RECOMMENDATION:

Recommendation for approval by the Public Works Committee by 3-0 vote on 2/4/20 meeting.

FISCAL IMPACT(S):

Continued maintenance of public sidewalks in accordance with available funding established in the current 5-year CIP.

POLICY CHANGES:

Replaces former Safe Walks maintenance initiative with simplified annual approach to sidewalk maintenance.

PRESENTER(S):

William L. Ferrigno, P.E., Director of Public Works/City Engineer

RECOMMENDATION:

Approval following public hearing

ATTACHMENT(S)

Revise Section 909

ORDINANCE NO. 20-XX

AN ORDINANCE REVISING SECTION 909 OF THE CITY OF DELAWARE CODE OF ORDINANCES ESTABLISHING GENERAL RULES AND REGULATIONS FOR THE MAINTENANCE AND REPAIR OF SIDEWALK WITHIN PUBLIC RIGHT OF WAY.

WHEREAS, the City of Delaware has over one-hundred and seventy-one miles of public street, the majority of which includes public sidewalks along both sides, and

WHEREAS, the sidewalks deteriorate over time such that repairs are required to maintain a safe pedestrian access network throughout the community, and

WHEREAS, Section 729.01 of the Ohio Revised Code specifies that property owners with sidewalks and curbing abutting their property are responsible for the maintenance and repair thereof, and

WHEREAS, Chapter 909 of the City of Delaware STREETS, UTILITIES AND PUBLIC SERVICES CODE shall be modified to include updated language pertaining to the responsibilities of the property owner in the maintenance and repair of sidewalk abutting their properties and details of an annual sidewalk maintenance program administered by the City,

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That Chapter 909 is hereby replaced to read as follows:
(See Sections 909 attached hereto)

SECTION 2. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

VOTE ON RULE SUSPENSION

YEAS ___ NAYS ___
ABSTAIN ___

PASSED: _____, 2020

YEAS ___ NAYS ___
ABSTAIN ___

ATTEST: _____

CITY CLERK

MAYOR

CHAPTER 909. - SIDEWALKS, CURBS AND GUTTERS⁶¹

Footnotes:

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Cross reference— Offenses relative to sidewalks - see GEN. OFF. Ch. 521

State Law reference— Sidewalks and gutters - see Ohio R.C. 729.01 et seq.; Notice to construct or repair sidewalks - see Ohio R.C. 729.03 et seq.; Digging, excavating and piling earth on streets - see Ohio R.C. 5589.10

GENERAL PROVISIONS

909.01. - Authority.

Chapter 903 of the Delaware City Code authorizes the City Manager to adopt and update standard construction specifications as required. Chapter 909 of the Delaware City Code and the provisions of section 729.01 of the Ohio Revised Code, require property owners to be responsible for the maintenance, repair, and if necessary, replacement of that portion of sidewalk and curb/gutter abutting their property line against any public street or alley in order that publicly accessible sidewalks be maintained in a safe condition.

(Ord. 10-39. Passed 6-28-10)

909.02. – **CONSTRUCTION, MAINTENANCE & REPAIR RESPONSIBILITY.**

The construction, maintenance and repair of sidewalks, handicap ramps, and curb/gutter is divided into specific responsibility:

- (a) Existing Sidewalk and Curb. Existing sidewalks and curbing within publicly dedicated right-of-way for public streets and alleys are the responsibility of the abutting property owner for all required maintenance, repair and replacement activities, and all associated costs thereof. Maintenance activities shall include, but not be limited to sweeping and the removal of leaves, snow, and ice as may be required to maintain a safe access for pedestrian movement.
- (b) Existing Handicap Ramps. Existing handicap ramps constructed within publicly dedicated right-of-way are the responsibility of the City to repair and replace as required, including the inclined ramp, landing area, and transition section of sidewalk. Such repairs shall be performed by the City. The daily maintenance of the handicap ramps remains the responsibility of the abutting property owner as described in subsection (a) hereof.
- (c) New Development. All new developments within the City are required to include the construction of sidewalks and handicap ramps within the public right-of-way along all public streets, and along private streets and parking areas per City specifications and as further required and defined within Section 1111.10 of the City Code.
 - (1) Single-family residential development. Residential subdivisions must include the construction of all required handicap ramps per plan as part of the initial infrastructure construction, prior to the acceptance of the public improvements by the City. The City will only inspect and approve completed handicap ramps and will not inspect forms for handicap ramps prior to the placement of concrete. The construction of sidewalk fronting residential lots may be deferred until the construction of the associated residence on any particular lot; however, in no circumstance shall the construction of the walk be deferred for a period exceeding thirty months from the date of acceptance of public improvements for that development section.
 - (2) Multi-family residential development. Multi-family developments shall include the design and construction of sidewalks that meet the current Americans with Disabilities Act Accessibility Guidelines (ADAAG) **AND PUBLIC RIGHT OF WAY ACCESS GUIDELINES**

(PROWAG), and conform to City requirements. Sidewalks shown on approved plans may be constructed in phases in association with the construction of specific buildings, and are to be completed, inspected, and approved by the City prior to the occupancy of any adjacent building. **IT IS THE RESPONSIBILITY FOR THE PROPERTY OWNER, PROPERTY MANAGER OR OTHER ENTITY RESPONSIBLE FOR THE CONDITION OF THE PROPERTY TO MAINTAIN SIDEWALKS INCLUDING BUT NOT BE LIMITED TO SWEEPING, REMOVAL OF LEAVES, SNOW AND ICE, AND ALL REPAIRS AS MAY BE REQUIRED TO MAINTAIN A SAFE ACCESS FOR PEDESTRIAN MOVEMENT.**

- (3) Commercial developments. Commercial developments shall include the design and construction of sidewalks that meet the current Americans with Disabilities Act Accessibility Guidelines (ADAAG) **AND PUBLIC RIGHT OF WAY ACCESS GUIDELINES (PROWAG)** and conform to City requirements. Sidewalks shown on approved plans are to be constructed, inspected, and approved by the City prior to the occupancy of any new facility associated with the development. **IT IS THE RESPONSIBILITY FOR THE PROPERTY OWNER, PROPERTY MANAGER OR OTHER ENTITY RESPONSIBLE FOR THE CONDITION OF THE PROPERTY TO MAINTAIN SIDEWALKS INCLUDING BUT NOT BE LIMITED TO SWEEPING, REMOVAL OF LEAVES, SNOW AND ICE, AND ALL REPAIRS AS MAY BE REQUIRED TO MAINTAIN A SAFE ACCESS FOR PEDESTRIAN MOVEMENT.**
- (d) Street Tree Damage. Sidewalk within existing public right-of-way or public access easements that has been damaged by the root system of a City street tree existing within the street tree planting area between the sidewalks and pavement edge shall be the responsibility of the City for necessary repair and replacement. In the event that the repair requires significant tree roots to be cut away so that in the opinion of the City Arborist, the tree will not survive and must be removed, the City shall have the tree removed, and replace the tree with a new tree of appropriate species as recommended by the City ~~Street Tree Commission~~.
- (e) Enhanced Walkway **SURFACES** Areas. Property owners whose individual properties abut an ~~enhanced walkway~~ **SIDEWALK** that **INCLUDES ENHANCED AREAS CONSTRUCTED AT THE REQUEST OF THE CITY**, ~~has been constructed by the City as part of an area enhancement project~~, are not responsible for the repair and replacement of the enhanced portion of the walkway. Enhanced **AREAS** ~~walkways~~ include exposed brick and paver sidewalks, and ornamental tree gratings and castings.
- (f) Asphalt Walkways and Bikeways. Property owners, whose individual properties abut an asphalt pedestrian path or bikeway that has been constructed as part of the designated City bikeway and pedestrian pathway network, are not responsible for repair and replacement of the asphalt bikeways.
- (g) Utility Boxes and Appurtenances. Owners of utility access structures including meter pits, utility valve boxes, basement access doors, communication pull boxes, etc. that protrude more than ~~½-inch~~ **¼-INCH** above the adjacent sidewalk surface are responsible for adjusting such appurtenance to be flush with the sidewalk section and if necessary, replacement of the sidewalk section.

(Ord. 10-39. Passed 6-28-10)

CONSTRUCTION AND MAINTENANCE SPECIFICATIONS

909.03. - Design and construction specifications.

All public and private sidewalk, curbing, and handicap ramps shall be designed and constructed in conformance with the current City Design and Construction Specifications as authorized under Section 903.01 of the City Code and be in conformance with current Federal ADAAG requirements **AND PROWAG GUIDELINES.**

(Ord. 10-39. Passed 6-28-10)

909.04. - Maintenance and Repair Criteria.

The City shall apply the following criteria singly, or in combination, in the determination of whether sidewalk shall be repaired or replaced **TO RESTORE A SAFE WALKING SURFACE.**

- (a) Adjoining sections or parts thereof whose edges differ vertically by more than ~~¼-INCH one-half inch.~~
- (b) ~~Adjoining~~ **SECTIONS WITH OPEN JOINTS OR GAPS GREATER THAN ½-INCH** ~~five-eighths of an inch in width.~~
- (c) Sections **WITH LOOSE OR MISSING PIECES.** ~~that are cracked so that pieces are missing or loose.~~
- (d) ~~Sections sloping away from the street unless so constructed by design.~~
- (e) Sections with cross-slopes exceeding **2.08%** ~~three-fourths inches vertical per one foot horizontal.~~
- (f) ~~Sections that cause an abrupt change in the longitudinal grade of the sidewalk.~~
- (g) Sections with deteriorating surfaces presenting loose aggregate.
- (h) ~~Sections containing structures such as cellar doors, grates, water boxes, meter pits, which protrude above the sidewalk more than one-half inch so that they present a tripping hazard.~~
- (i) ~~Sidewalk constructed without approval of the City.~~

(Ord. 10-39. Passed 6-28-10)

INSPECTION AND REPAIR

909.05. – **INSPECTIONS** ~~General purpose.~~

The City shall conduct ~~annual~~ evaluations of the condition of existing sidewalks within public right of way for the purpose of determining the presence of ~~specific sidewalk deficiencies requiring repair~~ per the criteria established in Section 909.04 of these regulations. ~~The community shall be sub-divided into sidewalk evaluation zones which are inspected over a ten-year cycle; however any property in the City may be inspected for sidewalk deficiencies at any given time.~~ A deficiency report shall be generated in association with the sidewalk inspections that identifies deficient sections of sidewalk on specific properties, and **AN ESTIMATED COST** ~~the costs associated with making repairs.~~ ~~City Council shall consider passage of a resolution of necessity requiring property owners identified in the report to complete the required repairs within a specified time frame. Notification shall be sent to the associated property owner requiring the repairs be completed.~~

(Ord. 10-39. Passed 6-28-10)

909.06. – PROPERTY OWNER NOTIFICATION TO COMPLETE REPAIRS

THE PROPERTY OWNER SHALL BE NOTIFIED IN WRITING OF AN IDENTIFIED SIDEWALK DEFICIENCY WITHIN A SECTION OF SIDEWALK ABUTTING THEIR RESPECTIVE PROPERTY AND BE PROVIDED A TIMEFRAME BY WHICH THE DEFICIENCY SHALL BE CORRECTED IN ACCORDANCE WITH ACCEPTABLE REPAIR STANDARDS.

909.07. - REPAIRS BY PROPERTY OWNER.

PROPERTY OWNERS, OR THEIR CONTRACTOR, ARE RESPONSIBLE TO SUBMIT A COMPLETED PUBLIC RIGHT OF WAY PERMIT FOR ALL REPAIR ACTIVITY, TO SCHEDULE

REQUIRED PRELIMINARY AND FINAL CONSTRUCTION INSPECTIONS, AND TO COMPLETE ALL SIDEWALK REPAIRS IN ACCORDANCE WITH CURRENT CITY CONSTRUCTION SPECIFICATIONS.

Property owners electing to complete the required repair of sidewalks identified in the notice from the City are responsible for following all current City right-of-way and construction policy, criteria, and specifications as follows:

- ~~(a) Time Frame. A property owner must have the required repairs completed by the date established in the Resolution of Necessity.~~
- ~~(b) Permits. The property owner, or their contractor, is responsible for completing and submitting the required public way permits to work within the right-of-way. Permit and inspection fees are waived for property owners making repairs to existing sidewalk under the City safe walks program or on their own.~~
- ~~(c) Inspections. The property owner, or their contractor, is responsible for scheduling the required construction inspections for the necessary sidewalk repair work, including the initial sidewalk forms inspection and final finished inspection.~~

(Ord. 10-39. Passed 6-28-10)

909.08. - FAILURE TO COMPLETE REPAIRS/RESOLUTION OF NECESSITY

IN THE EVENT THAT A PROPERTY OWNER FAILS TO COMPLETE THE REQUIRED REPAIRS AS SPECIFIED IN THE INITIAL NOTIFICATION TO COMPLETE REPAIRS, THE CITY WILL CONSIDER PASSAGE OF A RESOLUTION OF NECESSITY REQUIRING THE WORK TO BE COMPLETED BY THE PROPERTY OWNER, AND IF NECESSARY, CAUSING THE WORK TO BE COMPLETED SHOULD THE PROPERTY OWNER FAIL TO COMPLETE THE WORK. PROPERTY OWNERS SHALL BE NOTIFIED BY CERTIFIED LETTER OF THE REQUIREMENTS OF THE RESOLUTION OF NECESSITY INCLUDING ESTIMATED COST OF REPAIRS, TIMEFRAME TO COMPLETE THE WORK AND THE RIGHT TO APPEAL THE REQUIREMENTS. SHOULD THE CITY MAKE REPAIRS, THE ENTIRE COST OF THE REPAIRS SHALL BE INVOICED TO THE PROPERTY OWNER, AND UPON FAILURE TO MAKE PAYMENT, ASSESS THE COSTS AGAINST THE PROPERTY OVER A FIVE (5) YEAR PERIOD AND INCLUDE INTEREST AT THE RATE OF 7%.

~~In the event that a property owner fails to complete the required repair of deficient sections of sidewalk which abut his or her property in accordance with the time-frame prescribed by the Resolution of Necessity passed by City Council, the City shall cause the work to be completed. The entire cost of the repairs shall be invoiced to the property owner and upon failure to make payment, assessed against the property based on the actual unit costs associated with the various improvements over five (5) years at the rate of 7%.~~

(Ord. 10-39. Passed 6-28-10)

909.09. - APPEAL PROCESS.

The property owner may appeal the City's notice requiring the identified repairs to be made to sidewalk abutting their property by submitting a written request for further evaluation to the City.

- (a) Re-evaluation by Engineer. Upon receipt of a written appeal, a meeting will be established between the property owner and City representatives at the identified property to review the findings of the initial inspection, explain the evaluation criteria with the property owner, and answer any questions regarding the required work.
- (b) Review by Public Works Committee. If the property owner is not satisfied with the information presented during the meeting with the City representative, the property owner can request to be placed on the agenda of the next scheduled Public Works Committee meeting for additional consideration. The decision by the Public Works Committee shall be final.

(Ord. 10-39. Passed 6-28-10)

909.10. - SIDEWALK MAINTENANCE PROGRAM.

