

Bonita S. Davis, *Mayor*
(319) 334-2780

Albert W. Roder, *City Manager*
(319) 334-2780

Jeena Lynch, *City Clerk/Treasurer*
(319) 334-2780

Steven Leidinger, *City Attorney*



www.independenciaia.org

Council Members

Robert Hill, *At-large*

John Kurtz, *At-large*

Mike Hayward, *1st Ward*

Dennis Vaughn, *2nd Ward*

Michael O'Loughlin, *3rd Ward*

Debra Hanna, *4th Ward*

Carl Scharff, *5th Ward*

April 13, 2018

«Name»

«Attention»

«Address_1»

«Address_2»

«City», «State» «ZipCode»

RE: Ward 3 Sidewalk Repairs

Dear Property Owner,

Federal Code established by the Americans with Disabilities Act (ADA) requires that public sidewalks have no abrupt changes in level greater than ¼ inch and be at a 1 to 12 slope. To be in compliance with federal law and to increase safety and reduce liability for our residents, the City of Independence has implemented an ongoing Sidewalk Maintenance Program. Starting on Tuesday, May 29, 2018, Precision Concrete Cutting will be surveying the Third Ward of Independence to identify issues that need to be addressed. You have received this letter because your property lies within the area that will be surveyed.

To help keep costs in check, Precision Concrete Cutting has been retained to remove hazards where the panels have shifted but the concrete remains solid. By utilizing their sawing process to do repairs (rather than demolish and replace everything) the cost savings are very significant and done to ADA Standards. Examples of the company's work can be found next to City Hall and the Fire Department. These repairs were done in the summer of 2017 when Precision Concrete Cutting was asked to demonstrate their abilities.

Residents may choose to do repairs on their own, but we ask that the work be completed by Monday, May 28, 2018.

Remember: All walks must be built to city specifications (available on the city website or at City Hall) and the concrete forms must be inspected prior to pouring. Sidewalks will be surveyed on or around May 29th.

This year's repairs will begin in July. The Sidewalk Maintenance Program will continue to progress through remaining sections of the city over the next four years.

If you have any questions, please feel free to contact City Hall at (319) 334-2780.

Al Roder
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SIDEWALK PROGRAM INFORMATION

The City of Independence has undertaken to institute a comprehensive sidewalk inspection and repair program. The purpose of this program is to reduce or eliminate personal injury claims resulting from faulty and defective sidewalks. These claims are increasing annually throughout the State, both in number and in cost to property owners and cities.

While the City realizes that this sidewalk program may place a financial burden on some property owners, the City is pursuing this program in order to enhance pedestrian safety. In addition to safety concerns, the City believes this program will lessen the potential for liability claims against both property owners and the City.

According to a 1986 decision by the Iowa Supreme Court, Chapter 364 of the Iowa Code states that it is the responsibility of the property owner to maintain the sidewalk abutting their property in good repair and that it is the responsibility of the City to see that it is in good repair. Failure to do so creates increased liability exposure for both the private property owner and the City of Independence. The Sidewalk Program began in 2015 with the downtown business district and moved into Ward 1 in 2016, Ward 2 in 2017, Ward 3 in 2018, Ward 4 in 2019, and Ward 5 in 2020. This yearly cycle will repeat itself in an effort to continue to assure pedestrian safety.

Should the property owner opt to sign a waiver authorizing the City to reconstruct the owner's sidewalk, the sidewalk will be placed on a list for reconstruction. Upon completion of the repair, the property owner will be sent a bill of the actual cost of the repair. The property owner will have thirty (30) days to pay the billing without interest. If the bill is not paid within thirty (30) days, the amount will be certified to the County Treasurer to be added to the owner's property taxes, in which case, the total repair amount will be due and payable with their next tax payment due for that period.