

# SIDEWALKS IN TACOMA

By Dana Brown, Public Works Engineering, City of Tacoma

Sidewalks in the City of Tacoma are an integral part of its transportation network/system and, thus, it's important that they are maintained in a safe, usable condition. A property owner in the City has the maintenance responsibility for sidewalk abutting their property. Because many sidewalks in the City are near the end of their service life, replacing them represents a major investment by the property owners. A damaged sidewalk can pose a hazard to pedestrians and it may result in a financial claim against the property owner. The City will notify property owners when it receives a report about a potentially unfit/unsafe sidewalk. While the City has limited means to financially assist with the replacement of unfit/unsafe sidewalks, it does provide property owners with assistance to help with the "how-to" of replacing sidewalks.

## What is an unfit or unsafe sidewalk?

In general, sidewalks with sections that are sunken, lifted up, or have areas with large cracks are considered unfit or unsafe; sidewalks that have a poor appearance, but are otherwise physically sound, are not considered unsafe.

Typically, sidewalk damage is caused by tree roots, settling of the ground under sidewalks, vehicles parked illegally on sidewalks, and age.

## Who maintains sidewalks in the right-of-way?

Some City property owners are surprised to learn they own the property under the abutting sidewalk, and that the City has an easement that allows the public to use that sidewalk for passage. In addition, Washington State law, and the Tacoma Municipal Code, place the responsibility for sidewalk repairs on the private property owner. If you have questions about this aspect of sidewalk regulations, please look at

*Revised Code of Washington (RCW) 35.69 and Tacoma Municipal Code (TMC) 9.17 and TMC 10.18 and 10.20.*

## Why did I get a notification letter and what happens if I ignore it?

The condition of the sidewalk was brought to the City's attention by a notification/complaint from a citizen. The City then inspected the sidewalk in response to the complaint, and found the sidewalk to be unfit or unsafe. The City requests voluntary compliance to replace the unfit and unsafe sidewalk sections as soon as possible.

Even slight defects in a sidewalk can cause injuries to pedestrians. Sidewalk maintenance is important for appearance and value, but more importantly, it helps prevent injury to a pedestrian and saves an owner from a potential medical claim. A sidewalk might look fine to you, but still have defects that make it unsafe for walkers.

When property owners decline to voluntarily make the repairs, the Tacoma Municipal Code and Washington State laws provide mechanisms for the City to carry out the repairs, and then assess its full cost against the property owner. If the cost is not reimbursed to the City, the City is entitled to place a lien on the property for the full amount of the repairs. The City always prefers to work cooperatively with property owners to accomplish the necessary work voluntarily.

## The planting-strip tree ruined the sidewalk.

### Why do I have to fix it?

If trees abut your property, you have a legal duty to exercise reasonable care so that trunks, branches or roots of trees do not create an unreasonably dangerous condition for the public, even if you didn't plant the trees.

***Continued on page 5, "Sidewalks"***

"Sidewalks" continued from page 4

### What is the process to replace a sidewalk?

A permit is needed to reconstruct sidewalks in the right-of-way. This is a requirement of the *Tacoma Municipal Code (TMC) Chapter 10.22.050*. The permit must be obtained by a Contractor that is Washington State licensed and bonded, as required under the *TMC Chapter 10.22.070*.

You can verify the license and bond information by accessing the Washington State Labor and Industries website. The City also requires the Contractor to have a Street Obstruction Bond on file with the City's permit counter. We recommend that you confirm with the contractor that they have a **Street Obstruction Bond on file with the City**.

The permit cost is based on the amount of sidewalk to be replaced. To get an estimated cost for a permit, call the Tacoma Permit Center, (253) 591-5030.