City Council may elect to instruct the **PUBLIC WORKS DIRECTOR** ~~Director of Engineering Services~~ to initiate and administer ~~an annual~~ **CITY WIDE** sidewalk maintenance and repair program, and to permit all property owners with identified sidewalk deficiencies requiring such repair, to electively be included and subsequently invoiced for the costs associated with completing repairs on their respective properties.

(Ord. 10-39. Passed 6-28-10)

AGENDA ITEM: 7B

**2020 Sidewalk
Maintenance Program**

RESOLUTION NO. 20-

A RESOLUTION OF NECESSITY FOR CONSTRUCTION
OR REPAIR OF SIDEWALKS FOR THE 2020
SIDEWALK MAINTENANCE PROGRAM

WHEREAS, sidewalk evaluations were performed as set forth in Codified Ordinance Section 909 on properties adjacent to streets resurfaced in 2019 and at citywide locations with deficiencies reported by the public, and

WHEREAS, written records have been prepared identifying property locations where deficient sections of sidewalk requiring repair by abutting property owners exist, and

WHEREAS, a list of the properties, estimated costs of repairs, and specifications work has been submitted to the City Clerk, and

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That the City of Delaware hereby requires the property owners of properties with identified sidewalk deficiencies to complete the necessary sidewalk repairs work by July 18, 2020 in accordance with the construction specifications on file at the Public Works Department and with the City Clerk.

SECTION 2. That the specifications and estimate of costs for the repair work on file with the City Clerk are approved.

SECTION 3. In the event property owners fail to complete the required repairs, the City of Delaware is authorized to make all necessary repairs, with the associated costs thereof to be invoiced and/or assessed to the property owners in accordance with Codified Ordinances Section 909.

SECTION 4. That this resolution shall be in force and effect immediately upon its passage.

PASSED: _____, 2020

YEAS___ NAYS___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR



2020 Sidewalk Maintenance Program

Sidewalk Defecencies List & Cost Estimate

DRAFT

Prepared By: M. Stephen

Date: 1/18/2020

Checked By: J. Owen

Date: 1/28/2020

Property Information		Private Property Owner Responsibility						City Responsibility						
STREET NO.	STREET NAME	Number of Properties	Number of Private Squares	Estimated Walk Area (s.f.)	Estimated Drive Area (s.f.)	Estimated 8" Drive Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost	City Street Tree Properties	Number of City Tree Squares	Estimated 4" Area (s.f.)	Estimated 8" Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost
Estimated Unit Cost per s.f.:				\$13.50	\$14.50	\$16.75					\$13.50	\$16.75		
Sidewalk Deficiencies on 2019 Resurfacing Streets														
310	Cottswold Dr	1	1	25			25	\$ 337.50					0	\$ -
317	Cottswold Dr			0			0	\$ -	1	1	25		25	\$ 337.50
322	Cottswold Dr	1	1	25			25	\$ 337.50					0	\$ -
325	Cottswold Dr	1	2		90		90	\$ 1,305.00					0	\$ -
Willowbrook	Cottswold Dr	1	7	175			175	\$ 2,362.50					0	\$ -
56	E Lincoln Ave	1	2	50			50	\$ 675.00					0	\$ -
71	E Lincoln Ave	1	3	75			75	\$ 1,012.50					0	\$ -
500 (Mingo)	E Lincoln Ave						0	\$ -	1	7	175		175	\$ 2,362.50
500 (Mingo)	E Lincoln Ave						0	\$ -	1	6	150		150	\$ 2,025.00
Pool Overflow Parking	E Lincoln Ave						0	\$ -	1	5	125		125	\$ 1,687.50
Pool Overflow Parking Entrance	E Lincoln Ave						0	\$ -	1	6		150	150	\$ 2,512.50
15	E. Heffner	1	1	25			25	\$ 337.50					0	\$ -
21	E. Heffner						0	\$ -	1	2	40		40	\$ 540.00
25	E. Heffner						0	\$ -	1	1	25		25	\$ 337.50
35	E. Heffner	1	1	25			25	\$ 337.50	1	1	25		25	\$ 337.50
40	E. Heffner			0			0	\$ -	1	5	125		125	\$ 1,687.50
49	E. Heffner	1	1	25			25	\$ 337.50	1	2	50		50	\$ 675.00
632	Fern Dr	1	1	25			25	\$ 337.50					0	\$ -
212	Freedom Ln.						0	\$ -	1	3	75		75	\$ 1,012.50
214	Freedom Ln.						0	\$ -	1	1	25		25	\$ 337.50
222	Freedom Ln.						0	\$ -	1	4	100		100	\$ 1,350.00
648	Holly Dr	1	1	25			25	\$ 337.50					0	\$ -
649	Holly Dr	1	2	50			50	\$ 675.00					0	\$ -
658	Holly Rd	1	2	50			50	\$ 675.00					0	\$ -
659	Holly Rd	1	1	25			25	\$ 337.50					0	\$ -
664	Holly Rd	1	1	25			25	\$ 337.50	1	1	25		25	\$ 337.50
665	Holly Rd	1	1	25			25	\$ 337.50					0	\$ -
670	Holly Rd	1	5	125			125	\$ 1,687.50					0	\$ -
671	Holly Rd	1	1	25			25	\$ 337.50					0	\$ -
680	Holly Rd	1	3	75			75	\$ 1,012.50					0	\$ -
681	Holly Rd	1	5	125			125	\$ 1,687.50					0	\$ -
43	N. Union St.	1	2			50	50	\$ 837.50					0	\$ -
104	N. Union St.						0	\$ -	1	4	168		168	\$ 2,268.00
145	N. Union St.	1	2			60	60	\$ 1,005.00					0	\$ -
161	N. Union St.	1	3		75		75	\$ 1,087.50					0	\$ -
163	N. Union St.						0	\$ -	1	2	50		50	\$ 675.00
167	N. Union St.						0	\$ -	1	1	25		25	\$ 337.50
176	N. Union St.	1	2	70			70	\$ 945.00	1	1	25		25	\$ 337.50



2020 Sidewalk Maintenance Program

Sidewalk Defeciciencies List & Cost Estimate

DRAFT

Prepared By: M. Stephen

Date: 1/18/2020

Checked By: J. Owen

Date: 1/28/2020

Property Information		Private Property Owner Responsibility						City Responsibility						
STREET NO.	STREET NAME	Number of Properties	Number of Private Squares	Estimated Walk Area (s.f.)	Estimated Drive Area (s.f.)	Estimated 8" Drive Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost	City Street Tree Properties	Number of City Tree Squares	Estimated 4" Area (s.f.)	Estimated 8" Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost
Estimated Unit Cost per s.f.:				\$13.50	\$14.50	\$16.75					\$13.50	\$16.75		
177	N. Union St.						0	\$ -	1	3	75		75	\$ 1,012.50
184	N. Union St.						0	\$ -	1	1	25		25	\$ 337.50
187	N. Union St.						0	\$ -	1	1	25		25	\$ 337.50
195	N. Union St.						0	\$ -	1	2	50		50	\$ 675.00
201	N. Union St.	1	1		25		25	\$ 362.50	1	4	110		110	\$ 1,485.00
203	N. Union St.						0	\$ -	1	2	50		50	\$ 675.00
204	N. Union St.	1	1	25			25	\$ 337.50					0	\$ -
210	N. Union St.						0	\$ -	1	2	50		50	\$ 675.00
214	N. Union St.	1	1	52.5			52.5	\$ 708.75					0	\$ -
216	N. Union St.	1	2		55		55	\$ 797.50	1	1	25		25	\$ 337.50
223	N. Union St.						0	\$ -	1	6	150		150	\$ 2,025.00
224	N. Union St.						0	\$ -	1	1		25	25	\$ 418.75
229	N. Union St.						0	\$ -	1	1	25		25	\$ 337.50
244	N. Union St.	1	1	25			25	\$ 337.50					0	\$ -
249	N. Union St.	1	3	25	90		115	\$ 1,642.50					0	\$ -
254	N. Union St.						0	\$ -	1	1	25		25	\$ 337.50
261	N. Union St.						0	\$ -	1	2	50		50	\$ 675.00
262	N. Union St.	1	1	25			25	\$ 337.50	1	2	50		50	\$ 675.00
266	N. Union St.	1	1	15			15	\$ 202.50	1	1	25		25	\$ 337.50
278	N. Union St.	1	1	20			20	\$ 270.00					0	\$ -
279	N. Union St.	1	3	25	100		125	\$ 1,787.50	1	2	50		50	\$ 675.00
285	N. Union St.						0	\$ -	1	1	25		25	\$ 337.50
293	N. Union St.						0	\$ -	1	1	28		28	\$ 378.00
303	N. Union St.	1	1	20			20	\$ 270.00					0	\$ -
310	N. Union St.	1	1	25			25	\$ 337.50					0	\$ -
313	N. Union St.						0	\$ -	1	2	50		50	\$ 675.00
314	N. Union St.	1	1	25			25	\$ 337.50					0	\$ -
317	N. Union St.						0	\$ -	1	1	25		25	\$ 337.50
320	N. Union St.						0	\$ -	1	1	25		25	\$ 337.50
330	N. Union St.	1	3	75			75	\$ 1,012.50					0	\$ -
343	N. Union St.						0	\$ -	1	2	50		50	\$ 675.00
347	N. Union St.						0	\$ -	1	6	160		160	\$ 2,160.00
352	N. Union St.	1	1		50		50	\$ 725.00					0	\$ -
353	N. Union St.						0	\$ -	1	4	95		95	\$ 1,282.50
356	N. Union St.	1					0	\$ -	1	1	25		25	\$ 337.50
370	N. Union St.	1	7	142.5	67.5		210	\$ 2,902.50	1	1	25		25	\$ 337.50
373	N. Union St.						0	\$ -	1	4	105		105	\$ 1,417.50
380	N. Union St.	1	2	50			50	\$ 675.00					0	\$ -
390	N. Union St.	1	2	50			50	\$ 675.00					0	\$ -



2020 Sidewalk Maintenance Program

Sidewalk Defeciciencies List & Cost Estimate

DRAFT

Prepared By: M. Stephen

Date: 1/18/2020

Checked By: J. Owen

Date: 1/28/2020

Property Information		Private Property Owner Responsibility							City Responsibility					
STREET NO.	STREET NAME	Number of Properties	Number of Private Squares	Estimated Walk Area (s.f.)	Estimated Drive Area (s.f.)	Estimated 8" Drive Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost	City Street Tree Properties	Number of City Tree Squares	Estimated 4" Area (s.f.)	Estimated 8" Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost
Estimated Unit Cost per s.f.:				\$13.50	\$14.50	\$16.75					\$13.50	\$16.75		
??	N. Union St.						0	\$ -	1	2	55		55	\$ 742.50
95-105	N. Union St.	1	2	62.5			62.5	\$ 843.75					0	\$ -
820	Ravines Ridge	1	3		150		150	\$ 2,175.00					0	\$ -
	Retention Basin						0	\$ -	1	1	25		25	\$ 337.50
11	Somerset Rd						0	\$ -	1	5	125		125	\$ 1,687.50
12	Somerset Rd	1	1	25			25	\$ 337.50	1	1	25		25	\$ 337.50
21	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
24	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
32	Somerset Rd	1	2				0	\$ -					0	\$ -
35	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
38	Somerset Rd	1	1	25			25	\$ 337.50	1	1	25		25	\$ 337.50
43	Somerset Rd	1	2		100		100	\$ 1,450.00					0	\$ -
48	Somerset Rd						0	\$ -	1	1	25		25	\$ 337.50
51	Somerset Rd	1	1		50		50	\$ 725.00					0	\$ -
61	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
68	Somerset Rd	1	2	50			50	\$ 675.00					0	\$ -
73	Somerset Rd	1	2	50			50	\$ 675.00					0	\$ -
76	Somerset Rd						0	\$ -	1	1	25		25	\$ 337.50
87	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
94	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
108	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
114	Somerset Rd	1	3	75			75	\$ 1,012.50					0	\$ -
118	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
122	Somerset Rd						0	\$ -	1	2	50		50	\$ 675.00
126	Somerset Rd	1	3	75			75	\$ 1,012.50					0	\$ -
137	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
138	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
142	Somerset Rd						0	\$ -	1	3	75		75	\$ 1,012.50
154	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
166	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
170	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
179	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
180	Somerset Rd						0	\$ -	1	1	25		25	\$ 337.50
185	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
192	Somerset Rd	1	4	100			100	\$ 1,350.00					0	\$ -
200	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
							0	\$ -					0	\$ -



2020 Sidewalk Maintenance Program

Sidewalk Defecencies List & Cost Estimate

DRAFT

Prepared By: M. Stephen

Date: 1/18/2020

Checked By: J. Owen

Date: 1/28/2020

Property Information		Private Property Owner Responsibility						City Responsibility						
STREET NO.	STREET NAME	Number of Properties	Number of Private Squares	Estimated Walk Area (s.f.)	Estimated Drive Area (s.f.)	Estimated 8" Drive Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost	City Street Tree Properties	Number of City Tree Squares	Estimated 4" Area (s.f.)	Estimated 8" Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost
Estimated Unit Cost per s.f.:				\$13.50	\$14.50	\$16.75					\$13.50	\$16.75		
Miscellaneous Citywide Sidewalk Deficiencies														
511	Apple Valley Cir						0	\$ -	1	2	50		50	\$ 675.00
806	Buehler Dr						0	\$ -	1	2	50		50	\$ 675.00
810	Buehler Dr						0	\$ -	1	2	50		50	\$ 675.00
811	Buehler Dr						0	\$ -	1	3	75		75	\$ 1,012.50
818	Buehler Dr						0	\$ -	1	2	50		50	\$ 675.00
834	Buehler Dr						0	\$ -	1	2	50		50	\$ 675.00
868	Buehler Dr						0	\$ -	1	2	50		50	\$ 675.00
874	Buehler Dr						0	\$ -	1	2	50		50	\$ 675.00
342	Cherry Leaf						0	\$ -	1	3	75		75	\$ 1,012.50
165	Crystal Petal Dr						0	\$ -	1	2	50		50	\$ 675.00
171	Crystal Petal Dr						0	\$ -	1	3	75		75	\$ 1,012.50
208	Crystal Petal Dr						0	\$ -	1	4	110		110	\$ 1,485.00
244	Crystal Petal Dr						0	\$ -	1	4	100		100	\$ 1,350.00
846	Executive Blvd						0	\$ -	1	3	75		75	\$ 1,012.50
820	Executive Blvd						0	\$ -	1	2	50		50	\$ 675.00
890	Executive Blvd						0	\$ -	1	1	25		25	\$ 337.50
23	E. Fountain Ave						0	\$ -	1	2	50		50	\$ 675.00
28	E William St	1	2	60			60	\$ 810.00	1	1	25		25	\$ 337.50
25	Forest Ave						0	\$ -	1	2	50		50	\$ 675.00
278	Lofton Cir						0	\$ -	1	5	125		125	\$ 1,687.50
284	Lofton Cir						0	\$ -	1	3	75		75	\$ 1,012.50
	Pennsylvania & N. Liberty St.						0	\$ -	1	7	175		175	\$ 2,362.50
137	Pennsylvania Ave	1	1	25			25	\$ 337.50	1	1	25		25	\$ 337.50
145	Pennsylvania Ave						0	\$ -	1	1	25		25	\$ 337.50
227-233	Rutherford Ave						0	\$ -	1	5	125		125	\$ 1,687.50
236	Rutherford Ave						0	\$ -	1	3	75		75	\$ 1,012.50
339-345	Orchard Ave						0	\$ -	1	6	150		150	\$ 2,025.00
266	Sonoma Dr						0	\$ -	1	1	25		25	\$ 337.50
151	W Lincoln Ave	1	1	25			25	\$ 337.50					0	\$ -
181	N. Liberty St (emerg.)	1	1	25			25	\$ 337.50					0	\$ -
101	Ruby Red Ln						0	\$ -	1	3	75		75	\$ 1,012.50
135	Stockard Loop						0	\$ -	1	1	25		25	\$ 337.50
106	Sunny Shell Ct						0	\$ -	1	2	50		50	\$ 675.00
201	Tudor Dr						0	\$ -	1	?	240		240	\$ 3,240.00
206	Vista Ridge						0	\$ -	1	2	50		50	\$ 675.00
947	Wallace Dr						0	\$ -	1	3	75		75	\$ 1,012.50
964	Wallace Dr (at ramp)						0	\$ -	1	2	40		40	\$ 540.00
983	Wallace Dr						0	\$ -	1	1	25		25	\$ 337.50



