



## SIDEWALK AND PATHWAY MAINTENANCE PROGRAM INFORMATION GUIDE

In the interest of promoting safe pedestrian travel, the Township has adopted an ordinance (Section 16-25 of the Code of Ordinances) that requires defective sidewalks or pathways to be maintained and repaired by the adjacent property owner. Additionally, under the Americans with Disabilities Act, the Township's Sidewalk and Pathway Maintenance Program identifies defects and implements repairs to ensure that the sidewalks and pathways meet federal guidelines. The following questions and answers provide a clear explanation of the Sidewalk and Pathway Maintenance Program.

### **On what basis did the inspector find my sidewalk or pathway to be defective?**

The inspector decides which areas are defective and in need of repair or replacement by utilizing the following list of established standards:

- The sidewalk or pathway is broken, chipped, has deteriorating cracks, or an uneven grade.
- The surface area of 25 percent or more exhibits signs of pitting, spalling, or popping.
- The sidewalk or pathway slopes away from the street causing water to pond on the surface or there are signs of ponding water.
- The sidewalk or pathway sections have a vertical differential from adjacent walk grades of 1 inch or more. Reasons for grade differences include but are not limited to tree lifts, ground settlement, or frost heaving.
- The sidewalk or pathway has excessive cracks with pieces less than two feet in any direction.
- The sidewalk or pathway has an excessive slope exceeding 1 inch per foot.
- The sidewalk or pathway has a depression or hole in the surface exceeding a depth of 1 inch and a diameter of 3 inches.
- The sidewalk or pathway exhibits rutting, significant wear, or deformation causing grooves or depressions in the surface exceeding a 3/4-inch depth or 6 inches in width.
- The edge of the sidewalk or pathway has deteriorated and is crumbling with a width exceeding 2 inches.
- Joint failure is evident.
- Other conditions are causing an unsafe surface in the opinion of the Township engineer.



## What if I disagree with the findings of the Township?

Property owners may contact the Township Engineering Consultant, Anderson, Eckstein and Westrick, Inc., at 586-726-6695 or email [sidewalks@macomb-mi.gov](mailto:sidewalks@macomb-mi.gov) for questions and concerns regarding clarification.

## How do I know which areas of sidewalk or pathway need replacement?

Any sections of sidewalk or pathway that are identified as defective as part of the Sidewalk and Pathway Maintenance Program are marked in pink by the inspector.

## What options do I have to make the necessary repairs?

If you have received a notice requiring repairs, you may do one of the following.

- Complete the repairs yourself.
- Hire a private contractor to complete the repairs.
- Use the Township's contractor to complete the repairs following the instructions in the notice.

## If I choose to make the repairs myself or hire a private contractor, are there specifications to which the work must conform?

Yes, the work must conform to Township and ADA standards. If a homeowner or private contractor is not familiar with these standards, they may call the Township's Engineering Consultant, Anderson, Eckstein and Westrick, Inc., at 586-726-6695 or email [sidewalks@macomb-mi.gov](mailto:sidewalks@macomb-mi.gov) to verify requirements. Once the repairs are completed, contact Anderson, Eckstein and Westrick, Inc. at 586-726-6695 or email [sidewalks@macomb-mi.gov](mailto:sidewalks@macomb-mi.gov) to arrange for an inspector to verify that the work is complete.

## Are permits required?

Permits are required for homeowners and/or their private contractors for repairing sidewalks. You must obtain permits before any work begins. For areas greater than 100 square feet, a permit must be obtained from the Building Department. A Building Permit Application is available at <https://www.macomb-mi.gov/174/Permit-Applications>. For areas less than 100 square feet, a permit is required from the Macomb County Department of Roads (MCDOR). A permit application can be found on the MCDOR website at the following web address <https://www.macombgov.org/departments/departments-list/permits>.

## Can the concrete be raised?

The concrete may be raised only in situations where the slab is tipped and does not involve other defects. Raising the slab without prior Township approval is at the homeowner's risk.



