



**Engineering Department  
 City of Cudahy  
 5050 S. Lake Dr.  
 P.O. Box 100510  
 Cudahy, WI 53110-6108**

*PH: (414) 769-2212  
 Fax: (414) 769-2257*

January 20, 2016

Tax Key: 6339995000  
 Property Address: 5050 S. Lake Dr.

Property Owner John Smith  
 Street Address 5050 S. Lake Dr.  
 City, State, Zip Cudahy, WI 53110

Estimated Sidewalk Square footage to be replaced: 390.00  
 (Note: Typical Size of one Sidewalk Slab is approximately 30 Sq. Ft.)

Criteria: 5,5,2,2,2,2,2,2,2,2,2,1

Estimated Cost Short Side (subject to change) 5" Sidewalk \$360.00 , 7" Sidewalk \$0.00

Estimated Cost Long Side (subject to change) 5" Sidewalk \$765.00 , 7" Sidewalk \$243.75

Estimated Price per sq.ft. for 5" S/W > \$6.00 \ typical size per 5" sidewalk slab = 5'x6'  
 Estimated Price per sq.ft. for 7" S/W > \$6.50 \ typical size per 7" sidewalk slab = 5'x6'

**The estimated cost is based on the current cost of material, labor, and trucking and will change once the City receives and agrees on the Contractor bid amounts.**

Dear Property Owner:

The City of Cudahy is required to inspect sidewalk and walking surfaces for defects that may pose a hazard for pedestrians within the City right of way. Municipalities are required to inspect and repair walking surfaces within the right of way every 5 to 10 years. This does not include street pavement as rules regarding pedestrian use of a street are different than for a sidewalk. Your area was last inspected in 2006. Sidewalk defects are marked based on a set of criteria (see next page) established by the insurance industry. Within the past several years the City has experienced an increased amount of claims for trips and falls on the public sidewalk. Our insurance company has stated that the City does not have flexibility to disregard the criteria. In addition, if the City is replacing sidewalk the sidewalk must meet Federal law regarding the American with Disabilities Acts. Because of this, there will be no disputing the criteria used for removal.

You are receiving this letter because one or more sidewalk surfaces within the right of way have been marked by our inspectors. The blocks have been marked with a white circle/dot. The City will be hiring a contractor in the spring of 2016 to replace these surfaces. The contractor will be expected to do the work between spring and summer of 2016. After the contract is awarded to the contractor with the winning bid, the price per sq. ft. will be available by calling the number above. The actual price per sq. ft. will be available after April 15, 2016.

The City does not allow the property owner to replace the sidewalk unless the private contractor is licensed and bonded with the City. Licensing and bonding requires a minimum liability insurance coverage of 2,000,000 and previous experience working within municipal or state rights of way. The contractor will need to apply for a Right of Way Permit with the Engineering Department and pay all associated fees and deposits.

**If a property owner wants to hire their own private contractor, by Wisconsin State statutes, the work must be completed before the City's Contract is bid.**

The cost of the sidewalk replacement performed by the City is assessed against the abutting property as follows:

Non corner lots – abutting property owner pays 100% of cost of sidewalk replacement

Residential Corner lots/lots with multiple frontages – property owner pays 50%, City pays 50% on long side of the property, and property owner pays 100% on short side(s) of property

In addition, the paved area between the city sidewalk and the curb will be replaced as part of this project as well. This area is referred to as “the carriage walk”. The price will be the same as the 5" sidewalk price for the city sidewalk. The property owner may replace these areas of asphalt or concrete with topsoil, mulch and seed at **no cost to the property owner**. You must call and inform us if that is your request at 414-769-2212. Otherwise the concrete will be replaced at the bid price and you will be special assessed for it.

The City will send out invoices for the work sometime before October 1, 2016. The property owner has until November 1, 2016 to pay it in full. If not paid or not paid in full the balance will be split in two equal installments with the first installment placed on your 2016 tax bill and due with your first payment of your 2016 property taxes. The second installment will be placed on your 2017 tax bill and will be due with the first payment of your 2017 tax bill. There is interest of 4.3% charged to the unpaid balance after November 1, 2016.

We understand that people may be upset because they don't want to pay for the sidewalk but here are a few things to remember before you pick-up the phone and call the Engineering Department:

- **The Sidewalk assessment policy has been established for over 50 years and this policy can only be changed by a majority vote at the Council level.**
- **The sidewalk criteria used to determine if a sidewalk is hazardous was established by the insurance industry and it's the standard that is followed by almost every agency. The Engineering Department does not establish the criteria – we just follow it.**
- **The City has received an increased amount of claims in the last 8 years for slips & falls. Many of these claims are generated by insurance companies not individuals. The City has been able to defend against these claims as a result of the City's Sidewalk hazard reduction program.**

If you have additional questions regarding the sidewalk program please call the Engineering Office at (414) 769-2212.

## **Sidewalk Mud-jacking & Replacement Assessment Policy**

In order to sustain and improve safety within the City of Cudahy, the City of Cudahy has formulated the following policies regarding sidewalk replacement, based on consultation with neighboring municipalities, and the Cities' insurance carrier, Cities & Villages Mutual Insurance Company (CVMIC).

### **Criteria For Sidewalk Replacement**

1. All sidewalk slabs, including carriage walks and private walks located partially or fully within the City right-of-way which are out of vertical alignment by 3/4" or greater.
2. A crack greater than 1/4". If a segment with longitudinal cracks requires one or more slabs replaced, all slabs will be included.
3. Edges broken out or other "potholes" that reduce the effective width of the sidewalk by 3" or more over a length of 8" or more. The slab will be replaced if there is an open "mud-jacking" hole in the slab.
4. Spalled surface that totals 20% or more of the slabs surface.
5. Joints have an eroded condition and are 3/4" wide or greater.
6. Significant water is trapped on the surface.
7. The walk adjacent to the curb (carriage or service walks) has settled greater than 3/4" below the curb or adjacent sidewalk.
8. Slabs that do not have 1" or more of differential alignment but are raised or sunken 3" or more.
9. Slabs that must be removed in order to complete adjacent work according to engineering safety standards.
10. A slab having multiple defects even if the extent of the individual criteria is not met.
11. Walk slabs will be arched around larger trees to protect the trees.

PASSED AND ADOPTED this 23rd day of February, 2009, by the Public Works board of the City of Cudahy.

- No Mud-jacking will be allowed in the City of Cudahy Right of Way.
- Homeowners will be allowed to get a licensed-bonded contractor for concrete work done in the city right-of-way. The homeowner will be required to pay & obtain a right-of-way permit and provide barricades until the concrete slab has been allowed to cure for 24 hours and is backfilled. A City Engineering inspector must be contacted to schedule an inspection a minimum of 24 hours before pouring concrete in the city right-of-way.