2020 Sidewalk Maintenance Program
Sidewalk Defeciciencies List & Cost Estimate

DRAFT

Prepared By: M. Stephen
 Checked By: J. Owen

Date: 1/18/2020
 Date: 1/28/2020

Property Information		Private Property Owner Responsibility							City Responsibility					
STREET NO.	STREET NAME	Number of Properties	Number of Private Squares	Estimated Walk Area (s.f.)	Estimated Drive Area (s.f.)	Estimated 8" Drive Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost	City Street Tree Properties	Number of City Tree Squares	Estimated 4" Area (s.f.)	Estimated 8" Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost
Estimated Unit Cost per s.f.:				\$13.50	\$14.50	\$16.75					\$13.50	\$16.75		
989	Wallace Dr						0	\$ -	1	1	25		25	\$ 337.50
79	Winding Valley Cir	1	1	25			25	\$ 337.50					0	\$ -
							0	\$ -					0	\$ -
Totals		76	132	2,693	853	110	3,655	\$ 50,552.50	92	218	5,601	175	5,776	\$ 78,544.75

2020 Sidewalk Maintenance Program Summary

	Estimated Cost	Contingency	Total ¹
Private Property Owner Responsibility	\$ 50,552.50	\$ 2,527.63	\$ 53,100
City Responsibility	\$ 78,544.75	\$ 3,927.24	\$ 82,500
Totals	\$ 129,097.25	\$ 6,454.86	\$ 135,600

Notes:

¹ Total project cost estimate rounded to nearest hundred.

² Belle Avenue to be resurfaced in 2020 and included in 2021 Sidewalk Maintenance Program. Make repairs in 2020 or defer to 2021.

**2020 Sidewalk Maintenance Program
Delaware, Ohio
Bid Number 20-XX**

Specifications

The price BID shall include the following:

1. All labor, materials, tools, equipment, and transportation necessary for the proper execution of the WORK in accordance with the CONTRACT DOCUMENTS.
2. All items shall be performed as described in these SPECIFICATIONS in entirety except as herein modified. Work locations are as indicated in the WORK SCHEDULE.
3. The City of Columbus (COC) Construction and Material Specifications (CMS), including all supplements thereto, most recent edition, along with these specifications and the City of Delaware Standard Drawings RDWD-19.1, 19.2, 19.3, 19.4, and 19.5 shall govern all material and workmanship involved in the improvements shown unless otherwise noted.
4. The CONTRACTOR shall have 14-days from removal of any section of walk to have it replaced and open to pedestrian traffic. Residential and commercial driveway areas shall be restored and open to vehicle traffic in no more than 48 hours from start of construction.
5. The CONTRACTOR is responsible to ensure that all new sidewalk sections and the adjacent surrounding areas are left clear and free of all construction debris including excess concrete, form boards, excavation spoils, and any tree roots that have been removed.
6. CONTRACTOR is responsible for protecting all open excavations from pedestrians by use of proper barricades and caution tape around any work area.
7. CONTRACTOR is responsible to remove all tree roots that exist within eight inches (8") below the final proposed top of walk, including those roots within the gravel sub base. All roots to be trimmed shall be cut with a saw or other appropriate means to establish clean vertical cuts, and be trimmed back no less than six inches (6") from the edge of any sidewalk section. This work shall be considered incidental to Item 608. In the event it is determined by the CITY that the amount of required tree root trimming will be detrimental to the health of the tree, the CITY will incur the added responsibility for the tree removal, replacement, and associated stump grinding, aside and separate from the contractor's root trimming responsibility.
8. CONTRACTOR is responsible for protecting all new concrete from vandalism, footprints and the weather to assure an acceptable finish is maintained. If the finish is not to the satisfaction of the CITY, the walk shall be replaced at the CONTRACTOR'S expense.
9. It is contractor's responsibility to provide a place for the washout of concrete trucks. Washout may not occur into public storm drains, pavement or tree lawns areas.
10. CONTRACTOR shall restore all disturbed areas to original condition within 7 days from pouring the adjacent sidewalk section(s), unless otherwise noted on the plans. Placement of topsoil, seeding and mulching shall be in accordance with Item 659. The cost for this item shall be incidental to Item 608.
11. The CONTRACTOR is responsible to notify all property owners in writing a minimum of seven (7) days prior to the start of work on sidewalk immediately adjacent to their property. The CITY shall be provided a copy of all written correspondence to the property owners seven (7) days in advance of distribution for review and approval.

12. Upon notification from the CONTRACTOR, property owners shall have two working days to remove any personal property that is in the way of the section of walk to be repaired. The CONTRACTOR shall include this information in the notification to the property owners.
13. CONTRACTOR shall be responsible for posting "No Parking" signs on all streets 72 business hours prior to any operation requiring a ban on parking. Signs shall identify no more than three consecutive days of work and be provided by CONTRACTOR to the satisfaction of the CITY. Signs must be weather resistant meeting City standard, and shall be posted every fifty feet (50') on alternating sides of the street. Signs shall be affixed by heavy-duty staples to 2" wood lathe, four foot (4') long, and not to utility poles, parking meter posts, trees, existing signposts, etc. The cost for this item shall be incidental to Item 608.
14. CONTRACTOR shall maintain two-way traffic with appropriate maintenance of traffic operations in accordance with Exhibit TA-10 "Lane Closure on a Two-Lane Road Using Flaggers" at all times. Streets shall remain fully accessible to emergency vehicles, and streets shall be open to vehicular traffic between the hours of 5:00 p.m. and 8:00 a.m., Monday through Saturday and all day Sunday. The Contractor is responsible to keep all commercial driveways open at all times unless otherwise specified on the plans. All such work shall be coordinated with the business owner to minimize disruption (i.e. evening or weekend work may be required).
15. Expansion Material: All expansion material shall be 1/2" REFLEX rubber expansion joint material or equivalent, conforming to the attached specifications. FOAMTECH concrete expansion joint filler or equivalent shall be used around radii. The installation of all expansion joint material shall be considered incidental to this item.
16. 608, 4", 6" or 8" Concrete Walk, as per plan: All concrete shall have a minimum 28-day compressive strength of 4000 psi. All sidewalks shall have a broom finish perpendicular to the direction travel. Any slabs being replaced adjacent to existing expansion joints shall include the replacement of the expansion joint material per City Standard Drawing RDWD 19.1. Where new concrete walk ties to existing concrete walk or concrete driveway, the existing concrete shall be removed to the nearest joint and replaced with new concrete as directed by the Engineer. Excavation and material to provide a minimum of 4" of #57 limestone bedding will be considered incidental to this item. Curing compound shall be per 705.07, Type 2 (white opaque) and considered incidental to this item. Use of fly ash is restricted between April 1 and November 1, in addition to restriction between November 1 and April 1 per COC CMS 499.02.
17. 608, 4", 6" or 8" Reinforced Concrete Walk, as per plan: Where specified in bid documents, new sections of concrete walk shall be constructed with reinforcing dowels placed at each transverse joint, a minimum of 6" into adjacent sections, using four (4), 1'-0 long #4 rebar dowels, including into existing sections of walk where dowels shall be drilled into existing concrete. The installation of the reinforcing dowels shall be considered incidental to this item.
18. 608, 6" Concrete Walk (Class MS or FS), As Per Plan: In addition to the provisions set for in The City of Columbus Supplemental Specification 1126 the CONTRACTOR shall place 6" of Class MS (moderate set) Portland Cement Concrete across all residential driveways. CONTRACTOR shall establish full-depth saw cuts to all sidewalk edges prior to removal. Where a clean vertical edge was not maintained after concrete removal, the CONTRACTOR shall saw cut the driveway surface 6" further back from the repair area and replace with similar driveway material at the direction of the ENGINEER. Driveways may be closed a maximum of 48-hours for removal and replacement of walk. Contractor shall give 72-hours advanced notice to the residence owner prior to the closure. Repair of driveway area incidental to Item 608. All sidewalks shall have a broom finish perpendicular to the direction travel.. Curing compound shall be per 705.07, Type 2 (white opaque) and considered incidental to this item. Use of fly ash is restricted between April 1 and November 1, in addition to restriction between November 1 and April 1 per COC CMS 499.02.
19. 608, 8" Concrete Walk (Class MS or FS), As Per Plan: In addition to the provisions set for in The City of Columbus Supplemental Specification 1126 the CONTRACTOR shall place 8" of Class MS (moderate set) Portland Cement Concrete across all commercial driveways and at all

proposed curb ramps labeled in the plans. CONTRACTOR shall establish full-depth saw cuts to all sidewalk edges prior to removal. Where a clean vertical edge was not maintained after concrete removal, the CONTRACTOR shall saw cut the driveway surface 6" further back from the repair area and replace with similar material at the direction of the ENGINEER. Driveways may be closed a maximum of 48-hours for removal and replacement of walk. Contractor shall give 72-hours advanced notice to the property owner prior to the closure. Repair of driveway area incidental to Item 608. All sidewalks shall have a broom finish perpendicular to the direction travel.. Curing compound shall be per 705.07, Type 2 (white opaque) and considered incidental to this item. Use of fly ash is restricted between April 1 and November 1, in addition to restriction between November 1 and April 1 per COC CMS 499.02.

DRAFT

AGENDA ITEM: 7C

**Downtown Sidewalk
Maintenance Program**

RESOLUTION NO. 20-

A RESOLUTION OF NECESSITY FOR CONSTRUCTION
OR REPAIR OF SIDEWALKS FOR THE 2020
DOWNTOWN SIDEWALK MAINTENANCE PROGRAM

WHEREAS, sidewalk evaluations were performed as set forth in Codified Ordinance Section 909 on properties in the downtown streetscape areas, and

WHEREAS, written records have been prepared identifying property locations where deficient sections of sidewalk requiring repair by abutting property owners exist, and

WHEREAS, a list of the properties, estimated costs of repairs, and specifications work has been submitted to the City Clerk, and

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That the City of Delaware hereby requires the property owners of properties with identified sidewalk deficiencies to complete the necessary sidewalk repairs work by July 18, 2020 in accordance with the construction specifications on file at the Public Works Department and with the City Clerk.

SECTION 2. That the specifications and estimate of costs for the repair work on file with the City Clerk are approved.

SECTION 3. In the event property owners fail to complete the required repairs, the City of Delaware is authorized to make all necessary repairs, with the associated costs thereof to be invoiced and/or assessed to the property owners in accordance with Codified Ordinances Section 909.

SECTION 4. That this resolution shall be in force and effect immediately upon its passage.

PASSED: _____, 2020

YEAS___ NAYS___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR

**2020 Downtown Sidewalk Maintenance Program
Delaware, Ohio
Bid Number 20-XX**

Specifications

The price BID shall include the following:

1. All labor, materials, tools, equipment, and transportation necessary for the proper execution of the WORK in accordance with the CONTRACT DOCUMENTS.
2. All items shall be performed as described in these SPECIFICATIONS in entirety except as herein modified. Work locations are as indicated in the WORK SCHEDULE.
3. The City of Columbus (COC) Construction and Material Specifications (CMS), including all supplements thereto, most recent edition, along with these specifications and the City of Delaware Standard Drawings RDWD-19.1, 19.2, 19.3, 19.4, and 19.5 shall govern all material and workmanship involved in the improvements shown unless otherwise noted.
4. The CONTRACTOR shall have 48 hours from the beginning of the removal of any section of walk to have it replaced and open to pedestrian traffic. Commercial driveway areas shall be restored and open to vehicle traffic in no more than 48 hours from start of construction. The Contractor shall not begin to remove any sections of sidewalk that cannot be replaced within the specified time limit. This will be strictly enforced and liquidated damages of \$300 per day will be assessed for any location that exceeds the repair time specified.
5. The CONTRACTOR is responsible to ensure that all new sidewalk sections and the adjacent surrounding areas are left clear and free of all construction debris including excess concrete, form boards, excavation spoils, and any tree roots that have been removed.
6. CONTRACTOR is responsible for protecting all open excavations from pedestrians by use of proper barricades and caution tape around any work area.
7. CONTRACTOR is responsible to remove all tree roots that exist within eight inches (8") below the final proposed top of walk, including those roots within the gravel sub base. All roots to be trimmed shall be cut with a saw or other appropriate means to establish clean vertical cuts, and be trimmed back no less than six inches (6") from the edge of any sidewalk section. This work shall be considered incidental to Item 608. In the event it is determined by the CITY that the amount of required tree root trimming will be detrimental to the health of the tree, the CITY will incur the added responsibility for the tree removal, replacement, and associated stump grinding, aside and separate from the contractor's root trimming responsibility.
8. CONTRACTOR is responsible for protecting all new concrete from vandalism, footprints and the weather to assure an acceptable finish is maintained. If the finish is not to the satisfaction of the CITY, the walk shall be replaced at the CONTRACTOR'S expense. Removal and replacement specifications set forth in provision (4) shall also apply to concrete sidewalk that is to be replaced due to vandalism.
9. It is contractor's responsibility to provide a place for the washout of concrete trucks. Washout may not occur into public storm drains, pavement or tree lawns areas.
10. CONTRACTOR shall restore all disturbed areas to original condition within 7 days from pouring the adjacent sidewalk section(s), unless otherwise noted on the plans. Placement of topsoil, seeding and mulching shall be in accordance with Item 659. The cost for this item shall be incidental to Item 608.
11. The CONTRACTOR is responsible to notify all property owners in writing a minimum of seven (7) days prior to the start of work on sidewalk immediately adjacent to their property. The CITY shall

be provided a copy of all written correspondence to the property owners seven (7) days in advance of distribution for review and approval.

