



**Chapter
8**

**Maintenance
Issues**



*...foot
notes...*

The California Streets and Highways Code Section 5610-5618 states, in part:

When any portion of the sidewalk is out of repair or pending reconstruction and in condition to endanger persons or property or in condition to interfere with the public convenience in the use of such sidewalk, the superintendent of streets shall notify the owner or person in possession of the property fronting on that portion of such sidewalk so out of repair, to repair the sidewalk.



Maintenance should also include graffiti removal and vegetation control (which will limit cracking as well, especially in asphalt).

A facility originally designed to be safe, walkable, accessible and connected, may become unsafe, unwalkable, inaccessible and disconnected if it is not properly maintained. Though most walkway surfaces are made of concrete, they can age and disintegrate over time. San Diego’s mild weather rarely causes freeze/thaws that severely crack concrete walks. Older sidewalks were often scored in a tight grid pattern that relieved surface cracks and the craftsmanship was often very high. Walkways built over the past 25-40 years were rarely scored in a grid pattern and often had surface cracks that allowed for water penetration that eventually results in failure of the concrete walkway. The primary sources of damage, however, are often subsidence of the base materials, cracking from heavy equipment or lifting of the concrete by tree roots. All of these conditions can create a trip hazard, make a walkway inaccessible to those in wheel chairs or with difficulty in seeing these trip hazards or lifting their feet high enough to avoid tripping. The age of walkways throughout San Diego, however, is a major cause for concern. The backlog of repairs is substantial and the willingness of private property owners to responsibly pay for walkway maintenance and repair, is very low. New strategies, policies and private / public partnerships will be required to address this major problem.

8.1 CITY OF SAN DIEGO STREET DIVISION SIDEWALK MAINTENANCE POLICY

The City is responsible for monitoring the maintenance of more than 5,000 miles of sidewalk. The City repairs damage caused by vehicle crashes, water main breaks, natural subsidence and street trees within the City’s right-of-way. Normal wear and tear or damage due to age is the responsibility of the homeowner. However, due to the lack of private property owners involvement in maintaining and repairing their sidewalks, clarifications are needed in the policy.

8.2 SIDEWALK MAINTENANCE PROCEDURES

Most property owners and tenants assume it is the City’s responsibility to repair damaged sidewalks, so they often ignore the problem or call the City to fix it. They are unaware of the California State law (see foot notes to the left) that the City of San Diego has the ability to enforce the responsibility for the repairs on the adjacent property owner. The typical process of sidewalk repair starts with notification of a repair need. Generally, a resident (or a City employee in the normal course of field duties) notifies the City’s Street Division about sidewalk maintenance issues and a supervisor inspects the location to determine the cause of the damage. To limit liability and increase safety, the City has generally dealt with sidewalk complaints not by assigning responsibility, but by removing the hazard as soon as possible, even if the repair is only temporary.

Many cities use one inch as the guidance for when a deflection may constitute a trip hazard. However, problems with trip hazards may be more likely to start at half an inch. The efforts by Street Division have been primarily based on accessibility slope standards, which is why the practice of patching between lifts with asphalt has been mostly replaced with “slicing,” a process of grinding down an uplifted area to bring it into conformance with ADA/Title 24 slope requirements. The slicing must leave at least two inches of concrete for the sidewalk to remain resistant to further breakage. As of November 2005, there was a two-year backlog for sidewalk repairs not related to City street trees (which has a five year backlog). Repairs have been prioritized based on a damage rating system, consideration of the amount of pedestrian traffic at the location and the date of the report. Currently, if a property owner must repair and replace a significant portion of the sidewalk, they are required to obtain a permit from Development Services at a cost of approximately \$500, which is used for plan-check and inspections. This fee is not required for sidewalk repair that is the responsibility of the City or if addressed under the 50/50 Cost Sharing Program.



Walkways can deteriorate quickly once surface cracks have formed and water / weather changes leverages these cracks apart.

Steps that can be taken ...



• A more aggressive role in requiring the adjacent property owner to repair damaged walkways or missing sidewalks adjacent to their properties should be taken.

• The 50 / 50 program (and other related programs) should refine their policies and procedures to allow for cost savings resulting from larger blocks of repair and curb ramp improvements. Whenever inspections are done or when applications to the 50 / 50 program are made, an effort should be taken to identify other needs in the immediate neighborhood, contact neighbors with these damaged or missing sidewalks and try to extend the area of improvements related to each repair project.

• It should be an important goal to allow property owners to leverage existing city contractor agreements with reasonable unit costs of repairs, splitting fees with neighbors and combining other funding sources such as CDB G, the 50/50 program and the sidewalk CIP program with private investment.

8.3 50/50 COST SHARING PROGRAM

Though property owners are responsible for repair or replacement of damaged sidewalks the City will split the cost of sidewalk repairs as part of the 50/50 Cost Sharing Program. To qualify, the area to be repaired must be at least 75 square feet of old and deteriorated sidewalk, not including the section of sidewalk directly behind the driveway entrance. The fee is on a per square foot basis and has been the same for all neighborhoods. As of November 2005, the waiting period for sidewalk replacement was approximately 240 days.

8.4 MAINTENANCE FUNDING

Certain segments along streets where sidewalks do not exist, and where the adjacent property owner has never developed the property (or has not redeveloped or renovated the property), may qualify for local funds or state funds for constructing these missing segments. CIP 52-715.0 has an annual allocation for this purpose. Projects eligible for this funding are prioritized using the Sidewalk Evaluation Guidelines and Needs Form. The recent reauthorization of TransNet and the latest update to the Regional Transportation Plan, Mobility 2030, should ensure that higher levels of funding will be allocated to maintenance. Community Development Block Grant (CDBG) funds can be used for missing or damaged pedestrian ramps citywide since many of those with some form of physical challenge were often of lower economic means and these individuals need to access all parts of the City. There is currently a six-year backlog for the installation of curb ramps. An update of the ADA Transition Plan is intended to ensure that those areas that meet accessibility priorities (areas within walking distance of transit, public facilities, churches, retail stores, etc.) receive a high priority. Other sources of funding are critically needed for on going pro-active maintenance and inspection in addition to repairs and replacements.

8.5 MAINTENANCE RECOMMENDATIONS

Existing and future transition plans and priority lists should be closely reviewed by the Street Division so that they can match departmental priorities with those of Disability Services. These lists are also being made available to Development Services to assure that projects under their review are required to make sidewalk and accessibility improvements next to their property or on their block.

The City should enforce the property owner’s responsibility for sidewalk maintenance and notify property owners of their liability if repairs are not made. If these items are not corrected, the City should consider making the repairs and assessing the property owner as a supplement to their property taxes. It should be noted that previous efforts have met with difficulty in implementing a mechanism to collect the funds, and Street Division has therefore continued to collect funds before performing repair work. When walkways with safety issues are known, the City should inspect and notify property owners of their obligation. At the same time, City crews should inspect the neighborhood to find other existing conditions where sidewalk maintenance is needed. Accessibility issues should also be investigated and missing sidewalks and pedestrian ramps noted.

Sidewalk maintenance will continue to be a significant issue because many pedestrian facilities have fallen into disrepair while most of the City has been built out. This severely limits the availability of new development funding for sidewalk repairs and places the burden of permanent repairs upon private property owners, most of whom may be unaware, according to state law, that they are responsible for the condition of the sidewalks adjacent to their properties. Due to the complexity of the problem, this PMP can not define a final solution. However, at a minimum, the City’s Sidewalk Maintenance Policy should be revisited.