

City of Foster City

Public Sidewalk Inspection and Maintenance Policy

Purpose and Goal

The goal of the Public Sidewalk Maintenance Program is the on-going safety of pedestrians and the on-going maintenance and appearance of sidewalks in Foster City in conformance with sections 5600-5630 of the California Streets and Highways Code and Chapter 11.08 of the Foster City Municipal Code.

Sidewalk Classification

~~The provisions of this policy shall apply~~^{ies} to all pedestrian accessways for which the City is responsible for maintenance, including sidewalks, park pathways and the levee pedway.

The California Streets and Highways Code Section 5600 defines “Sidewalk” to include park or parking strips maintained in the area between the property line and the street line and also curbing⁴, bulkheads, retaining walls or other works for the protection of any sidewalk or of any such park or parking strip. On sidewalks directly adjacent to City property, the City shall maintain all these areas.

“Pathways” ~~shall include~~^s any accessway whose primary use is for recreational, non- motorized use and which is constructed of asphalt over compacted soil. For the purpose of this policy, “pathway” generally refers to the paths in the interior of City-owned parks and the paved surface of the levee pedway.

City-maintained pedestrian accessways have been classified into two categories as follows:

~~1. High Traffic Areas (HTA).~~

~~2.1. High Traffic Areas~~¹ include sidewalks/pathways that are designated for on-going recreational use, including the levee pedway and park pathways. Other sidewalk or pathway segments may be classified as HTA’s by the Public Works Director or his/her designee.

~~3. Standard Traffic Areas (STA).~~

~~4.2. Standard Traffic Areas~~² include all sidewalks/pathways not designated as High Traffic Areas.

Mitigation/Repair Responsibility

The responsibility for the general condition of sidewalks in Foster City rests with the abutting property owners (California Streets and Highways Code Sections 5600-5630 and Foster City Municipal Code Chapter 11.08). When the City is the abutting property owner, the City is responsible for the general condition of the sidewalk. In cases where damage to the sidewalk is caused by public utility facilities such as electrical vaults, communication vaults, etc, the City may work with public utilities to coordinate repairs to sidewalks around their facilities.

⁴ ~~Although the Streets and Highways Code defines the curb as private responsibility, the City has retained responsibility for all curb repairs, because they are constructed as a single structure with the gutter.~~

The City is responsible for the following sidewalk/ pathways and related elements:

- Sidewalks immediately adjacent to publicly owned property (buildings, parks and infrastructure)
- Sidewalks/ Pathways within-a public parkss
- Levee pedway
- Sidewalks on a publicly owned bridges or the junction of a sidewalk / pathway with a publicly owned bridge.
- Curb returns (corner sidewalk section) at any intersection that includes at least one public street (public/public or public/private)
- Curb and/or gutter adjacent to any of the above or adjacent to private sidewalk sections

The City shall seek repayment for the cost of maintenance activities on areas of public responsibility when caused by private landscaping, facilities or activities.

Inspection and Inventory

The Public Works Department will maintain Aaan inventory of all City-maintained sidewalks and the levee pedway ~~will be maintained by the Public Works Department~~, which will include a history of inspections, construction and maintenance information. The Public Works Department shall ensure that all other City-maintained sidewalks and /-pathways that are not within or adjacent to City parks, and the levee pedway, are routinely inspected as outlined in this policy. -

The Parks and Recreation Department ~~shall~~will maintain an inventory of City-Maintained pathways, which will include a history of inspections, construction, ~~inspection~~ and maintenance ~~data for other City-maintained pathways~~information. The Parks and Recreation Department shall ensure that all park pathways and sidewalks within or adjacent to publicly owned parks are routinely inspected as outlined in this policy. ~~The Public Works Department shall ensure that all other City-maintained sidewalks /- pathways and the levee pedway are routinely inspected as outlined in this policy.~~ Parks and Recreation personnel shall report observations on the levee pedway and City maintained sidewalks ~~/-pathways~~ to the Public Works Department.

Inspections shall include the path of travel and related appurtenances, such as curbs, gutters, catch basins and related facilities.