12. Upon notification from the CONTRACTOR, property owners shall have two working days to remove any personal property that is in the way of the section of walk to be repaired. The CONTRACTOR shall include this information in the notification to the property owners.
13. CONTRACTOR shall be responsible for posting "No Parking" signs on all streets 72 business hours prior to any operation requiring a ban on parking. The CONTRACTOR shall obtain approval from the City before placing any "No Parking" within the Downtown area. Signs shall identify no more than three consecutive days of work and be provided by CONTRACTOR to the satisfaction of the CITY. Signs must be weather resistant meeting City standard, and shall be posted every twenty feet (20'). Signs shall be affixed by heavy-duty staples to 2" wood lathe, four foot (4') long, and not to utility poles, parking meter posts, trees, existing signposts, etc. The cost for this item shall be incidental to Item 608.
14. CONTRACTOR shall maintain all lanes of traffic with appropriate maintenance of traffic operations. Lane restrictions shall only be permitted with the written approval from the CITY. Streets and drives shall remain fully accessible to emergency vehicles at all times. Streets, drives, and parking stalls shall be open to vehicular traffic between the hours of 3:00 p.m. and 9:00 a.m., Monday through Friday and all day Sunday and Sunday. The Contractor is responsible to keep all commercial driveways open at all times unless otherwise specified on the plans. All such work shall be coordinated with the business owner to minimize disruption (i.e. evening or weekend work may be required).
15. Expansion Material: All expansion material shall be 1/2" REFLEX rubber expansion joint material or equivalent, conforming to the attached specifications. FOAMTECH concrete expansion joint filler or equivalent shall be used around radii. The installation of all expansion joint material shall be considered incidental to this item.
16. 608, 4", 6" or 8" Concrete Walk, as per plan: All concrete shall have a minimum 28-day compressive strength of 4000 psi. All sidewalks shall have a broom finish that matches the existing 90 degree alternating broom finish. Any slabs being replaced adjacent to existing expansion joints shall include the replacement of the expansion joint material per City Standard Drawing RDWD 19.1. Where new concrete walk ties to existing concrete walk or concrete driveway, the existing concrete shall be removed to the nearest joint and replaced with new concrete as directed by the Engineer. Excavation and material to provide a minimum of 4" of #57 limestone bedding will be considered incidental to this item. Curing compound shall be per 705.07, Type 2 (white opaque) and considered incidental to this item. Use of fly ash is restricted between April 1 and November 1, in addition to restriction between November 1 and April 1 per COC CMS 499.02.
17. 608, 4", 6" or 8" Reinforced Concrete Walk, as per plan: Where specified in bid documents, new sections of concrete walk shall be constructed with reinforcing dowels placed at each transverse joint, a minimum of 6" into adjacent sections, using four (4), 1'-0 long #4 rebar dowels, including into existing sections of walk where dowels shall be drilled into existing concrete. The installation of the reinforcing dowels shall be considered incidental to this item.
18. 608, 4" Concrete Walk (Class MS or FS), As Per Plan: In addition to the provisions set for in The ODOT Supplemental Specification 1126 the CONTRACTOR shall place 4" of Class MS (moderate set) Portland Cement Concrete as specified in the plans. All sidewalks shall have a broom finish that matches the existing 90 degree alternating broom finish. Any slabs being replaced adjacent to existing expansion joints shall include the replacement of the expansion joint material per City Standard Drawing RDWD 19.1. Where new concrete walk ties to existing concrete walk or concrete driveway, the existing concrete shall be removed to the nearest joint and replaced with new concrete as directed by the Engineer. Excavation and material to provide a minimum of 4" of #57 limestone bedding will be considered incidental to this item. Curing compound shall be per 705.07, Type 2 (white opaque) and considered incidental to this item. Use of fly ash is restricted between April 1 and November 1, in addition to restriction between

November 1 and April 1 per COC CMS 499.02.

19. 608, 6" Concrete Walk (Class MS or FS), As Per Plan: In addition to the provisions set for in The ODOT Supplemental Specification 1126 the CONTRACTOR shall place 6" of Class MS (moderate set) Portland Cement Concrete across all residential driveways. CONTRACTOR shall establish full-depth saw cuts to all sidewalk edges prior to removal. Where a clean vertical edge was not maintained after concrete removal, the CONTRACTOR shall saw cut the driveway surface 6" further back from the repair area and replace with similar driveway material at the direction of the ENGINEER. Driveways may be closed a maximum of 48-hours for removal and replacement of walk. Contractor shall give 72-hours advanced notice to the residence owner prior to the closure. Repair of driveway area incidental to Item 608. The finish of all 6" concrete walks shall have a broom finish that matches the existing 90 degree alternating broom finish. Curing compound shall be per 705.07, Type 2 (white opaque) and considered incidental to this item. Use of fly ash is restricted between April 1 and November 1, in addition to restriction between November 1 and April 1 per COC CMS 499.02.
20. 608, 8" Concrete Walk (Class MS or FS), As Per Plan: In addition to the provisions set for in The ODOT Supplemental Specification 1126 the CONTRACTOR shall place 8" of Class MS (moderate set) Portland Cement Concrete across all commercial driveways and at all proposed curb ramps labeled in the plans. CONTRACTOR shall establish full-depth saw cuts to all sidewalk edges prior to removal. Where a clean vertical edge was not maintained after concrete removal, the CONTRACTOR shall saw cut the driveway surface 6" further back from the repair area and replace with similar material at the direction of the ENGINEER. Driveways may be closed a maximum of 48-hours for removal and replacement of walk. Contractor shall give 72-hours advanced notice to the property owner prior to the closure. Repair of driveway area incidental to Item 608. The finish of all 8" concrete walks shall have a broom finish that matches the existing 90 degree alternating broom finish. Curing compound shall be per 705.07, Type 2 (white opaque) and considered incidental to this item. Use of fly ash is restricted between April 1 and November 1, in addition to restriction between November 1 and April 1 per COC CMS 499.02.



2020 Downtown Sidewalk Maintenance Program

Sidewalk Defeciciencies List & Cost Estimate

DRAFT

Prepared By: M. Stephen

Date: 1/18/2020

Checked By: J. Owen

Date: 1/28/2020

Property Information		Private Property Owner Responsibility							City Responsibility					
STREET NO.	STREET NAME	Number of Properties	Number of Private Squares	Estimated Walk Area (s.f.)	Estimated Drive Area (s.f.)	Estimated 8" Drive Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost	City Street Tree Properties	Number of City Tree Squares	Estimated 4" Area (s.f.)	Estimated 8" Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost
Estimated Unit Cost per s.f.:				\$13.50	\$14.50	\$16.75					\$13.50	\$16.75		
10	N. Sandusky St.	1	1	20	20		40	\$ 560.00					0	\$ -
16	N. Sandusky St.			25			25	\$ 337.50					0	\$ -
24	N. Sandusky St.	1	2	50			50	\$ 675.00					0	\$ -
26	N. Sandusky St.	1	3	75			75	\$ 1,012.50					0	\$ -
28	N. Sandusky St.	1	1	25			25	\$ 337.50					0	\$ -
30	N. Sandusky St.	1	1	25			25	\$ 337.50					0	\$ -
40	N. Sandusky St.	1	1	25			25	\$ 337.50	1	2	50		50	\$ 675.00
61	N. Sandusky St.	1	2			55	55	\$ 921.25					0	\$ -
3	W Central Ave	1	4	198		108	306	\$ 4,482.00					0	\$ -
15	W Central Ave						0	\$ -	1	2	72		72	\$ 972.00
21	W Central Ave	1	3	44			44	\$ 594.00					0	\$ -
25	W Central Ave	1	1	180			180	\$ 2,430.00					0	\$ -
27	W Central Ave	1	2	60			60	\$ 810.00					0	\$ -
Old	Del. Cty. Courthouse	1	5	160			160	\$ 2,160.00					0	\$ -
101	N. Sandusky St.	1	2	80			80	\$ 1,080.00					0	\$ -
33	N. Sandusky St.	1	2	50			50	\$ 675.00					0	\$ -
1	W Winter St	1	1	25			25	\$ 337.50					0	\$ -
19	W Winter St	1	5	80			80	\$ 1,080.00					0	\$ -
12	W Winter St	1	5	125			125	\$ 1,687.50	1	1	25		25	\$ 337.50
2	W Winter St	1	1	16			16	\$ 216.00					0	\$ -
51	N. Sandusky St.	1	2	50			50	\$ 675.00					0	\$ -
53	N. Sandusky St.	1	1	25			25	\$ 337.50					0	\$ -
59	N. Sandusky St.	1	3	75			75	\$ 1,012.50					0	\$ -
1	N. Sandusky St.	1	3	75			75	\$ 1,012.50					0	\$ -
5	N. Sandusky St.	1	2	50			50	\$ 675.00					0	\$ -
11	N. Sandusky St.	1	3	80			80	\$ 1,080.00					0	\$ -
13	N. Sandusky St.	1	1	25			25	\$ 337.50					0	\$ -
15	N. Sandusky St.	1	1	35			35	\$ 472.50					0	\$ -
17	N. Sandusky St.	1	2	70			70	\$ 945.00					0	\$ -
27	N. Sandusky St.	1	1	35			35	\$ 472.50					0	\$ -
29	N. Sandusky St.	1	3	85			85	\$ 1,147.50					0	\$ -
13	W William St	1	5	125			125	\$ 1,687.50					0	\$ -
27	W William St	1	1	50			50	\$ 675.00					0	\$ -
1	S Sandusky St	1	5	114			114	\$ 1,539.00					0	\$ -
21	S Sandusky St	1	19	50		425	475	\$ 7,793.75					0	\$ -
35	S Sandusky St	1	1	25			25	\$ 337.50					0	\$ -
45	S Franklin St	1	2	25		25	50	\$ 756.25					0	\$ -
43	S Franklin St	1	1	25			25	\$ 337.50					0	\$ -
19	S Franklin St	1	2	50			50	\$ 675.00					0	\$ -
33	W William St	1	3			75	75	\$ 1,256.25					0	\$ -



2020 Downtown Sidewalk Maintenance Program

Sidewalk Defeciciencies List & Cost Estimate

DRAFT

Prepared By: M. Stephen

Date: 1/18/2020

Checked By: J. Owen

Date: 1/28/2020

Property Information		Private Property Owner Responsibility							City Responsibility					
STREET NO.	STREET NAME	Number of Properties	Number of Private Squares	Estimated Walk Area (s.f.)	Estimated Drive Area (s.f.)	Estimated 8" Drive Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost	City Street Tree Properties	Number of City Tree Squares	Estimated 4" Area (s.f.)	Estimated 8" Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost
Estimated Unit Cost per s.f.:				\$13.50	\$14.50	\$16.75					\$13.50	\$16.75		
28	W William St	1	5	216			216	\$ 2,916.00	1	1	42		42	\$ 567.00
14	W Winter St	1	1	25			25	\$ 337.50					0	\$ -
32	W Winter St	1	3	75			75	\$ 1,012.50					0	\$ -
alley 60-64	N Franklin St	1	1			90	90	\$ 1,507.50					0	\$ -
70	N Franklin St						0	\$ -	1	1	36		36	\$ 486.00
82	N Franklin St	1	1	30			30	\$ 405.00					0	\$ -
20	W Central Ave	1	1	20			20	\$ 270.00	1	9	270		270	\$ 3,645.00
135	N Franklin St	1	3	108			108	\$ 1,458.00					0	\$ -
107	N Franklin St	1	2	72			72	\$ 972.00					0	\$ -
51	W Central Ave	1	3	90			90	\$ 1,215.00	1	2	72		72	\$ 972.00
67	N Franklin St	1	6	168			168	\$ 2,268.00					0	\$ -
65	N Franklin St	1	2	60			60	\$ 810.00					0	\$ -
63	N Franklin St	1	2	72			72	\$ 972.00					0	\$ -
57	N Franklin St	1	1	24			24	\$ 324.00					0	\$ -
36	W Winter St	1	7	174	72		246	\$ 3,393.00					0	\$ -
25	N Franklin St	1	1	36			36	\$ 486.00	1	1	36		36	\$ 486.00
11	N Franklin St	1	2		72		72	\$ 1,044.00					0	\$ -
51	W William St	1	2	50			50	\$ 675.00	1	3	108		108	\$ 1,458.00
28	S Franklin St						0	\$ -	1	2	50		50	\$ 675.00
	Del Run Bridge-Franklin						0	\$ -	1	1	81		81	\$ 1,093.50
6	Spring St	1	3	75			75	\$ 1,012.50					0	\$ -
50	S Sandusky St	1	3			75	75	\$ 1,256.25					0	\$ -
7	Spring St	1	3	96			96	\$ 1,296.00					0	\$ -
27	Spring St	1	3	108			108	\$ 1,458.00					0	\$ -
40	S Sandusky St	1	1	30			30	\$ 405.00					0	\$ -
38	S Sandusky St	1	1	150			150	\$ 2,025.00					0	\$ -
34	S Sandusky St	1	2	60			60	\$ 810.00					0	\$ -
6	S Sandusky St	1	2	55			55	\$ 742.50					0	\$ -
70	N Union						0	\$ -	1	6	175		175	\$ 2,362.50
123	E Winter St	1	1	30			30	\$ 405.00					0	\$ -
143	E Winter St	1	1	30			30	\$ 405.00					0	\$ -
173	E Winter St	1	1	30			30	\$ 405.00					0	\$ -
153	E Winter St	1	4	80			80	\$ 1,080.00					0	\$ -
165	E Winter St	1	2	71			71	\$ 958.50					0	\$ -
174	E Winter St	1	2	60			60	\$ 810.00					0	\$ -
168	E Winter St	1	1	30			30	\$ 405.00	1	1	30		30	\$ 405.00
125	N Sandusky St						0	\$ -	1	1	30		30	\$ 405.00
149	N Sandusky St	1	3	102			102	\$ 1,377.00					0	\$ -
163	N Sandusky St	1	2	72			72	\$ 972.00	1	1	36		36	\$ 486.00



