



POLICIES AND PROCEDURES MANUAL

SUBJECT Special Assessments, Sidewalk Improvements	DEPARTMENT Engineering		DEPARTMENT IDENTIFICATION 2800	
	SECTION 2806	PAGES 1-5	EFFECTIVE DATE 1/1/82	REVISION DATE 1/1/98

1.0 PURPOSE:

To describe the standard policies that are followed by the Engineering Department when a special assessment must be levied for new or replacement construction of sidewalks.

2.0 ORGANIZATIONS AFFECTED:

This policy applies to all City of West Allis departments, boards, commissions, and the general public.

3.0 POLICY:

It is the policy of the Engineering Department to follow a uniform policy when it is determined that a special assessment must be levied.

4.0 REFERENCES:

Chapter 66, Subchapter VII, Wisconsin Statutes.
Section 1.05, City of West Allis Revised Municipal Code.

~~5.1~~ **5.0** PROCEDURES:

~~5.2~~ **5.1** RESPONSIBILITY

The Engineering Department shall be responsible for administering the City's special assessment policies in its areas of responsibility.

~~5.3~~ **5.2** GENERAL POLICIES

~~5.3.1~~ **5.2.1** All sidewalks **that** are installed the same uniform width and thickness whether installed abutting residential, commercial or manufacturing property, so as a result, the assessment rate does not vary to reflect this higher type development as in other types of construction. However, where the City subsidizes a portion of the construction costs, as in the case of long sides abutting new sidewalk construction and both short sides and long sides when reconstructing sidewalks, we reduce the subsidization in an amount which results in the same percentage increase for commercial and industrial over residential property.

~~5.3.2~~ **5.2.2** In situations where a parcel is vacant, the zoning classification for the property shall determine its assessment category.

~~5.4~~ **5.3 GENERAL POLICIES - NEW SIDEWALKS**

~~5.4.1~~ **5.3.1** Sidewalks abutting properties containing all forms of development, residential, commercial or manufacturing are all assessed the entire short side frontage of the lot.

~~5.4.2~~ **5.3.2** The assessable footage for sidewalk abutting the long side of a parcel varies however, based upon the type of development. The following schedule outlines the percentage of assessable footage to be applied against various categories for new sidewalk construction.

Long Side Frontage

Residential	-	assess 20% of abutting frontage
Commercial	-	assess 50% of abutting frontage
Manufacturing	-	assess 60% of abutting frontage

~~5.4.3~~ **5.3.3** When applying an assessment against the long side of a property, any building containing more than three families is considered to be commercial. As the City's assessment policy originally provided that commercial and manufacturing sites be assessed 40% of their long side, the 50% and 60% presently being assessed are intended to reflect the City's graduated scale of 125% for commercial property (40% x 125% = 50%) and 150% for manufacturing property (40% x 150% = 60%) by using the original 40% assessment as the base.

~~5.5~~ **5.4 GENERAL POLICIES - REPLACEMENT AND MUDJACKING SIDEWALKS**

~~5.5.1~~ ~~All sidewalks 15 years of age and under shall be replaced by the City at no cost to the property owner. The need for sidewalk replacement shall be at the discretion of the City Engineer.~~

5.4.1 If in the City Engineer or designee's discretion that a sidewalk should be replaced, the City's repair of a sidewalk 15 years of age and under will have no cost to the property owner.

~~5.5.2~~ **5.4.2** The assessment policy for the replacement and mudjacking of sidewalks varies from that of new construction, in that the City in this case subsidizes the assessment applied along the short side of all parcels, as well as, the long side of corner lots. Because of this subsidization, we can now assess commercial and manufacturing property a greater benefit by reducing the City subsidy.

~~5.5.3~~ **5.4.3** The highest possible use (including transitional area) shall be applied to all vacant property.

~~5.5.4~~ **5.4.4** A parcel's transitional use shall be applied to vacant property in the annexation district.

~~5.5.5~~ **5.4.5** When applying an assessment for sidewalk replacement or mudjacking along the short side frontage of a parcel, all residential properties containing three dwelling units or less shall be considered residential, those with four or more dwelling units shall be considered commercial and the third category is manufacturing.

1. Short side frontage abutting residential property (3 families or less) shall be assessed for 50% of the sidewalk being replaced or mudjacked.

2. Short side frontages abutting multiple family dwellings containing 4 families or more, plus commercial sites, shall be assessed at 62-1/2% of the sidewalk being replaced or mudjacked.
3. Short side frontages abutting industrial sites shall be assessed at 75% of the sidewalk being replaced or mudjacked.

~~5.5.6~~ **5.4.6** When sidewalk is either replaced or mudjacked along the long side frontage of a parcel, all properties containing one, two, or three families are considered residential, those with four or more dwelling units are considered along with the commercial category, and again, the third is manufacturing.

1. Long side frontages shall be assessed at either 20% for residential, 50% for commercial or 60% for manufacturing, depending on the parcel's existing land use, or if the property is vacant, on its zoning classification. As the City's assessment policies originally provided that commercial and manufacturing sites were to be assessed at 40% of their long side, the assessment rates of 50% and 60% are intended to reflect the City's graduated assessment scale by utilizing the City's original 40% rate as the base rate.
2. Long side frontages abutting single family and two or three family dwellings shall be assessed for 20% of the abutting frontage.
3. Long side frontages abutting commercial sites shall be assessed for 50% of the abutting frontage.
4. Long side frontages abutting manufacturing sites shall be assessed for 60% of the abutting frontage.
5. Long side frontages abutting multiple family, commercial or manufacturing zoned property which is presently occupied by a single family or three family dwelling shall be assessed on the basis of existing land use.