All inspections shall be documented in a timely manner by the inspector or another on behalf of the inspector in a format and manner prescribed by the Public Works Director.

Reporting

- Inspectors. Public Works and Parks personnel conducting official inspections shall report their findings in a manner consistent with this policy and department protocol.
- Other City Staff. All City staff members are expected to be aware of and to report areas of sidewalk requiring maintenance or repair that they are aware of to the Public Works Director or his/her designee. The Public Works Director or his/her designee should take steps to ensure that all staff members, and especially field personnel, are aware of the sidewalk maintenance program and the types of conditions that should be reported.
- Public Concerns. Citizen concerns related to City-maintained sidewalks/ pathways will be documented by City Staff. City staff shall use its best efforts to investigate all concerns and perform a “make safe repair,” where appropriate, within two business days.

- Other Reportable Conditions. All personnel performing sidewalk inspections are reminded to be aware of any condition that may require maintenance, even if not related to sidewalks, and report it to the appropriate City staff member (for instance, the ~~Assistant Planner~~/Code Enforcement Officer) for follow-up.

Documentation

At a minimum, all sidewalk areas identified for repair shall be documented by date of report, date of subsequent mitigations and date of close-out. Documentation shall include at least three photographs -- one at time of report, one when the “make safe repair” or temporary treatment has been performed and one when the permanent repair has been made. The Public Works Director or his/her designee shall review documentation for completeness and appropriateness.

Priority

All sidewalk areas requiring repair will be assessed for priority by the Public Works Director or his/her designee and priorities will be adjusted as required.

When performing inspections, the City of Foster City shall consider the following as guidelines for minimum reportable conditions requiring mitigating action as outlined in this policy. Conditions reported that are less than these measurements may be mitigated or may be documented and watched at the discretion of the Director of Public Works or his/her designee.

| Reportable Condition | Concrete Pathways | Asphalt Pathways |
|---|---|---|
| Step Separations/ Root Mounds | $\frac{3}{4}$ " or greater | $\frac{3}{4}$ " or greater |
| Raised Sidewalk | 4" over 4 ft (any lift at a ratio of at least 1:12) | 4" over 4 ft (any lift at a ratio of at least 1:12) |
| Opening in Sidewalk (longitudinal or lateral with no step separation) | $\frac{3}{4}$ " or greater | $\frac{3}{4}$ " or greater |
| Spalling | $\frac{3}{4}$ " deep or greater | $\frac{3}{4}$ " deep or greater |
| Sunken Sidewalk | 2" over 4 ft (any depression at a ratio of at least 1:24) | 2" over 4 ft (any depression at a ratio of at least 1:24) |

A diagram of this information and how to measure it is located in Appendix A.

Areas likely to be frequented by individuals with mobility challenges, areas where an existing condition might be difficult to identify or areas that otherwise require immediate attention may be ~~addressed immediately~~given priority at the discretion of the Director of Public Works or his/her designee.

Mitigation Options

1. **Cold Asphalt (Cutback) Patching.** Cutback patching is effective as a temporary “make safe repair” measure to smooth the surface of the pathway if there are step separations or the surface is severely spalled or cracked. This alternative is used as a temporary treatment while

permanent repairs are being planned and implemented.

2. **Concrete or Asphalt Planing.** Planing (or grinding) is used to remove up to 2" of concrete to flatten out trip edges. Planing may be considered a long- term mitigation, without a scheduled replacement, at the discretion of the Public Works Director or his/her designee in the event that the cause of the sidewalk/pathway failure has been removed (e.g., if a tree that was lifting the sidewalk has been removed and no other landscaping in the area is likely to impact the sidewalk.)
3. **Replacement.** Replacement is the only permanent fix recognized by the City of Foster City when damage has occurred to a sidewalk/pathway. When replacing sidewalks or pathways, every effort will be made to remove the cause of the sidewalk failure and/or prevent a further occurrence.

Repair Timing

Inspectors shall immediately mark areas in need of repair on a public sidewalk/pathway with paint to caution pedestrians. If necessary, the inspector shall block access to the segment until repairs can be made.

Staff shall use its best efforts to perform "make safe repairs" within two business days on any areas meeting the minimum guidelines identified in the above chart.

