



Sidewalk Repair Reimbursement

Dallas City Code Section 3.500

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|-------------------|
| Official Use Only |
| Date Rec'd _____ |
| File No. _____ |

The City of Dallas Public Works Department reviews and approves all requests for reimbursement for sidewalk repair. The City has limited funds for sidewalk repair, and will reimburse a property owner half of the cost of repair, or \$500, whichever is less, as long as the repair is made satisfactorily and a copy of an invoice marked "paid" is presented and determined to be reasonable by the City. An encroachment permit is required prior to beginning repairs. Proof of repair cost (City of Dallas Sidewalk portion to be highlighted), and proof of payment must be attached to the application.

Please submit to the City of Public Works Department, Dallas City Hall, Second Floor, 187 SE Court Street, Dallas, Oregon 97338.

Property Owner:

Site Address:

Phone Number:

Mailing address:
(if different from mailing)

Email Address:

Description
of repair:

Cost of Sidewalk
repair:

(Please attach invoice and proof of payment)

Has the City of
Dallas notified you
to repair this area?

Property Owner
Signature(s):

Date:

Date:

**Please return completed form to: Public Works Dept.
187 SE Court Street
Dallas, OR 97338
503.831.3559**

megan.johnson@dallasor.gov

Dallas City Code Section Sidewalks and Driveway repair

3.500 Definition

For purposes of sections 3.505 to 3.535, the following definitions shall apply:

“Owner” means the person in whose name real property is assessed for tax purposes according to the latest assessment roll in the office of the Polk County assessor.

“Sidewalk” means the concrete, asphalt, brick, paving stone or other hard surface area between the back of the curb and the owner’s property line.

[Amended by Ordinance No. 1783, passed August 3, 2015]

3.505 Duty To Repair

The owner of real property adjacent to or abutting on a public sidewalk, driveway, or retaining wall shall maintain the sidewalk, driveway, or retaining wall in good repair and free of hazards.

3.510 Liability For Sidewalk Injuries

The owner of real property abutting a sidewalk is liable to any person injured because of failure by the owner to maintain the sidewalk in good repair or safe condition.

If the city is required to pay damages for an injury to any person caused by the failure of an owner to maintain a sidewalk in good repair or safe condition, the owner shall reimburse the city for the amount of damages paid, and for the attorney fees and costs of defending against the claim for damages. The city may maintain an action in a court of competent jurisdiction to enforce the provisions of this section.

3.515 Permit Specifications And Fees

All sidewalks shall be constructed or repaired in accordance with specifications established by the city, a copy of which shall be available for public inspection in the office of the director of public works.

No person shall undertake the construction or repair of a public sidewalk within the city without first obtaining a permit from the director of public works.

At the time the permit for construction or repair of a sidewalk is applied for, the applicant shall pay a permit fee set by resolution.

[Amended by Ordinance No. 1662, passed March 20, 2006.]

3.520 Notice To Construct, Alter, Or Repair Sidewalk

When the city manager, or the city manager's designee, determines that a sidewalk needs construction, alteration, or repair, the city manager or the city manager's designee shall issue a notice.

The notice shall require the owner of the property abutting the sidewalk to complete the work specified in the notice within a period of time, not less than 30 days. The notice shall also state that if the work is not completed by the owner within the specified period of time, the city may complete it and assess the cost against the property abutting the sidewalk.

The notice shall be served personally upon the owner of the property abutting the sidewalk, or the notice may be served by certified mail, return receipt requested. If after diligent search the owner is not discovered, a copy of the notice may be posted in a conspicuous place on the property, and such posting shall be considered to have the same effect as personal service of notice upon the owner of the property.

The notice shall include a notice of the right to appeal, as provided in section 3.523.

The person serving the notice shall file with the city manager a return of service, reciting the time, place, and manner of service.