2020 Downtown Sidewalk Maintenance Program
Sidewalk Defeciciencies List & Cost Estimate

DRAFT

Prepared By: M. Stephen
 Checked By: J. Owen

Date: 1/18/2020
 Date: 1/28/2020

Property Information		Private Property Owner Responsibility							City Responsibility					
STREET NO.	STREET NAME	Number of Properties	Number of Private Squares	Estimated Walk Area (s.f.)	Estimated Drive Area (s.f.)	Estimated 8" Drive Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost	City Street Tree Properties	Number of City Tree Squares	Estimated 4" Area (s.f.)	Estimated 8" Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost
Estimated Unit Cost per s.f.:				\$13.50	\$14.50	\$16.75					\$13.50	\$16.75		
140	N Sandusky St	1	1	36			36	\$ 486.00					0	\$ -
66	N Sandusky St	1	5	25		80	105	\$ 1,677.50					0	\$ -
50	N Sandusky St	1	1	30			30	\$ 405.00					0	\$ -
29	E Winter St						0	\$ -	1	4		80	80	\$ 1,340.00
53	E Winter St	1	5	35		120	155	\$ 2,482.50					0	\$ -
36	Little St	1	1	20			20	\$ 270.00					0	\$ -
168	E Central Ave	1	1	25			25	\$ 337.50					0	\$ -
155	E Central Ave	1	2	50			50	\$ 675.00					0	\$ -
23 ramps	E Central Ave						0	\$ -	1	6	295		295	\$ 3,982.50
27	Lewis St	1	2	32			32	\$ 432.00					0	\$ -
25	Lewis St						0	\$ -	1	3	60		60	\$ 810.00
17	Lewis St	1	1	20			20	\$ 270.00					0	\$ -
14	Lewis St	1	1	15			15	\$ 202.50					0	\$ -
20	Lewis St	1	1	25			25	\$ 337.50					0	\$ -
22	Lewis St	1	2	48			48	\$ 648.00					0	\$ -
26	Lewis St						0	\$ -	1	1	30		30	\$ 405.00
176	E Winter St	1	2	60			60	\$ 810.00					0	\$ -
104	N Union	1	2	84			84	\$ 1,134.00					0	\$ -
43	E Central Ave	1	1			36	36	\$ 603.00					0	\$ -
26	N Union	1	3	90			90	\$ 1,215.00					0	\$ -
4	E Central Ave						0	\$ -	1	1	36		36	\$ 486.00
172	E Central Ave	1	3	75			75	\$ 1,012.50					0	\$ -
178	E Central Ave						0	\$ -	1	1	25		25	\$ 337.50
169	E William St	1	1	25			25	\$ 337.50	2	80			0	\$ -
Ramp-157	E William St						0	\$ -					0	\$ -
95	N Henry St	1	1	25			25	\$ 337.50					0	\$ -
Bridge	E William St						0	\$ -	1	1	42		42	\$ 567.00
95	N Union	1	3	126			126	\$ 1,701.00					0	\$ -
140	N Sandusky St	1	2	65			65	\$ 877.50	1	10	250		250	\$ 3,375.00
166	E William St	1	3	105			105	\$ 1,417.50					0	\$ -
23 ramps	E William St						0	\$ -	1	3	73		73	\$ 985.50
Bridge	E William St						0	\$ -	1	3	108		108	\$ 1,458.00
138	E William St	1	3	75			75	\$ 1,012.50					0	\$ -
140	E William St	1					0	\$ -	1	1	30		30	\$ 405.00
154	E William St	1	1		25		25	\$ 362.50	1	2	50		50	\$ 675.00
158	E William St	1	2	60			60	\$ 810.00					0	\$ -
164	E William St	1	2		50		50	\$ 725.00	1	2	50		50	\$ 675.00
137	E William St	1	4			120	120	\$ 2,010.00	1	3	90		90	\$ 1,215.00
84	E Winter St	1	15	220		60	280	\$ 3,975.00	1	2	40		40	\$ 540.00



2020 Downtown Sidewalk Maintenance Program
Sidewalk Defeciciencies List & Cost Estimate

DRAFT

Prepared By: M. Stephen
 Checked By: J. Owen

Date: 1/18/2020
 Date: 1/28/2020

Property Information		Private Property Owner Responsibility							City Responsibility					
STREET NO.	STREET NAME	Number of Properties	Number of Private Squares	Estimated Walk Area (s.f.)	Estimated Drive Area (s.f.)	Estimated 8" Drive Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost	City Street Tree Properties	Number of City Tree Squares	Estimated 4" Area (s.f.)	Estimated 8" Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost
Estimated Unit Cost per s.f.:				\$13.50	\$14.50	\$16.75					\$13.50	\$16.75		
20	E William St						0	\$ -	1	3	30	25	55	\$ 823.75
28	E William St	1	3	45			45	\$ 607.50					0	\$ -
28 parking lot	E William St	1	3	91			91	\$ 1,228.50					0	\$ -
82	E William St	1	1	45			45	\$ 607.50					0	\$ -
Bridge	E Central Ave						0	\$ -	1	2	50		50	\$ 675.00
98	E Central Ave	1	1	25			25	\$ 337.50					0	\$ -
30	Estelle St	1	3	75			75	\$ 1,012.50					0	\$ -
22	Estelle St						0	\$ -	1	2	55		55	\$ 742.50
120	E Central Ave						0	\$ -	1	2	50		50	\$ 675.00
136	E Central Ave	1	1	25			25	\$ 337.50					0	\$ -
146	E Central Ave	1	1	25			25	\$ 337.50					0	\$ -
20	Little St	1					0	\$ -	1	2	40		40	\$ 540.00
							0	\$ -					0	\$ -
Totals		109	265	6,333	239	1,269	7,841	\$ 110,216.75	37	168	2,517	105	2,622	\$ 35,738.25

2020 Sidewalk Maintenance Program Summary

	Estimated Cost	Contingency (5%)	Total ¹
Private Property Owner Responsibility	\$ 110,216.75	\$ 5,510.84	\$ 115,700
City Responsibility	\$ 35,738.25	\$ 1,786.91	\$ 37,600
Totals	\$ 145,955.00	\$ 7,297.75	\$ 153,300

Notes:

¹ Total project cost estimate is rounded to nearest hundred.

AGENDA ITEM: 8A

Code Section 901

Excavations in Public

Right-of-Way



FACT SHEET

AGENDA ITEM NO:

DATE: 2/10/20

ORDINANCE NO: 20-XX

RESOLUTION NO:

READING: First

PUBLIC HEARING: 2/24/20

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: William L. Ferrigno, P.E., Director of Public Works/City Engineer

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE AMENDING SECTION 901 OF THE CITY OF DELAWARE CODIFIED ORDINANCES TO BRING THE RULES AND REGULATIONS INTO CONFORMANCE WITH THE CURRENT RIGHT OF WAY BEST MANAGEMENT PRACTICES.

BACKGROUND:

The revision amends the language of Chapter 901 of the City Codified Ordinances to bring the Rules & Regulations into conformance with the current best management practices employed by the city in managing the various construction activities taking place within the public right of way. Modifications serve to revise the permitting process to be in conformance with current administrative responsibilities and assignments within the Public Works Department. Amendments to language is included in regard to improving the requirements associated with the provision of acceptable maintenance of traffic plans and implementation during construction operations within the public right of way, and the associated public notification process requirements. Adjustments to right of way permitting and inspection fees are proposed under separate ordinance.

REASON WHY LEGISLATION IS NEEDED:

To allow for appropriate and efficient right of way permit administration, construction inspection, maintenance of traffic, and public notification for all activities within the public right of way.

COMMITTEE RECOMMENDATION:

Recommendation for approval by the Public Works Committee by 3-0 vote on 2/4/20 meeting.

FISCAL IMPACT(S):

N/A

POLICY CHANGES:

Includes more stringent regulation concerning the planning and implementation of adequate maintenance of traffic operations, and public notification process for private construction activities occurring within the public right of way.

PRESENTER(S):

William L. Ferrigno, P.E., Director of Public Works/City Engineer

RECOMMENDATION:

Approval following public hearing

ATTACHMENT(S)

Revise Section 901

ORDINANCE NO. 20-XX

AN ORDINANCE AMENDING SECTION 901 OF THE CITY OF DELAWARE CODIFIED ORDINANCES TO BRING THE RULES AND REGULATIONS INTO CONFORMANCE WITH THE CURRENT RIGHT OF WAY BEST MANAGEMENT PRACTICES.

WHEREAS, the City of Delaware regulates excavation, construction and utility maintenance work occurring within dedicated public right of way, and

WHEREAS, changes in personnel, division of responsibilities between departments within the city, and a need for more stringent regulation of work performed within the public right of way necessitate adjustments to the procedures employed in managing right of way activities, and

WHEREAS, Chapter 901 of the STREETS, UTILITIES AND PUBLIC SERVICES CODE shall be modified to account for the current best management practices in place,

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That Chapter 901 is hereby amended to read as follows: (See Sections 901 attached hereto)

SECTION 2. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

VOTE ON RULE SUSPENSION:

YEAS ___ NAYS ___
ABSTAIN ___

PASSED: _____, 2020

YEAS ___ NAYS ___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR

CHAPTER 901. - EXCAVATIONS⁽¹⁾

Footnotes:

--- (1) ---

Editor's note— [Ord. 12-71, passed Oct. 29, 2012](#), repealed the former Ch. 901, §§ 901.01—901.16, 901.99, and enacted a new Ch. 901 as set out herein. The former Ch. 901 pertained to similar subject matter and derived from Ord. 04-195, passed Dec. 13, 2004.

Cross reference— Barricades and warning lights - see GEN. OFF. 521.03

State Law reference— Power to establish and care for streets - see Ohio R.C. 715.19, 717.01, 723.01; Openings by the Municipality - see Ohio R.C. 723.02; Excavation liability - see Ohio R.C. 723.49 et seq.; Changing established grade - see Ohio R.C. 727.07; Compulsory service connections - see Ohio R.C. 729.06, 743.23, 743.37; Digging, excavating and piling earth on streets - see Ohio R.C. 5589.10

901.01. - General provisions.

- (a) Authority. Any person or agency desiring to excavate within or to occupy public right of way for the purpose of constructing, servicing, or maintaining public or private infrastructure or property must first obtain a **RIGHT OF WAY** ~~public way~~ permit.
- (b) Permit Activities. There are three types of activities covered by this permit:
 - (1) Excavation: For excavations within a roadway, alley, sidewalk or driveway, or the non-paved area within the right of way for any purpose whatsoever. A separate permit is required for each project submission.
 - (2) Occupancy: For partial or complete closure of any public street, alley or sidewalk with vehicles, equipment or materials for the purpose of providing maintenance, repair, or replacement to any privately owned utility, building or property at or above grade. A separate permit is required for each project submission.
 - (3) Blanket: At the sole discretion of the City, an approved **RIGHT OF WAY** ~~public way~~ permit may be designated as a blanket permit and be available to applicants that routinely occupy the public right-of-way for the maintenance or repair to privately owned aerial utilities, installation of aerial service connections, or for tree trimming services, and that are able to perform such work with minimal disruption to traffic and without any excavation within the right-of-way. Blanket permits are issued for a period of one year, beginning January 1st, and require the submission of a ten-thousand-dollar bond (\$10,000.00), letter of credit, or other surety acceptable to the City Manager. In all cases, recipients of blanket permits are subject to the requirements of the Ohio Manual of Uniform Traffic Control Devices and are responsible for notifying the City of the schedule and location of all proposed activities. **ALL ROAD AND LANE CLOSURES SHALL BE DONE IN CONFORMANCE WITH THE CITY'S MAINTENANCE OF TRAFFIC AND PUBLIC NOTIFICATION REQUIREMENTS POLICY.**
- (c) Exemptions: **RIGHT OF WAY** ~~Public way~~ permits as defined by this chapter, are not issued for the routine distribution or delivery of mail, newspapers, or services to businesses and residences such as landscaping service, furniture delivery, moving services; nor for construction activities associated with a new residential or commercial development project site, provided such activities are covered under a separately approved building permit or engineering plan; or for activities performed by the City, its contractors and agents.
- (d) Permit Application, Review and Approval: Permit applications shall be made to the City on approved forms and shall be subject to approval, approval with conditions, denial, or returned with a request for additional information and/or correction. No work may begin until a permit has been approved,

except for emergency repairs as defined in Section 901.05. Activities requiring the partial or complete closure of a public roadway or alley are subject to the additional maintenance of traffic requirements established in this chapter **AND SHALL NOT BE CONSIDERED APPROVED UNTIL ALL SUCH REQUIREMENTS HAVE BEEN SATISFIED.**

- (e) Permit Issuance: With the exception of a permit with blanket designation, permits shall be issued for a maximum period of 180 days. At the sole discretion of the City and upon request by the applicant, a permit may be extended beyond the 180-day period as may be required to complete the work.
- ~~(f) Advance Notification Requirements: The following advanced notification requirements regarding the commencement of certain permit activities shall apply to all work requiring excavation within the public right of way, or any work that requires the partial or full closure of the travel lane of any public street. Notification shall be made only after receipt of an approved permit, and by either direct communication with the City Inspector, or by submitting written notification directly to the City. Notifications must include the approved permit number, contractor name and telephone number and the proposed work schedule. Work commencing without appropriate notification may be subject to the City ordering the work to cease.~~
 - ~~(1) Minimum notification. A minimum 24-hour advance notification shall be made to the City for all projects requiring any excavation work whatsoever within the public right of way except for sidewalk and driveway approach work meeting the requirements of Section 901.06(a).~~
 - ~~(2) Lane closures. Prior to establishing a lane closure of any public roadway, a minimum of (3) working days advance notice shall be provided by contacting the City as indicated on the permit.~~
 - ~~(3) Full road closure. Prior to establishing implementing the complete closure of a street, a minimum of (5) working days advance notice shall be provided to the City to allow for proper notification of Safety and Emergency Forces, local industry and businesses and media as deemed necessary by the City.~~
- (g) Liability. The issuance of a Public Way Permit does not relieve the applicant from liability for any damage that might occur to the roadway, the public, or personal property while performing work authorized by the permit. The permit applicant is further responsible for making any and all repairs, deemed necessary by the City, to work performed that has failed within a period of one (1) year from the date the work was completed.
- (h) High Impact Areas. For purposes of this regulation, High Impact Areas are generally defined below and described as areas that may require the additional approval of other government agencies as well as special construction and restoration materials, specifications and procedures. Areas considered high impact generally include, but are not necessarily limited to US23, US36, US42, SR37, SR521 and the Downtown Streetscape Improvement Areas.

([Ord. 12-71. Passed 10-29-12](#))

901.02. - Form of permit application.

The **RIGHT OF WAY** ~~Public Way~~ Permit application shall include sufficient detail to adequately describe the nature of work to be performed within the public right of way, project schedule, contractors involved, impacts to surrounding properties, and any other information necessary to fully describe the proposed activities. The permit application is subject to periodic modifications at the discretion of the City.

([Ord. 12-71. Passed 10-29-12](#))

901.03. - Permit plans.

Whenever an excavation activity is to be performed within the right of way, the permit application shall be accompanied by detailed work plans. The plans shall be of suitable size, clarity and scale to

show the nature of the work to be performed. All existing public and private utilities within the proposed work area shall be shown on the plans, in as much as information is available from searching City and private utility records. All conflicts with any City facility shall be resolved to the satisfaction of the City.

([Ord. 12-71. Passed 10-29-12](#))

901.04. - Restoration.

Whenever an applicant has been granted authority to excavate in the public right of way the applicant shall be required to return the right of way to essentially the same condition it was prior to the work and by such time as indicated in the approved permit for the work. The permanent restoration of any sidewalk, tree lawn, curb, street pavement, etc. shall occur no later than thirty (30) days after the completion of any utility repair or installation activity within the public right of way except in high impact areas as defined in Section 901.01(h), which requires pavement restoration be completed within seven (7) days. Construction activity completed November through April shall have all grading and seeding issues resolved no later than May 31st.

([Ord. 12-71. Passed 10-29-12](#))

901.05. - Emergency repairs.

When a private utility owner or its contractor must occupy any street or public right of way in order to complete emergency repairs as further defined below, the same shall complete the work as deemed necessary and submit a **RIGHT OF WAY** ~~public way~~ permit and the associated fees, no later than the following working day. For the purpose of this section, emergency repairs shall be considered those activities which require immediate action to address imminent danger and risk to the public and/or surrounding properties, i.e. natural gas line leaks, water main breaks, downed power lines **REQUIRING IMMEDIATE RESPONSE**. The owner or contractor making emergency repairs shall notify the City of Delaware Police Department at the commencement of repair activity regarding the schedule of work, impact to traffic, and to request City assistance in managing traffic issues. The owner or contractor is responsible for furnishing, erecting and maintaining all required traffic signage, barricades, detours etc. as required by the Ohio Manual of Uniform Traffic Control Devices.

([Ord. 12-71. Passed 10-29-12](#))

901.06. - Inspections.