Staff shall use its best efforts to complete the permanent repair of public sidewalk segments that meet the minimum guidelines identified in the chart above within 6 months of identification of the condition.

Staff Assignments

- ~~1. Public Works Engineer. An Engineer assigned by the Public Works Director shall have responsibility for the Sidewalk Maintenance Program, including overall program administration and oversight. This includes:~~
 - ~~• Establishing and maintaining contracts with vendors to provide sidewalk replacement and repair services at contractually agreed-upon prices.~~
 - ~~• Conducting staff training on relevant aspects of the program.~~
 - ~~• Managing and maintaining damage and repair information in a program database including inspection records, repair records, and other program documentation.~~
 - ~~• Determining whether maintenance responsibility lies with the City or a private owner.~~
 - ~~• Following-up with staff to ensure that cases are closed expeditiously.~~
 - ~~• Interfacing with the Streets Public Works Superintendent and the Parks Superintendent to ensure that inspections are carried out, maintenance/repair schedules and complaint logs/work orders are maintained and contracts with vendors are procured.~~
 - ~~• Interfacing with the Risk Manager regarding claims.~~
 - ~~• Interfacing with all other staff on issues related to sidewalks in Foster City.~~
- 2.1. Public Works Streets Public Works Superintendent Division. The Public Works Superintendent in charge of streets shall be responsible for:
 - Overall program administration and oversight
 - Establishing a regular inspection program for the levee pedway and City- maintained sidewalks not within or immediately adjacent to City parks.
 - Establishing and maintaining contracts with vendors to provide sidewalk replacement and

repair services at contractually agreed-upon prices.

- Conducting staff training on relevant aspects of the program.
- Managing and maintaining damage and repair information in a program database including inspection records, repair records, and other program documentation.
- Determining whether maintenance responsibility lies with the City or a private owner.
- Following-up with staff to ensure that cases are closed expeditiously.
- Interfacing with the Risk Manager regarding claims.
- Ensuring that inspections and maintenance/repair activities are reported by staff.
- Ensuring that **“make safe repairs”** and **permanent** repairs are made on City-maintained sidewalks, ~~sidewalks immediately adjacent to public parks, and the levee pedway in accordance with this policy.~~
- Coordinating permanent repair of sidewalks adjacent to parks with Park Division to ensure that the cause of the damage has been permanently mitigated prior to repair.
- Interfacing with all other staff on issues related to sidewalks in Foster City.

3.2. Parks Superintendent Division. ~~_____ A Parks Superintendent appointed by the Director of Parks and Recreation shall be responsible for:~~

- ~~Establishing~~ Conducting a regular inspection ~~programs for of parks~~ pathways and sidewalks within and immediately adjacent to public parks.
- Ensuring that inspections and maintenance/repair activities are ~~reported~~ recorded by staff.
- Reporting survey findings related to sidewalk conditions immediately adjacent to public parks to the Streets Public Works Superintendent.
- Identifying alternatives to tree removal, such as but not limited to permanent root intrusion measures, to prevent future damage to City sidewalks and preserve the on-going stability and health of City trees.
- Removing trees where root intrusion has caused failure of a sidewalk within the City's responsibility to repair and where no alternative, permanent mitigation is feasible.
- ~~, such as root pruning as an alternative to complete removal~~
- Reporting areas requiring repair observed on the levee pedway to the Streets Public Works Superintendent.
- Ensuring that **“make safe repairs”** and **permanent repairs** are made on parks pathways in accordance with this policy.

3. Risk Manager.

- ~~The Risk Manager shall be responsible for w~~Working with the Public Works Director or his/her designee to gather information related to claims.

Interpretation

The timing and scope of sidewalk, pathway and curb rehabilitation will be planned at the discretion of the Public Works Director or his/her designee, or the Parks and Recreation Director in relation to park pathways, within the scope of this policy, to maintain the City of Foster City's City-maintained sidewalks, pathways and curbs in a safe and attractive condition.

Attachment

Appendix A: Sidewalk Repair Guidelines Diagram

Appendix A

Sidewalk Repair Guidelines Diagram

