



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#20-0464

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Chris Lagerbloom, ICMA-CM, City Manager

DATE: June 16, 2020

TITLE: Ordinance Amending Chapter 25 of the City Code of Ordinance to Allow the City Manager to Determine Sidewalk Repair Needs and Responsibility of Said Repairs and to Specify the Limited Conditions Under Which the Abutting Property Owner is Responsible for Sidewalk Repairs or Replacement - **(Commission Districts 1, 2, 3 and 4)**

Recommendation

It is recommended that the City Commission approve on first reading an Ordinance amending Sections 25-56, 25-58, 25-59, 25-60, and 25-61 of the City's Code of Ordinances to allow the City Manager, to determine sidewalk repair needs and responsibility of said repairs and to specify the limited conditions under which the abutting property owner is responsible for sidewalk repairs or replacement.

Background

City staff receives numerous requests from homeowners for sidewalk repairs that are within the public rights-of-way. However, the current ordinance places the responsibility for constructing or reconstructing, maintaining and keeping in good repair uniform and substantial sidewalks on the owner of the abutting property. Many owners find themselves unable to make repairs at their expense for several reasons including, but not limited to, hiring a licensed contractor, and other intricacies of permitting and inspections requirements. Additionally, there is a chance of repairs not been made according to professional design and construction standards, resulting in premature failures, which could expose the City to increased liability.

As almost all sidewalks are constructed with the public rights-of-way or special easements and are used by public at large, Staff believes it is only appropriate to treat the sidewalk repairs the same as potholes on a roadway within the public rights-of-way. As such, the change to the ordinance involves the City taking over the replacement and repair of sidewalks, except when the City Manager (or designee) determines that the abutting property owner has done something to damage the sidewalk – i.e., construction, illegal planting of trees, etc.

Resource Impact

There is no current fiscal year impact to the City for this request. Future years' expenditures are contingent upon approved annual Operating and Community Investment Plan Budgets.

Strategic Connections

This item is a *Fiscal Year 2020 Commission Annual Action Plan* priority, included within the Stormwater Management Master Plan: Implementation.

This item supports the *Press Play Fort Lauderdale 2024* Strategic Plan, specifically advancing:

- The Infrastructure Focus Area
- Goal 2: Build a multi-modal and pedestrian friendly community.
- Objective: Improve roads, sidewalks, and trails to prioritize a safer, more walkable and bikeable community.

This item advances the *Fast Forward Fort Lauderdale 2035* Vision Plan: We Are Connected.

Attachment

Exhibit 1 – Ordinance

Prepared by: Jason Snifeld, Public Works

Department Director: Raj Verma, Director – Public Works