Inspection of work performed under all **RIGHT OF WAY** ~~public way~~ permits shall be completed by the City or an assigned agent. All excavation and paving activities within the public right-of-way, excluding sidewalk and driveway approach repairs, require a minimum 24-hour advance notification. Required inspections include:

- (a) Sidewalk, Driveway or Curb. Concrete forms inspection required before placement of concrete. The ~~permittee~~ **APPLICANT** shall call the ~~Planning and Community Development~~ **PUBLIC WORKS** Department by 9:00 a.m. to schedule a required inspection for that day. Specific **DATES AND** times are not guaranteed.
- (b) Utility Connections. Connections or repair to any public water line, sanitary or storm sewer requires inspection before backfill operation begins.
- (c) Backfill Compaction. Backfill installation shall be performed in accordance with City specifications and is subject to inspection and testing as directed by the City.
- (d) Final Inspection. A final inspection is required to verify conformance with permit requirements, including final grading and seeding.

- (e) It is the applicant's responsibility to schedule inspections. Failure to obtain an inspection may result in the required re-excavation and installation of the work area in the presence of proper inspection personnel. In addition, the failure of a contractor to properly notify the City of his work and to schedule inspections may result in the denial by the City of any future permit applications.

([Ord. 12-71. Passed 10-29-12](#))

901.07. - Maintenance of traffic.

A MAINTENANCE OF TRAFFIC (MOT) PLAN SHALL BE PROVIDED WITH THE RIGHT OF WAY APPLICATION FOR ALL PARTIAL OR FULL CLOSURES OF A PUBLIC ROAD. ALL ROAD AND LANE CLOSURES SHALL BE DONE IN CONFORMANCE WITH THE CITY'S MAINTENANCE OF TRAFFIC AND PUBLIC NOTIFICATION REQUIREMENTS POLICY. A RIGHT OF WAY PERMIT REQUIRING AN APPROVED MOT PLAN IS NOT CONSIDERED APPROVED UNTIL THE ASSOCIATED MOT PLAN HAS BEEN SUBMITTED, REVIEWED AND APPROVED BY THE CITY. WHERE APPROVED BY THE CITY, A STANDARD OHIO MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (OMUTCD) TRAFFIC CONTROL CASE, OR AN OHIO DEPARTMENT OF TRANSPORTATION (ODOT) MAINTENANCE OF TRAFFIC STANDARD DRAWING MAY BE UTILIZED IF APPLICABLE TO THE PROJECT. HOWEVER, ALL ARTERIAL STREETS SHALL PROVIDE A CUSTOM MOT PLAN SPECIFIC TO THE PROJECT IN ACCORDANCE WITH OMUTCD REQUIREMENTS. FOR ALL FULL STREET CLOSURES, A SIGNED DETOUR MUST BE INCLUDED IN THE APPROVED MOT PLAN. WHERE THE TERM "ROAD CLOSURE" OR "CLOSURE" IS USED, IT SHALL REFER TO BOTH FULL ROAD CLOSURES AND PARTIAL ROAD CLOSURES. PARTIAL ROAD CLOSURES INCLUDE LANE CLOSURE AND SHOULDER CLOSURES.

~~For work that requires partial or complete closure of a public street, the applicant shall submit a maintenance of traffic application and associated traffic control/detour plan with the permit application, permits identifying partial or full road closure require up to ten (10) working days to review. Work requiring lane restrictions or a road closures is subject to the additional advance notification requirements of Section 901.04(f). Maintenance of traffic applications and plans shall be reviewed by the Engineering, Public Works, Police, and Fire Departments. Traffic control devices shall be furnished, erected, maintained, and removed by the applicant, or designated representative, in accordance with guidelines published in the Ohio Department of Transportation Temporary Traffic Control Manual. Any specific condition attached to the approved permit by the City shall take precedence over both the manual and plan notes. All traffic control devices used for night work including barrels, cones, barricades etc., must be equipped with high intensity reflective film and amber flashing beacons.~~

([Ord. 12-71. Passed 10-29-12](#))

901.08. - Excavation in new pavement.

Excavating within pavement less than two years old shall not be permitted if alternate utility installation methods are available i.e. directional boring. In the event excavation in pavement is necessary, the applicant may be subject to additional pavement repair requirements including but not limited to full width pavement replacement, heat welding, sealing, and restriping.

([Ord. 12-71. Passed 10-29-12](#))

901.09. - Failure to perform.

Failure of applicant to complete any of the required work specified on an approved permit, or within the allotted time frame or to City specification may result in the City revoking the permit, issuing a stop work order, and contracting out the remaining construction activities and repairs as required. The applicant will be responsible for all administrative, material and labor costs associated with the repair in addition to any fines as identified in Section 901.99.

([Ord. 12-71. Passed 10-29-12](#))

901.10. - Parking meters.

Whenever the permitted activities being performed restrict the use of City Parking Meters, the applicant requesting the permit shall be responsible for contacting the City Police Department and making appropriate arrangements for specified meters to be temporarily bagged or removed as necessary for the work.

([Ord. 12-71. Passed 10-29-12](#))

901.11. - Steel roadway plates.

The City requires that all applicants/contractors placing steel roadway plates on any public street or alley to notify the City Public Works Department upon placement. The contractor shall supply the name and telephone contact information of a designated 24-hour emergency contact person along with the location of each plate and the approximate number of days each plate shall be in place. All plates placed over excavations are to be held in place by the use of a minimum of four pins or by the placement of bituminous asphalt continuously or all four edges and must be marked with an orange construction barrels or safety cones at the adjacent edge of pavement.

([Ord. 12-71. Passed 10-29-12](#))

901.12. - Emergency contact.

Prior to the commencement of any activity within the public right of way, the applicant shall provide the City with the name and phone number of a designated 24-hour emergency contact. The contact shall be authorized and capable of addressing situations that develop involving the applicants work after normal working hours or on weekends.

([Ord. 12-71. Passed 10-29-12](#))

901.13. - Dumpsters/storage containers.

A public way permit is required for all dumpsters, large waste receptacles and storage containers placed within the public right of way. Permits may be issued to a property owner, contractor of the vendor who supplies the units. The vendor shall be responsible for providing a dumpster or container in compliance with current City regulations. When placed on a public street, each unit shall be protected by placement of orange reflectorized barrels or safety cones to alert motorists of the presence of the unit. The name and contact information of the unit owner shall be visible on the side of each unit. This regulation does not apply to waste containers placed on private property for routine waste collection service.

([Ord. 12-71. Passed 10-29-12](#))

901.14. - Special duty **LAW ENFORCEMENT** police officers.

The applicant shall be responsible for requesting, scheduling, and paying for the cost of the services of **A LAW ENFORCEMENT OFFICER (LEO) UNIFORMED Special Duty Police Officers as REQUIRED BY THE MAINTENANCE OF TRAFFIC AND PUBLIC NOTIFICATION POLICY AND AS** determined necessary by the City. Applicants shall be notified prior to permit approval to discuss the requirement of special duty officers. ~~Special duty officers shall be required at all times when working within signalized street intersections.~~ The City will determine the number of officers required. City of Delaware Officers are to be utilized when available and may be requested by contacting the Delaware Police Department. **LEO'S FROM OTHER JURISDICTIONS SHALL BE USED ONLY AFTER THE DELAWARE CITY POLICE DEPARTMENT DETERMINES THAT IT CANNOT PROVIDE THE OFFICER(S) AND APPROVES THE USE OF AN LEO FROM ANOTHER JURISDICTION.**

([Ord. 12-71. Passed 10-29-12.](#))

901.15. - Fees and deposits. **PERMIT AND INSPECTION FEES**

ALL PERMIT APPLICANTS SHALL BE REQUIRED TO PAY REVIEW AND INSPECTION FEES AS ESTABLISHED IN 197.02 OF THE ADMINISTRATIVE CODE.

All permit applicants shall be required to pay certain fees as set forth in this section to cover the administrative costs of issuing permits and performing inspections. The fees are listed on the current Public Way Permit and Inspection Fees Schedule.

(a) ~~Permit Fees: Permit fees shall be charged for the following permit activities and are due at the time an approved permit is picked up.~~

- ~~• Excavation within the public right of way.~~
- ~~• Occupancy of a public street, alley or any part of the public right of way.~~
- ~~• Dumpsters/storage containers placed on a public street or within the right of way.~~
- ~~• Sidewalk/driveway: No fees charged for individual sidewalk or driveway permits.~~
- ~~• Blanket permit designation for work meeting the criteria of Section 901.01(b)(3).~~

(b) ~~Inspection Fees: Applicants are responsible for paying inspection fees for the following activities at the time an approved permit is picked up.~~

- ~~• Excavation within a paved roadway in which more extensive inspection coverage may be deemed necessary depending on the severity of the excavation size, depth and location.~~
- ~~• Excavation outside pavement limits but within the public right of way.~~

(c) ~~Additional Inspection Fees: If, in the opinion of the City, additional inspections are necessary in the form of a stand-by construction inspector being assigned to monitor the associated construction activity, the applicant shall be notified prior to approval of the permit application to discuss the inspection requirements. The applicant shall be responsible to pay for the cost of such stand-by inspection services at the current City hourly rate for construction inspection services and shall be invoiced for the total stand-by construction inspection fees once it has been determined that the work has been completed in a satisfactory manner.~~

~~(d) — Pavement Repair Deposit: A pavement repair deposit, separate from other required permit and inspection fees, may be required at the discretion of the City. These funds are utilized to cover any cost incurred by the City to modify a pavement repair that was improperly installed or otherwise constructed.~~

([Ord. 12-71. Passed 10-29-12](#))

Cross reference— Fee Schedule, § 197.02.

901.16. - Right to decline.

The City of Delaware reserves the right to decline additional permit requests by applicants that are in violation of the requirements of any provision of this chapter. No permit shall be issued until the violations are corrected to the satisfaction of the City.

([Ord. 12-71. Passed 10-29-12](#))

901.99. - Penalty.

Whoever violates any provision of this section shall be deemed guilty of a minor misdemeanor and fined one hundred dollars (\$100.00). Any such violation shall be considered a separate offense for each successive day continued, in accordance with this section.

([Ord. 12-71. Passed 10-29-12](#))

AGENDA ITEM: 8B

Code Section 197.02

**Right-Of-Way Permitting
Fees Draft**

197.02. - Fee schedule.

As used in this chapter, "s.f." means square foot/feet.

COMMUNITY DEVELOPMENT/CONSTRUCTION		
SOURCE OF FEE	FEE TITLE	FEE
903.03	Engineering Plan Review Flat Fee	Traffic Studies: Non-Complex Review: \$1,500.00 Complex Review: \$3,500.00 Storm Water Management Plan: Level I Review: \$700.00 Level II Review: \$3,500.00 Level III Review \$7,500.00 Residential Development: \$350.00 per plan sheet Commercial/Industrial: 0—5 acres \$350.00 per plan sheet >5—15 acres \$400.00 per plan sheet >15—75 acres \$450.00 per plan sheet >75 acres \$550.00 per plan sheet Off Site Infrastructure \$350.00 per plan sheet
903.03	Engineering Inspection Fees	Applicant invoiced monthly for: \$60 per hour for in-house inspection services Actual cost of contract inspection services 10% Administrative fee for all inspection fee billings Final reconciliation performed upon completion of all work and receipt by City of all outstanding contract service billing
901.07 [901.15]	Right-of-Way Permit and Inspection Fees	Permit APPLICATION Fees: Dumpster/Storage Pod: \$25.00 Excavation in Public Right-of-Way: \$35.00 \$50.00 Occupancy of Public Right-of-Way: \$30.00 Blanket Permit Designation: \$500.00 PERMIT FEES ARE DOUBLED FOR APPLICANTS THAT START ACTIVITY WITHIN THE PUBLIC RIGHT-OF-WAY WITHOUT FIRST APPLYING FOR AND OBTAINING AN APPROVED PERMIT. Inspection Fees: —Excavation in roadway pavement: \$200.00

Commented [JO1]: Should we increase this? Shouldn't we utilize blanket permits more often? If an applicant, such as AEP, holds a blanket permit, should we have a separate fee for MOT plans? i.e. if a blanket permit is held by AEP for R/W work, we would still require an MOT plan where their work requires a lane closure, especially for arterials and collectors – in which case we could collect a \$50 MOT fee.

Commented [JO2]: Is this really a deterrent? Why not \$500?

		<p>-Excavation outside roadway pavement: \$50.00 Additional inspection: \$55.00 an hour Pavement repair deposit: \$250.00 (refundable upon satisfactory completion of work)</p> <p>INSPECTION FEES: \$60.00 PER HOUR FOR IN-HOUSE INSPECTION SERVICES AND THE ACTUAL COST OF CONTRACT INSPECTION SERVICES. A 10% ADMINISTRATIVE FEE IS ADDED TO ALL INSPECTION INVOICING. FINAL RECONCILIATION PERFORMED UPON COMPLETION OF ALL WORK AND RECEIPT BY CITY OF ALL OUTSTANDING CONTRACT SERVICE BILLING.</p> <p>PERMIT AND INSPECTION FEES ARE WAIVED FOR INDIVIDUAL PROPERTY OWNERS SUBMITTING APPLICATIONS TO COMPLETE SIDEWALK REPAIRS ON THEIR RESPECTIVE PROPERTY.</p>
905.04	Failure to comply with notice to cut noxious weeds, vines, and grass	\$100.00 plus cost of cutting as invoiced to the city.
907.06	Failure to remove or abate dangerous trees or trees overhanging on sidewalk	\$100.00 plus cost of removal as invoiced to the city
910.06, 1125.06	Petition to vacate street or alley	Single Family Lot - \$100.00 All Else - \$250.00
1125.06	Zoning & Planning Pre-Development and Development Applications	Rezoning/Zoning Amendment: Single Family Lot - \$250.00 All Else - \$500.00 plus \$100.00 per acre Comprehensive Plan Amendment: \$500.00 Concept Plan: Historic Preservation Commission - \$0.00 All Else - \$500.00 Preliminary Development Plan: Residential - \$750.00 Plus \$100.00 per dwelling unit if multi-family or condominium; All Else - \$750.00 Plus \$50.00 per acre Final Development Plan: Residential - \$1,000.00 Plus \$100.00 per dwelling unit if multi-family or condominium;