**If there are trip hazards, can the edge be ground down?**

Trip hazards less than 1inch can be ground down on 6-inch-thick flags of sidewalk and pathways. We caution that the majority of sidewalks and pathways are less than 6 inches thick. The cross slope of the ground sidewalk or pathway shall not exceed 2 percent.

**What happens if tree roots cause the sidewalk or pathway problem?**

Tree roots are the responsibility of the property owner. Any sidewalk or pathway damage resulting from tree roots requires repair by the property owner, along with removing any tree roots that would interfere with the replacement of the sidewalk or pathway. If you use the Township's contractor to make repairs, tree root removal is included.

**Will Macomb Township remove a tree that is damaging my sidewalk or pathway?**

Macomb Township does not remove trees from the public road right-of-way or private property.

**What happens if a home's sewer lead or water service causes a sidewalk or pathway defect?**

Any sidewalk or pathway defect relating to the property owner's sanitary sewer lead, water shut-off valve or water service is the property owner's responsibility.

**What if there is a manhole within the sidewalk or pathway that caused the defect?**

If the Township determines that a public water or sanitary sewer manhole caused the defect, the Township may opt to pay for the necessary repairs. Such determination is made on a case-by-case basis. The Township will not pay to repair defects that are related to manholes or other structures that are owned by other agencies. These repairs will be the property owner's responsibility.

**Can additional portions of the sidewalk or pathway be replaced at the same time by the Township's contractor and be paid for as part of the Sidewalk and Pathway Maintenance Program?**

No. Work by the Township's contractor is limited to defects identified as part of the Sidewalk and Pathway Maintenance Program. The property owner can however contract with the Township's contractor separately to make any additional repairs outside of the project limits provided that the proper permits are obtained.

**Who is responsible for payment of the required work if I intend to sell the property, or if I am in the process of selling the property?**

The owner of record at the time of the notice is responsible for payment. Also, the owner of record is responsible for notifying future property owners or title companies of said repairs and providing them with this information packet.



## **Whose responsibility is it where the sidewalk or pathway crosses the property line?**

Property lines are determined by using available resources such as irons, markings or fence lines. In the event of an error, the Township will remeasure upon notification from the property owner.

## **How long do I have to repair my sidewalks and/or pathways?**

A property owner has 90 days from the date of notice regarding the defect to complete the repairs and notify the township that the work is complete per the notice. If notice is not provided to the township within 90 days, the repairs will automatically be completed by the township's contractor with resulting costs and administrative fees assessed to the property.

## **Will my lawn need to be restored after the work is completed?**

Yes. If you choose to use the Township's contractor, the repair cost includes seeding and mulching restoration. Depending on weather, restoration may be delayed until the following spring.

## **What about lawn sprinkler systems?**

The contractor will work to avoid damage to lawn sprinkler lines. It is beneficial to mark all sprinkler heads and lines before work. The contractor will restore any damage to the sprinkler system done by the contractor.

## **Where will I park my car during the replacement of sidewalk or pathway across my driveway?**

Residents are allowed to park along the road when sidewalk or pathway is replaced across their driveway. If your vehicle is parked in the driveway when the contractor is ready to begin work, they will knock on the door and ask you to park along the road. The contractor generally drops off barricades along the road the day before beginning work on a specific road.

## **How long before I can drive on the concrete in my driveway?**

You may walk on the concrete 24 hours after pouring. However, do not place a vehicle on the pavement for at least seven (7) days.

## **How can I pay my invoice?**

You can pay by cash or check to the Township Treasurer's office located at 54111 Broughton, Macomb Township MI 48042. You can also pay online by credit, debit, or ACH (using your banking information). Please note, there is an additional 3% processing fee for credit/debit card payments.

## **Who should I contact if I have any other questions?**

Direct all questions to the office of the Township's Engineering Consultant, Anderson, Eckstein and Westrick, Inc., attention Jack Fox at 586-726-6695 or email [sidewalks@macomb-mi.gov](mailto:sidewalks@macomb-mi.gov).