

**To the Mayor and Members of the City Council****October 18, 2022**

Page 1 of 2

**SUBJECT: SIDEWALKS – REPAIR/REPLACEMENT**

This informal report provides information on sidewalk maintenance in the City of Fort Worth, offers a recommendation on the current ordinance, examines other cities' sidewalk replacement programs and proposes development of a new 50/50 cost share sidewalk maintenance program.

Sidewalk Maintenance in Fort Worth

Although the City of Fort Worth has extensive sidewalk maintenance needs, sufficient funding for such repairs has historically not been allocated in annual budgets. Fort Worth, like many cities across the country, places the maintenance obligation for sidewalks, parkways, driveway approaches and curbs/gutters on the owner of the affected property. City Code, Chapter 30, Article I, Section 30-1(b) declares that defective, unsafe, or hazardous sidewalks, parkways, driveways, or curbs are a nuisance. It further states that when the TPW director orders repairs, the maintenance shall be carried out by the owner or the agent in charge, or the tenant of the property and that failure to do so shall be a misdemeanor. TPW frequently cites the Code to inform owners/agents/tenants of their responsibility when asked about sidewalk repairs, however, the communication stops short of ordering a repair. Even so, a property owner receiving such notice and who reads the statute, could feel they're in jeopardy of receiving a citation. Thus, staff is recommending removal of the penalty provisions from the ordinance.

Based on the City's GIS data, there are over 2,600 miles of sidewalks citywide. According to a Sidewalk Assessment Survey conducted in 2016, nearly 600 miles are in fair or poor condition. A new assessment is underway and expected to be completed shortly.

As is discussed below, TPW is proposing a program to help residents repair the damaged sidewalk infrastructure for which they are held responsible per City Code.

Review of Peer City Sidewalk Replacement Programs

TPW reviewed sidewalk maintenance programs in Dallas, Austin, and Arlington to look for possible implementation ideas. These cities utilize two different approaches to sidewalk maintenance. In Dallas, per city code, property owners are responsible for sidewalk maintenance and repair. However, the City implements a 50/50 cost-share program to assist owners with sidewalk improvements. In Austin and Arlington, the City takes responsibility for sidewalk maintenance and repair (i.e., sidewalk replacement).

Dallas Sidewalk Replacement Program

Dallas has a request-based program that offers a 50/50 cost share with single-family residential property owners. Property owners submit a request to the City to participate in the program. Staff review the request, perform a site assessment and generate a quote for proposed work. Once the property owner's portion of the cost is received, the repair is scheduled and a city contractor performs the work.

Approximately 400 sidewalk repair locations are addressed annually through the program. The program receives a \$2.5M annual bond allocation. It is delivered by nine staff responsible for contract administration, contractor management, location assessments, quote generation, inspections, and payment receipt and processing.

**To the Mayor and Members of the City Council****October 18, 2022**

Page 2 of 2

**SUBJECT: SIDEWALKS – REPAIR/REPLACEMENT**Austin Sidewalk Program

In 2016, the City of Austin adopted a Sidewalk Master Plan/ADA Transition Plan that prioritizes proactive sidewalk rehabilitation. The program receives between \$8 and \$10M annually and is delivered by 14 staff responsible for contract and contractor management, engineering, GIS, and administrative functions.

Arlington Sidewalk Program

City responsibility for sidewalk maintenance is accomplished through a request-based program. Citizens submit requests, requests are evaluated on established criteria, and the City accepts the total cost of implementation. Approximately \$1.4M in bond funding is allocated annually to replace approximately 10,000 linear feet of sidewalk. This work is delivered by staff dedicated part-time to the program and city contractors.

Transportation Public Works Recommendation

Transportation and Public Works recommends developing a sidewalk maintenance 50/50 cost share program and also incorporate equity factors. Proposed criteria will include considerations such as fixed and/or low-income households, service to senior residents, ADA accommodations, and will be limited to single-family property owners. A portion of the FY 23 PayGo \$2.6 million funding allocation for sidewalk improvements, primarily used for filling sidewalk gaps, will be used to develop this program.

An M&C for removal of penalty provisions from City Code, Chapter 30, Article I, Section 30-1(b) will be presented at a future date.

If you have any questions, please contact Lauren Prieur, Interim Transportation and Public Works Director, at (817) 392-6035.

**David Cooke**  
**City Manager**