		<p>All Else - \$50.00 per acre</p> <p>Combined Preliminary and Final Development Plan: Residential - \$1,000.00 Plus \$100.00 per dwelling unit if multi-family or condominium; All Else - \$50.00 per acre</p> <p>Development Plan Exemption: \$500.00</p> <p>Development Plan Amendment: \$750.00</p> <p>Development Plan Extension: \$500.00</p> <p>Conditional Use Permit - Planning Commission or Board of Zoning Appeals: Single Family Lot - \$150.00 All Else - \$500.00</p> <p>Variance: Single Family Lot - \$150.00 All Else - \$300.00 for the first variance plus \$50.00 for each additional variance processed concurrently with the first variance</p> <p>Variance Extension: Single Family Lot - \$25.00 All Else - \$150.00</p> <p>Subdivision Variance: \$300.00 for the first variance plus \$50.00 for each additional variance processed concurrently with the first variance</p> <p>Substitution of Non-Conforming Use: Single Family Lot - \$100.00 All Else - \$200.00</p> <p>Appeal of Administrative Decision: Single Family Lot - \$100.00 All Else - \$200.00</p> <p>Certificate of Appropriateness: \$50.00</p> <p>Floodplain Use Permit: Single Family Lot - \$100.00 All Else - \$300.00</p> <p>Floodplain Letter of Interpretation: Single Family Lot - \$50.00 All Else - \$200.00</p> <p>Code Interpretation/Determination: Single Family Lot - \$25.00 All Else - \$125.00</p> <p>Determination of Substantially Similar Use: \$75.00</p> <p>Preliminary Plat: Base \$750.00 Plus Residential Single Family - \$100.00 per lot;</p>
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		<p>All Else - \$50.00 per acre</p> <p>Final Plat: Base \$1,000.00 Plus Residential Single Family - \$100.00 per lot; All Else - \$50.00 per acre</p> <p>Amended Plat: Preliminary or Final \$750.00 Extension of Plat Approval Deadline: \$500.00</p> <p>Lot Split (minor subdivision): Single Family Lot - \$75.00 All Else - \$100.00 Plus \$50.00 per lot to be split</p> <p>Sidewalk Use Permit: \$25.00 for initial application; \$0.00 for renewal applications which are unchanged</p> <p>Annexation Review: One Single Family Lot - \$50.00; All Else - \$500.00</p>
1125.06, 1321.01, 1321.02	Certificate of Zoning Compliance, Inspection & Plan Review - Residential	<p>Plan Review for New Construction, additions, and alterations: \$40.00</p> <p>Inspection Compliance Certificate - New Construction, additions, and alterations: \$60.00</p> <p>Home Occupation: \$25.00</p> <p>Change of Use: \$35.00</p> <p>New Address Assignment or Change of Address: \$85.00</p>
1168.02	Tree Clearance Permit	\$150.00
1315.05	Contractor Registration	\$75.00
1321.01, 1321.11	One-, Two-, or Three-Family Dwellings Inspections and Permits	<p>In addition to the fees below, the State of Ohio requires the City to collect a 1% surcharge on certain permits below and as may be amended by the State of Ohio:</p> <p>Building Permit Plan Review - New Construction: \$50.00</p> <p>Building Permit - New Construction Inspection: \$350.00 plus \$0.05 per s.f.</p> <p>Building Permit - Porches, Residential Additions, Remodeling, Alterations and Accessory Buildings up to 1,000 sq. ft. Inspection: \$75.00 plus \$0.05 per s.f.</p> <p>Plumbing Inspection: \$75.00 for new builds \$35.00 for minor alterations</p> <p>Water heaters, heating, ventilating, and cooling equipment/systems (HVAC) Inspection: \$150.00 for new home construction and additions 1,000 s.f. and greater;</p>

		<p>\$50.00 for minor alterations to existing systems, renovations, and additions under 1,000 s.f.</p> <p>\$25.00 for residential appliance replacements including water heaters and HVAC.</p> <p>Electrical: \$50.00 for service upgrade, minor alterations to existing residential buildings, pools, generators, and additions under 1,000 s.f.</p> <p>For New Construction and additions and alterations 1,000 s.f. and greater:</p> <p>\$100.00 for buildings up to 1,000 s.f.</p> <p>\$100.00 plus \$0.02 per s.f. for structures 1,001—2,000 total s.f.</p> <p>\$100.00 plus \$0.03 per s.f. for structures 2,001—3,000 total s.f.</p> <p>\$100.00 plus \$0.04 per s.f. for structures 3,001 total s.f. structures and greater</p> <p>Insulation: \$75.00 for new construction homes and additions over 1,000 s.f.</p>
		<p>Gas Line Inspection: \$70.00 for new construction homes and additions over 1,000 s.f.</p> <p>Reissuance of lost permit or inspection card: \$50.00</p> <p>Reinspection: Upon the third inspection for the same task/item - \$75.00</p> <p>Occupancy Permit/Certificate:</p> <p>Temporary - \$125.00</p> <p>Final - \$75.00</p> <p>Excavation to connect to utilities: \$50.00</p> <p>Water/Sewer Permit Processing: \$35.00</p> <p>Subsiding: \$50.00</p> <p>Fireplace/Fireplace like Device Permit and Inspection: \$35.00</p> <p>Grade Inspections: \$100.00</p> <p>Re-roof: \$50.00</p> <p>Residential Plan Revision: \$75.00</p> <p>Miscellaneous Permit: \$35.00</p>
1168.07	Fee to Tree Bank Fund in Lieu of Planting	\$100 Per caliper inch of qualifying removed major trees as required in Chapter 1168 - Tree Preservation Regulations.
1125.06, 1321.02	Certificate of Zoning Compliance, Inspection & Plan Review -	Plan Review: \$50.00

	Commercial/Industrial	
		New construction Compliance and Inspection: \$100.00 plus \$0.03 per s.f.
		Alteration or Remodel Inspection and Compliance: \$75.00
		Miscellaneous Permit: \$35.00
		Change of Use: \$35.00
		New Address Assignment or Change of Address: \$85.00
		Review of Site Plan Improvements: \$25.00 per hour for in house review or actual invoice rate for contractual review.
1125.06	Sign Permits - Zoning	Temporary: \$25.00 Permanent: \$25.00 plus \$0.75 per s.f.
1125.06	Temporary Use Permits - Zoning	Model Home: \$150.00
		Sales Office: \$150.00
		Construction Trailers: \$150.00
		Model Apartment: \$150.00
		All Else: \$30.00
1321.03	Sidewalk, Curb, Gutter, Driveway permit	\$35.00
1321.04	Demolition of Buildings permit	\$100.00
1321.05	Moving Buildings	\$100.00
1125.06, 1321.08	Residential Fence, Deck, Shed, or Pool Permit and Inspections for Zoning and Building Construction	Fence - \$30.00 Sheds - \$30.00 Decks - \$40.00 Pools - \$40.00

1321.11, 1321.12	Commercial/Industrial Building Plan Review	<p>In addition to the fees below, the State of Ohio requires the City to collect a 3% surcharge on certain permits below and as may be amended from time to time by the State of Ohio:</p> <p>New Building/Addition: \$140.00 plus \$0.07 per s.f. Alteration/Tenant Space: \$60.00 plus \$0.04 per s.f. Decks/Accessory Structures: \$60.00 plus \$0.03 per s.f. Plan Re-Review: \$100.00 per hour Miscellaneous Permit: \$75.00 Excavation to connect to utilities: \$50.00 Water/Sewer Permit Processing: \$25.00</p>
1321.12	Commercial Building Inspections and Permits	<p>In addition to the fees below, the State of Ohio requires the City to collect a 3% surcharge on certain permits below and as may be amended from time to time by the State of Ohio:</p> <p>Structural: \$80.00 plus \$0.05 per s.f. Electrical: \$80.00 plus \$0.04 per s.f. Heating/Ventilation/Air Conditioning (HVAC): \$80.00 plus \$0.03 per s.f. Insulation/Energy Conservation: \$80.00 plus \$0.02 per s.f. Fire Suppression/Protection System: \$100.00 plus \$5 for each signaling system/sprinkler head for up to 300 heads Commercial Certificate of Use and Occupancy: Temporary Certificate: \$100.00 Final Certificate: \$75.00 Re-inspections (after 2nd for same element, task, or item): \$80.00 Reissuance of permits or permit card: \$50.00</p>
1143.02	Application for Certificate of Zoning Compliance—Massage Establishments	\$150

LICENSES AND PERMITS		
SOURCE OF FEE	FEE TITLE	AMOUNT

373.14, 373.15	Bicycle Registration	\$2.00
733.06, 733.15, 733.17	Taxi License	Company: \$100.00 company license \$10.00 for each cab in use and in reserve Drivers: \$10.00 for taxi drivers license
713.10	Mechanical Amusement Devices Permit	\$25.00 each year for each device \$175.00 for each Amusement Arcade
725.02, 725.03	Junk Collection or Scrap Resale Operation	\$50.00 for a license \$10.00 for each collection vehicle or conveyance
729.07	Oil and Gas Drilling Permit	\$1,000.00
737.01	Carnival or Circus Fee	\$150.00
743.03	CATV Franchise Renewal Filing Fee	\$2,500.00
743.15	Cable Franchise Fee	5% of gross revenues
557.03, 557.04	Alarm License Fee/Renewal	\$10.00 residential \$25.00 business
557.08	False Alarm Fee	\$50.00 for each residential false alarm after 3 per calendar year. \$50.00 for 3rd and 4th business false alarm per calendar year. \$10.00 for 5th and each subsequent business false alarm per calendar year.
353.06	Parking Permits	\$25.00 a month except for the East William Street metered lot (lot #4), which is \$20.00 a month.

351.99, 351.04	Parking Tickets	<p>\$7.00 over time if paid by midnight (meter) \$10.00 over time if not paid by midnight \$40.00 over limit (2 hour parking) \$25.00 parking in prohibited spot \$25.00 parking outside of lines If the vehicle has accumulated three tickets (over time, over limit, prohibited spot) in 30 days or five or more tickets in 60 days, the ticket fee will be doubled. \$250.00 Handicapped parking violation, first violation \$300.00 Handicapped parking violation, second violation \$500.00 Handicapped parking violation, third and subsequent violations \$20.00 late fee for tickets over 30 days old \$5.00 billing fee</p>
	Boot Removal	Payment of all unpaid tickets plus \$100 fee.
721.04	Peddler's license	\$15.00 per year plus the cost of the criminal background check
Ohio Revised Code 4939.0316, 4939.0322 Note: The fees are based on the limits established by the declaratory ruling and third report and order adopted 9/26/18 by the FCC	Small Cell Facility	<p>One time application fee: \$250 per site or \$500 for up to five (5) sites submitted in same application. Recurring annual fee: \$200 per year per small cell.</p>

REFUSE COLLECTION		
SOURCE OF FEE	FEE TITLE	AMOUNT
929.08	Domestic Refuse Collection	\$20.60 per month Senior citizen discount rate: \$10.30 per month
929.08	Commercial Refuse Collection	\$20.60 per month for basic service

		consisting of two 32 gallon or one 96 gallon tipcart -or- 10 bag tags
929.08	Additional 96 Gallon Tipcarts	2 total tipcarts \$41.20 3 total tipcarts \$61.80 4 total tipcarts \$82.40 5 total tipcarts \$103.00
929.08	Commercial Refuse - Containerized Collection - Once Per Week	2 cu. yds. \$85.37 3 cu. yds. \$94.48 4 cu. yds. \$103.58 6 cu. yds. \$121.80 8 cu. yds. \$140.02
929.08	Commercial Refuse - Containerized Collection - Twice Per Week	2 cu. yds. \$170.74 3 cu. yds. \$188.95 4 cu. yds. \$207.17 6 cu. yds. \$243.60 8 cu. yds. \$280.04
929.08	Commercial Refuse - Containerized Collection - Three Per Week	2 cu. yds. \$256.10 3 cu. yds. \$283.43 4 cu. yds. \$310.75 6 cu. yds. \$365.41 8 cu. yds. \$420.06
929.08	Commercial Refuse - Containerized Collection - Four Per Week	2 cu. yds. \$341.47 3 cu. yds. \$377.91 4 cu. yds. \$414.34 6 cu. yds. \$487.21 8 cu. yds. \$560.08
929.08	Commercial Refuse - Containerized Collection - Five Per Week	2 cu. yds. \$426.84 3 cu. yds. \$472.38 4 cu. yds. \$517.92 6 cu. yds. \$609.01 8 cu. yds. \$700.09
929.08	Additional pickup - Commercial Refuse Customers	2 cu. yds. \$85.37 3 cu. yds. \$94.48 4 cu. yds. \$103.58 6 cu. yds. \$121.80

		8 cu. yds. \$140.02
929.08	Bag tags (used for trash in excess of tipcart)	\$1.50 per tag
929.08	Discontinuation/reactivation/change in service level of refuse services	\$12.50

UTILITY SERVICES		
SOURCE OF FEE	FEE TITLE	AMOUNT
911.01	Utility Turn On Charge	\$12.50
911.04	Penalty for Nonpayment	5% of bill + \$15.00 + [\$25.00 for returned checks]
911.05	Delinquent water reconnection fee	\$25.00
913.04	Temporary Water Service	\$75.00 for outlet one-inch or less \$150.00 for outlet greater than one inch
913.05	Temporary water turn off/on	\$25.00
913.03	Tap Fees	See Section 913.03
913.13	Meter Rules and Regulations	Certain water meters shall be provided by the Utility Department, Water Division at the cost of the meter to the City. This is currently \$160.00 for a $\frac{5}{8}$ – $\frac{3}{4}$ meter. If a water meter pit is necessary, the city will charge the cost of the pit. This cost is currently \$300.00
913.14	Rates for water service inside city	See Section 913.14
913.15	Rates for water	50% surcharge to schedule of fees for water rates.

	service outside city	
913.25	Sale of water for resale	\$2.73 per 100 cubic foot
913.23	Sewer auxiliary meter	\$25.00 inspection plus \$8.35 monthly service fee
917.21	Sewer Capacity Fee	See Section 917.21
917.14	Sewer Service Charges	See Section 917.14

IMPACT FEES		
SOURCE OF FEE	FEE TITLE	AMOUNT
1365.04(a)	Police Impact Fee - Single Family/Detached	\$162.00
1365.04(a)	Police Impact Fee - Townhouse/Duplex	\$134.00 per unit
1365.04(a)	Police Impact Fee - Other residential	\$101.00 per unit
1365.04(b)	Police Impact Fee - Commercial Shopping Center	Commercial Shopping Center: 50,000 s.f. or less \$517.00 per 1,000 s.f. 50,001 to 100,000 s.f. \$456.00 per 1,000 s.f. 100,001 to 200,000 s.f. \$398.00 per 1,000 s.f. Greater than 200,000 s.f. \$343.00 per 1,000 s.f.
1365.04(b)	Police Impact Fee - Office/Institutional	25,000 s.f. or less \$536.00 per 1,000 s.f. 25,000 s.f. to 50,000 s.f. \$339.00 per 1,000 s.f. 50,001 s.f. to 100,000 s.f. \$240.00 per 1,000 s.f.

