

COMMON COUNCIL OF THE CITY OF HOBART, INDIANA

RESOLUTION NO. 2024- 07

A Resolution to Amend the 50/50 Sidewalk Program Policy, reestablishing it as the Sidewalk Reimbursement Program in the City of Hobart, Lake County, Indiana

WHEREAS, the Common Council ("Council") of the City of Hobart ("City") desires to continue to provide an economic incentive for the repair and rehabilitation of public sidewalks adjacent to private property that are in disrepair; and

WHEREAS, the Council, previously enacted Ordinance 2009-01 on January 7, 2009 which established the non-reverting 50/50 Sidewalk Fund for use by the program, and amended said Ordinance by Ordinance 2024-17, adopted on June 5, 2024 to expand the program and continue the efforts to improve City sidewalks; and

WHEREAS, the Council sees a need to clarify and reestablish the policy related to the Sidewalk Reimbursement Program as intended to provide property owners a partial reimbursement for the removal and replacement of sidewalks in the public right-of-way;

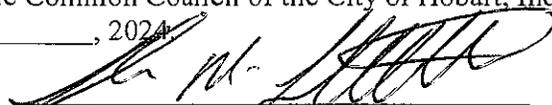
NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Hobart, Indiana as follows:

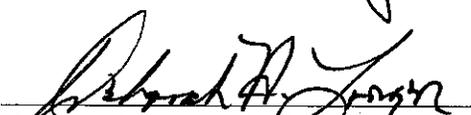
SECTION ONE. That the previous policy adopted by the Council on January 7, 2009 regarding the former 50/50 Sidewalk Program shall be replaced in its entirety with the policy guidelines and application process attached entitled "City of Hobart Sidewalk Reimbursement Program".

SECTION TWO. That this Resolution and the policy itself does not amend or in any way conflict with the adopted Council Ordinance 2009-01 and its amendment under Ordinance 2024-17.

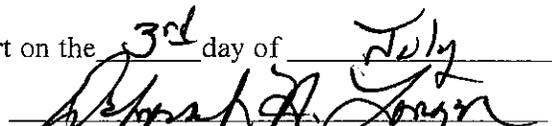
SECTION THREE. That due to the limited construction season available, the Council deems an emergency exists for the immediate taking effect of this Resolution, the same shall be in full force and effect from and after its passage and approved by the Mayor of the City of Hobart or as soon thereafter as provided for by law.

ALL OF WHICH is ADOPTED as the resolution of the Common Council of the City of Hobart, Indiana on this 3rd day of July, 2024.

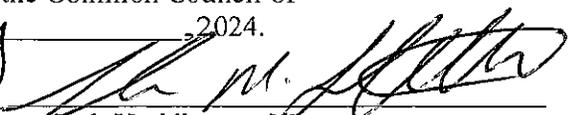

PRESIDING OFFICER

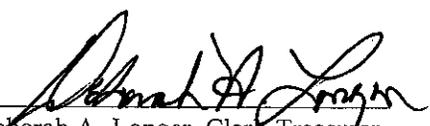
ATTEST: 
Deborah A. Longer, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart on the 3rd day of July, 2024 at the hour of 6:45 P.M.


Deborah A. Longer, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City of Hobart on this 3rd day of July, 2024.


Josh Huddleston, Mayor

ATTEST: 
Deborah A. Longer, Clerk-Treasurer

CITY OF HOBART
SIDEWALK REIMBURSEMENT PROGRAM

The sidewalk reimbursement program (hereinafter referred to as "program") provides property owners (hereinafter referred to as "owners") the opportunity to receive partial reimbursement for the cost of removal and replacement of sidewalks in the public right-of-way.

The amount reimbursed by the city shall be the lesser of:

- Fifty percent of approved contractor's estimated itemized costs, or
- Fifty percent of applicable itemized costs of the current year's awarded Annual Street Paving contract.

Note: Differing specs will be considered separately and reimbursed accordingly.

The city determines annually whether the program will be offered based on funding availability.

Qualifications:

Owners must apply for the program and receive pre-approval as part of the requirements to be eligible for partial reimbursement. If an owner replaces the sidewalk in the public right-of-way without applying and receiving pre-approval, there shall be no reimbursement from the City to the owner.

Sidewalks located on the owner's private property and driveway aprons within the public right-of-way do not qualify for this program. The program is limited to existing sidewalks within the public right-of-way; the main public sidewalk (including that portion within a driveway), the courtesy walk (which runs perpendicular from the main sidewalk to the curb), and landing steps (the small strip of concrete sometimes found adjacent to the curb).

EXCEPTION: Replacement of concrete on private property, necessary for transition purposes only, will qualify for the program if the concrete adjacent to a new main public sidewalk is not going to be replaced privately by the owner. Such concrete replaced on private property shall be no more than one-foot in length and will merge the grades of the intersecting pieces, eliminating any tripping hazards.

There is no maximum allowable amount of sidewalk that can be replaced, however, if the application amounts exceed funding availability, the City of Hobart retains the right to prioritize applications with hazardous sidewalks having preference over cosmetic repairs.

The owner's chosen contractor must obtain a right-of-way permit; however, the associated fees will be waived. The right-of-way permit must be obtained as part of the requirements to be eligible for partial reimbursement. The City of Hobart cannot guarantee the resolution of existing drainage issues by participation in this program.

Application:

Owners interested in participating in the program must submit the program's application form available in the City Engineer's Office and on the City's website: www.cityofhobart.org. Said forms shall contain information including but not limited to the following:

- a. Owner's name and phone number
- b. Owner's email address
- c. The estimated length, width & square footage of the sidewalk to be replaced
- d. Owner's signature and date

Owners must engage a contractor licensed by the City of Hobart to provide an estimate and perform the necessary work. The estimate shall only contain work within the right of way. Any

private work being performed by the contractor, and being privately paid for by the owner, is not included in this program and shall not to be included on the estimate. The owner must submit the estimate for right of way work with the application.

Pre-Construction Site Evaluation and Verification:

Upon owner's submittal of application and estimate, a designee of the City Engineer will evaluate and verify the site and compare findings with the owner's application and contractor's estimate. If the on-site findings agree with the application and estimate, a pre-approval and replacement agreement will be prepared.

Pre-approval & Replacement Agreement:

The Pre-approval and Replacement Agreement (herein referred to as "the agreement", sample attached as Exhibit "A") will be given to the owner for signature and submittal to the city. Once the executed agreement has been submitted, a permit for work as listed on the agreement may be obtained to begin construction.

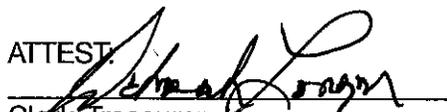
Post Construction Evaluation & Reimbursement to Owners

Upon completion of work and owner's submittal of the contractor's invoice, the city will perform a post construction evaluation for confirmation of the program's final requirements; a pre-pour inspection was performed and sidewalks have been installed per Hobart City Standards (Rev. 2-12-13) & INDOT Section 502 specifications. If the post construction evaluation is acceptable and all requirements have been met for the replacement of sidewalk as listed on the agreement, a reimbursement payment will be processed within 60 days and will be paid directly to the property owner in the amount listed on the agreement. If the site fails the post construction evaluation, no monies will be reimbursed to the owner.

This Policy Reviewed and Adopted by the Common Council of the City of Hobart, Indiana
this 3rd day of July, 2024.



Presiding Officer

ATTEST


Clerk-Treasurer