~~5.4.8~~ **5.4.7** The following summation outlines the percentage of assessable footage to be applied against various categories of development for sidewalk replacement and mudjacking as described above.

Short Side Frontage

Residential	-	assess 50% of abutting footage
Commercial	-	assess 62½% of abutting footage
Manufacturing	-	assess 75% of abutting footage

Long Side Frontage

Residential	-	assess 20% of abutting footage
Commercial	-	assess 50% of abutting footage
Manufacturing	-	assess 60% of abutting footage

~~5.4.9~~ **5.4.8** Carriage walks replaced in conjunction with a random sidewalk repair or street resurfacing project shall be assessed as follows:

Residential	-	50% of sq. footage replaced
Commercial	-	62½% of sq. footage replaced
Manufacturing	-	75% of sq. footage replaced

5.4.10 **5.4.9** Service walks, interior driveway, and driveway approaches replaced in conjunction with a random sidewalk repair or street resurfacing project shall be assessed at 100% of the footage replaced.

5.4.11 **5.4.10** At no time shall any assessable footage be reduced to less than 20% of the actual footage replaced.

~~5.5 GENERAL POLICIES SIDEWALK REMOVAL CRITERIA RANDOM OR STREET REPAIR~~

~~5.5.1 Vertically Misaligned Slabs~~

- ~~a. A difference of greater than one (1) inch in elevation of adjacent sidewalk slabs, carriage walk slabs and service walk slabs.~~
- ~~b. A difference of greater than one and one half (1½) inches in elevation of adjacent interior driveway and over one (1) inch in elevation of adjacent driveway approach slabs.~~

~~Driveway approach repairs shall be done at minimal pavement disruption, i.e., saw existing curb at flow line and install driveway as per Standard Specifications, p. 6.65, fig. III A or, if possible, grind new curb flare.~~

~~When replacing driveway approaches, pavement condition shall be considered concerning possible future resurfacing or reconstruction.~~

~~5.5.2 Spalled~~

~~Loose or spalled concrete which has resulted in surface irregularities greater than one half (1/2) inch in depth relative to the sidewalk surface over more than one quarter (¼) of the sidewalk slab.~~

~~5.5.3 Cracked Slabs~~

- ~~a. Cracks which have resulted in a difference of elevation of one half (½) inch or greater.~~
- ~~b. More than one crack in a slab.~~
- ~~c. Longitudinal cracks one half (½) inch or wider.~~

~~5.5.4 Settled Walk~~

- ~~a. A settled sidewalk of one and one half (1½) inches or more over a ten (10) foot span. The depth of settlement will be determined by measuring parallel to the street on adjacent unsettled walk to the lowest point of the settled walk.~~
- ~~b. Settled sidewalk will not be considered a problem if there is drainage out of the settled area.~~

~~5.5.5 Heaved Walk at Trees~~

- ~~a. Walk slabs heaved three quarter (¾) inch or more due to tree roots: Walk will be removed, roots cut and removed, and walk slabs replaced. Walk slabs will be arched around larger trees as required to protect the tree.~~
- ~~b. Walk slabs heaved less than three quarter (¾) inch are scheduled for root sawing on contract (per lin. ft.) to impede further heaving.~~

~~5.5.6 One Slab Between Two Defective Slabs~~

~~a. If one sidewalk slab in good condition is located between one or more slabs to be removed on each side, the good slab will be removed except for condition described in (b).~~

~~b. This does not apply if good slab abuts other structures such as steps, service walks and carriage walks. Inspection judgement will determine extent of repairs in such areas.~~

~~5.5.7 Two Slabs with Two to Go on One Side, One or More on Other~~

~~a. Same as No. 6.~~

~~b. Three remaining slabs in good condition may be removed if moderately defective and between long sections of walk repair on each side.~~

~~5.5.8 Asphalt Shims~~

~~Concrete slabs within the City right of way that were corrected with asphalt shims shall be replaced. The asphalt shim on any good slabs shall be removed and the good slab preserved.~~

~~5.5.9 Additional Work Requested by Property Owners~~

~~Additional concrete replacement for slabs not meeting the above criteria shall be limited. No additional interior driveways, driveway approaches, or curb work will be added to the walk repair program. Property owners may add a minimal amount of additional walk replacement (6 slabs) if approved by the Engineer by signing a waiver for the full assessment amount.~~

~~5.6 TEN (10) YEAR SIDEWALK REVIEW PROGRAM~~

~~The Engineering Department will, within reason, provide safe walkways for pedestrians and protect the City from legal claims by maintaining a ten year sidewalk review and repair program. Each year, sidewalks within the designated area are walked and reviewed for defects. All defective sidewalk slabs in the designated area are replaced or mudjacked through a Capital Improvement contract.~~

5.5 GENERAL POLICY FOR ADDITIONAL SIDEWALK WORK

If sidewalk replacement is occurring at a property, the property owner may add a minimal amount of additional sidewalk replacement (6 slabs) if approved by the City Engineer and if the owner signs a waiver for the full assessment amount.