		Greater than 100,000 s.f. \$191.00 per 1,000 s.f.
1365.04(b)	Police Impact Fee - Business Park	\$162.00 per 1,000 s.f.
1365.04(b)	Police Impact Fee - Light Industrial	\$135.00 per 1,000 s.f.
1365.04(b)	Police Impact Fee - Manufacturing	\$94.00 per 1,000 s.f.
1365.04(b)	Police Impact Fee - Warehousing	\$76.00 per 1,000 s.f.
1367.04(a)(1)	Fire Impact Fee - Residential	Single Family Detached \$349.00 Townhouse/Duplex \$289.00 Other Residential \$219.00
1367.04(b)(1)	Fire Impact Fee - Commercial/Shopping Center	Up to 50,000 s.f. \$494.00 per 1,000 s.f. 50,001 to 100,000 s.f. \$432.00 per 1,000 s.f. 100,001 s.f. to 200,000 s.f. \$383.00 per 1,000 s.f. Greater than 200,000 s.f. \$345.00 per 1,000 s.f.
1367.04(b)(1)	Fire Impact Fee - Office/Institutional	Up to 25,000 s.f. \$717 per s.f. 25,001 to 50,000 s.f. \$676.00 per 1,000 s.f. 50,001 to 100,000 s.f. \$638.00 per 1,000 s.f. Greater than 100,000 s.f. \$603.00 per 1,000 s.f.
1367.04(b)(1)	Fire Impact Fee - Business Park	\$546.00 per 1,000 s.f.
1367.04(b)(1)	Fire Impact Fee - Light Industrial	\$399.00 per 1,000 s.f.
1367.04(b)(1)	Fire Impact Fee - Manufacturing	\$309.00 per 1,000 s.f.
1367.04(b)(1)	Fire Impact Fee - Warehousing	\$221.00 per 1,000 s.f.
1369.04(a)	Park Impact Fee	Single Family Detached \$1,362.00 Townhouse/Duplex \$1,126.00 Other Residential \$852.00

1371.04(a)	General Facilities Impact Fee - Residential	Single Family Detached \$266.00 Townhouse/Duplex \$303.00 Other residential \$230.00
1371.04(b)	General Facilities Impact Fee - Commercial/Shopping Center	Up to 50,000 s.f. \$400.00 per 1,000 s.f. 50,001 to 100,000 s.f. \$349.00 per 1,000 s.f. 100,001 to 200,000 s.f. \$310.00 per 1,000 s.f. Greater than 200,000 s.f. \$279.00 per 1,000 s.f.
1371.04(b)	General Facilities Impact Fee - Office/Institutional	Up to 25,000 s.f. \$580.00 per 1,000 s.f. 25,001 to 50,000 s.f. \$547.00 per 1,000 s.f. 50,001 to 100,000 s.f. \$516.00 per 1,000 s.f. Over 100,000 s.f. \$488.00 per 1,000 s.f.
1371.04(b)	General Facilities Impact Fee - Business Park	\$442.00 per 1,000 s.f.
1371.04(b)	General Facilities Impact Fee - Light Industrial	\$323.00 per 1,000 s.f.
1371.04(b)	General Facilities Impact Fee - Manufacturing	\$250.00 per 1,000 s.f.
1371.04(b)	General Facilities Impact Fee - Warehousing	\$179.00 per 1,000 s.f.
1363.06(d)(2)	Administrative Fee Deduction from Impact Fee Refund	10% of refund, not to exceed \$500.00

FACILITY RENTAL FEES		
SOURCE OF FEE	FEE TITLE	AMOUNT
	Jack Florance Pool Rental	1-149 People: \$250.00/hr 150+ People: \$300.00/hr

	Ball Fields at Smith or Mingo Parks	\$25.00 for first game, \$5.00 each additional game. \$100.00 deposit returned if field is undamaged and clean. \$20.00/hr for lights
	Hilborn and Bixby Rooms	\$20.00/hr Hilborn Kitchen: additional \$25.00/hr Set up/tear down: \$40.00/room
	Outdoor Picnic Shelter and Gazebo Rentals	Weekday (Mon-Thurs) Single Block: \$20.00 All Day: \$40.00 Weekend (Fri-Sat-Sun) Single Block: \$50.00 All Day: \$100.00
	Mingo 3 Season/Veterans Park Spray & Play Shelters	Weekday (Mon-Thurs) Single Block: \$40.00 All Day: \$80.00 Weekend (Fri-Sat-Sun) Single Block: \$70.00 All Day: \$130.00 Including holidays

([Ord. 13-60](#), Passed 10-14-13 ; [Ord. 14-126](#), Passed 12-22-14 ; Ord. [15-33](#) , Passed 6-8-15; Ord. [16-85](#) , Passed 9-26-16; Ord. [17-12](#) , Passed 3-27-17; Ord. [17-81](#) , Passed 1-8-18; Ord. [18-114](#) , Passed 12-20-18; Ord. [19-07](#) , Passed 6-10-19)

AGENDA ITEM: 8C

Maintenance of

Traffic and Public

Notification Policy



Maintenance of Traffic and Public Notice Requirements Policy for Construction Activities Within Public Right of Way

Maintenance of Traffic (MOT) Plans

An MOT plan shall be provided with the right-of-way application for all partial or complete closures of a public road. A Right of Way permit requiring an approved MOT plan is not considered approved until the associated MOT plan has been submitted, reviewed and approved by the City. Where approved by the City, a standard Ohio Manual of Uniform Traffic Control Devices (OMUTCD) traffic control case or Ohio Department of Transportation (ODOT) maintenance of traffic standard drawing may be utilized if applicable to the project. However, all arterial streets shall provide a custom MOT specific to the project in accordance with OMUTCD requirements. For all complete street closures, a signed detour must be included in the approved MOT plan. Where the term “road closure” or “closure” is used, it shall refer to both full road closures and partial road closures. Partial road closures include lane closure and shoulder closures.

Work Hours

Overnight work between the hours of 9:00 p.m. and 6:00 a.m. shall not be performed unless approved in advance by the City. Weekend work between the hours of 3:00 p.m. Friday and 6:00 a.m. Monday shall not be performed unless approved in advance by the City. Additional restrictions to allowable work hours and dates may be applied at the discretion of the City for any reason.

Lane Closure Time Restrictions

On all Arterial and Collector streets, lane closures shall not be permitted between the hours of 6:00 a.m. to 9:00 a.m. or from 3:00 p.m. to 6:00 p.m. each day unless approved otherwise by the City. These lane closure hours may be applied to any other streets as deemed necessary by the City.

Any proposed weekend lane closures (Friday 3:00 p.m. to Monday 6:00 a.m.) shall be approved in advance by the City and may include additional special event restrictions.

Notification of Construction Start Date

After a right-of-way permit and MOT plan is approved, the Applicant/Contractor shall provide advance notification to the City of the anticipated start date of any road closures in accordance with the time frames given in the Notification Time Frame Table. For all other work within the R/W, including work that does not require a road closure or MOT plan, a minimum 24-hour notification shall be given (exclusive of weekends and holidays) to schedule an inspection. Notice shall be provided to the City at (740) 203-1810 or pwcs@delawareohio.net.

In addition to City notification, all closures of US Routes and State Routes require that notification be made to the following Ohio Department of Transportation (ODOT) offices: District 6 Office of Communications at d06.pio@dot.ohio.gov, District 6 Work Zone Traffic Manager at d06.mot@dot.ohio.gov, and the Central Office Special Haul Permits Section at hauling.permits@dot.ohio.gov. ODOT notifications shall be made in advance of anticipated start date of construction activities including but not limited to placement of work zone signs in accordance with the Notification Time Frame Table.



The Contractor shall immediately inform the City, and ODOT where applicable, of any and all delays and/or changes to the construction start date

Public Notices

A direct notification shall be hand-delivered or mailed by the Applicant/Contractor to all businesses and residents located within the area of a full road closure a minimum 1 week prior to the closure. The text of this notification shall be approved by the City prior to distribution. The requirement for direct notifications shall also apply to both full and partial closures for the downtown area and any other high impact area deemed necessary by the City.

Advance notice signage displaying the dates and types of closures shall be posted in accordance with the Notification Time Frame Table. Advance notices shall be static signage or Portable Changeable Message Signs (PCMS). Additional public notice requirements may apply for work in the vicinity of downtown at the discretion of the City. Days refer to business days.

Notification Time Frame Table				
Type of Street	Type of Closure	Duration	Notification of Construction Start Date	Advanced Public Notice Signage
Arterial	Full	> 3 Days	3 Weeks	PCMS, 2 weeks in advance
		≤ 3 Days	2 Weeks	PCMS, 2 weeks in advance
	Partial	> 3 Days	2 Weeks	PCMS, 1 week in advance
		> 1 Day ≤ 3 Days	1 Week	PCMS, 1 week in advance
		≤ 1 Day	3 Days	None Unless Required by City
	Shoulder Only	Any	3 Days	None Unless Required by the City
Collector	Full	Any	2 Weeks	PCMS, 1 week in advance
	Partial	> 3 Days	2 Weeks	PCMS, 1 week in advance
		> 1 Day ≤ 3 Days	1 Week	PCMS, 3 Days in advance
		≤ 1 Day	3 Days	None Unless Required by City
Shoulder Only	Any	3 Days	None	
Local	Full	Any	1 week	Static or PCMS, 1 week in advance
	Partial	> 3 Days	3 Days	Static or PCMS, 3 Days in Advance
		≤ 3 Days	3 Days	None
	Shoulder Only	Any	3 Days	None
All Other R/W Work Besides Road Closures		Any	1 Day (24 hours)	None

Law Enforcement Officer (LEO) With Patrol Car for Assistance During Construction Operations

A uniformed LEO with patrol car equipped with flashing lights shall be provided for the following traffic control tasks:

- During the entire advance preparation and closure sequence where complete blockage of traffic is required.
- During a traffic signal installation when impacting the normal function of the signal or the flow of traffic.
- When traffic needs to be directed through an energized traffic signal contrary to the signal display (e.g. directing motorists through a red light), or at volumes unmanageable by the programmed signal phasing.

In addition, where required by the City, a LEO may be required in the following traffic control cases:

- For lane closures during initial set-up periods, tear down periods, substantial shifts of a closure point or when new lane closure arrangements are initiated for long-term lane closures/shifts (for the first and last day of major changes in traffic control setup).
- Any other time the City determines that a standard OMUTCD traffic control case cannot be used to safely control traffic at or in the vicinity of any intersection.

In general, LEOs should be positioned in advance of and on the same side as the lane restriction or at the point of road closure, and to manually control traffic movements through signalized intersections in work zones.

It is the responsibility of the Applicant/Contractor to make all arrangements and secure the availability of the required LEO in advance of the start of construction activity. The LEO shall report to the contractor prior to the start of the shift in order to receive instructions regarding specific work assignments. If necessary, the contractor shall provide the LEO with a two-way communication device.

The City shall have final control over the LEO's duties and placement. Multiple LEOs may be required at each intersection at the discretion of the City. The City may at any time order work to be suspended if a LEO is not being properly utilized or if it becomes necessary to add a LEO during the work.



Holidays and Special Events

No work shall be performed, and all traffic lanes shall remain open during the following designated holidays and special events unless otherwise approved in the MOT plan by the City:

Holidays

- New Year’s Eve
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Christmas Day

The period of time that all traffic lanes shall remain open is as follows:

- Thanksgiving: 6:00 a.m. Wednesday through 6:00 a.m. Monday
- All Other Holidays: 12:00 noon the weekday before the holiday through 6:00 a.m. the day after the holiday (e.g. for Monday holidays all lanes must be open beginning at 12:00 noon Friday).

Special Events

The period of time that the lanes and shoulders are to be open for special events shall be according to the following schedule:

<u>Special Event</u>	<u>Event Dates</u>	<u>Date & Time All Lanes Must be Open</u>
Delaware County Fair	TBD	All Day, Each Day <i>(all Arterials and roads in vicinity of fairgrounds as identified by the City)</i>
Iron Man Triathlon	TBD	6:00 a.m. Thursday to 6:00 a.m. Monday <i>(All roads used by event as identified by the City)</i>
Ohio State Home Football Games	As Scheduled	All Day (US and State Routes)

Additional special event restrictions will be required where needed for any approved weekend work and where the location of the work is in the vicinity of additional special events not provided in the above list.

Parking Restrictions

The MOT Plan and/or Notification of Construction Initiation shall include requested on-street parking restrictions. The Applicant/Contractor shall coordinate with the City to ensure that on-street parking spaces are appropriately signed a minimum 72-hours in advance giving the dates and times that parking is not permitted. Placement, adjustment to, and removal of all temporary required parking restriction signage is the responsibility of the Applicant/Contractor.



Access to Properties

Ingress and egress shall be maintained to all properties within the work zone at all times. When full road closures are approved, access to local traffic only shall be maintained. Access to emergency personnel shall be accommodated at all times. Accommodations shall be made to allow access to refuse collection services, school busing, and the postal service.

Pedestrian Access

Where a sidewalk, multi-use path, or other pedestrian pathway is impacted during construction, the approved MOT plan shall include provisions for maintenance of pedestrian traffic. Where a pathway is to be maintained, the minimum clear distance remaining shall be 4-feet and pedestrians shall be adequately protected from construction activity. If a pathway is closed, "sidewalk closed ahead" and other similar signage shall be utilized to detour pedestrian traffic around the work zone.

The contractor shall be responsible for the protection and safe movement of pedestrians through, around and away from the construction site. The safety of pedestrian traffic shall be considered at all times in the provision of traffic control devices. It shall be the contractor's responsibility to provide lights, signs, barricades, and other warnings to physically separate the pedestrian from hazards incidental to the construction operations such as open excavations, operating equipment, etc. At all times, the measures for pedestrian safety shall be to the satisfaction of the City.

AGENDA ITEM: 8D

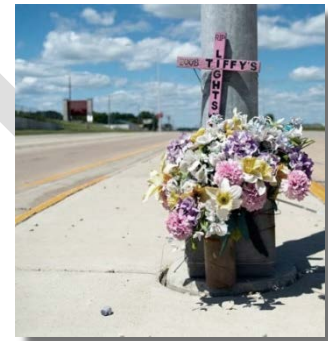
Roadside Memorials

Draft Policy

Roadside Memorial Policy (Rev. January 28, 2020)

Definition: Roadside memorials generally consist of the spontaneous ad hoc erection of flowers, photographs, personal items or other tributes placed by family members or friends at or near the scene of a fatal traffic accident in honor or in memory of their loved ones.

Background: According to the Insurance Institute for Highway Safety, 33,654 fatal motor vehicle crashes occurred in the United States in 2018 resulting in 36,560 deaths of motorists, vehicle occupants or pedestrians. At times, roadside memorials are placed at or near the location of an accident and assume a simple or elaborate form that a family member or friend considers meaningful. Sometimes, the placement and/or size of a roadside memorial creates a legitimate hazard for motorists where it becomes a visual obstruction, is distracting to drivers, or can be objectionable to others as a reminder of an upsetting situation, or the circumstances surrounding an accident. The City acknowledges the need for some people to express themselves after such a tragedy however does not permit use of the public right of way for such expressions of personal opinion, speech, advertising etc. The City understands and respects the highly emotional and personal nature associated with the placing of roadside memorials, and as such has developed this policy to provide alternatives available to the public in managing these situations.



Policy: The City of Delaware prohibits the establishment of a roadside memorial within the public right of way. Memorials may be constructed adjacent to the public right of way near the location of a fatal traffic accident with appropriate permission from private property owners. Materials placed in memoriam of an individual shall not be placed on any paved or unpaved travel lane, sidewalk or bikeway. Materials must not visually obstruct roadway signs, pedestrian or traffic signals, and shall not include lighting or reflectors that are a distraction to motorists.

Removal: Roadside memorials shall be removed by the City if placed within the public right of way. The City will remove the materials and make its best efforts to return the items to the owner.

Alternative: As an alternative to a roadside memorial, individuals may request to participate in the City's memorial tree planting program where a live tree is planted in one of the several public parks in memory of an individual. The City is also working on establishing a "Memory Tree" where an individual's name is inscribed on an individual leaf and added to the sculpture open to public viewing at a public facility. The cost of participation in either program is available through the City Parks & Natural Resources Department.