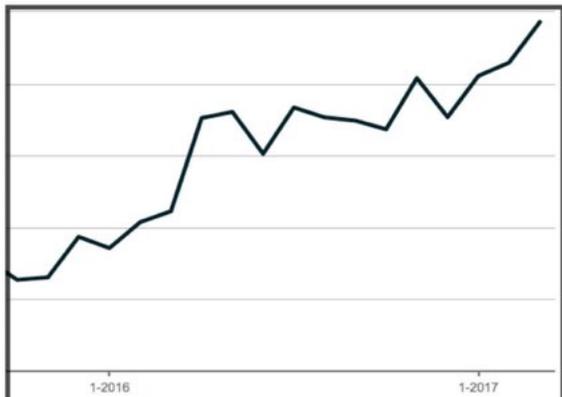


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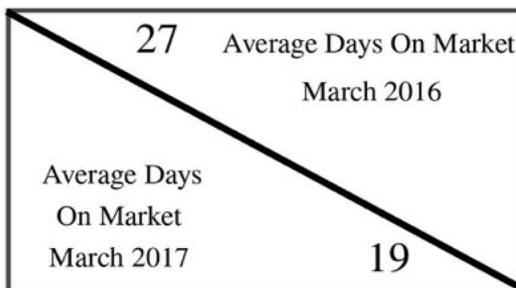
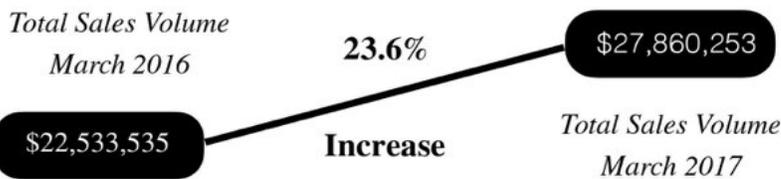


March 2016 Average Sale Price: \$304,507  
March 2017 Average Sale Price: \$357,183



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# SIDEWALKS IN YOUR NEIGHBORHOOD

From City of Tacoma Sidewalk Information

The City's sidewalks are part of its transportation system, so it is important they are maintained in a safe, usable condition. Sidewalks represent a major investment by the citizens of Tacoma. Damaged sidewalks can pose a hazard to pedestrians so repairs to the sidewalk help reduce the likelihood of an injury. Questions? **Call Sidewalk Maintenance Program Hotline at 253-591-5104**

## What is an unfit or unsafe sidewalk?

An unsafe sidewalk is one with sections that are sunken, lifted up, or have areas with large cracks, according to City policy. Sidewalks that have a poor appearance, but are otherwise physically sound, are not considered unsafe.

## Who maintains sidewalks in the right-of-way?

City property owners also own the property where the sidewalk is located and the City has an easement that allows the public to use that portion of the property for passage. In addition, Washington State law, as well as the Tacoma Municipal Code, places the responsibility for sidewalk repairs on the private property owner.

## What is the process to replace the sidewalk?

A permit is needed to reconstruct sidewalks in the right-of-way. The permit must be obtained by a Contractor that is Washington State licensed and bonded. The City also requires the Contractor to have a Street Obstruction Bond on file with the City's permit counter. We recommend that you confirm with the contractor that they have a Street Obstruction Bond on file. The permit cost is based on the amount of sidewalk to be replaced. An estimated permit cost is about \$470 for 50 lineal feet of sidewalk.

## The tree in the planting strip damaged the sidewalk. Why do I have to fix it?

If trees are abutting your property, the current property owner has a legal duty to take reasonable care so that trunks, branches, or roots of trees do not create a dangerous condition for the public - including unsafe sidewalks. This is the case even if trees were planted by a previous owner.

## How does the sidewalk assistance program work?

When the City has sidewalk money, it helps home owners with the cost to replace sidewalks. The process is not clear, so if you need assistance, start by calling the Hotline at 253-591-5104.

## The NSHD has additional requirements for sidewalks. What are they?

There are two additions added to the Tacoma sidewalk requirements for the NSHD are:

- 1) lamp black is added for discoloration and
- 2) the scoring pattern is 2.5 ft. See

<http://cms.cityoftacoma.org/masterplans/NorthSlopeHistoric/HD-NS03.pdf>



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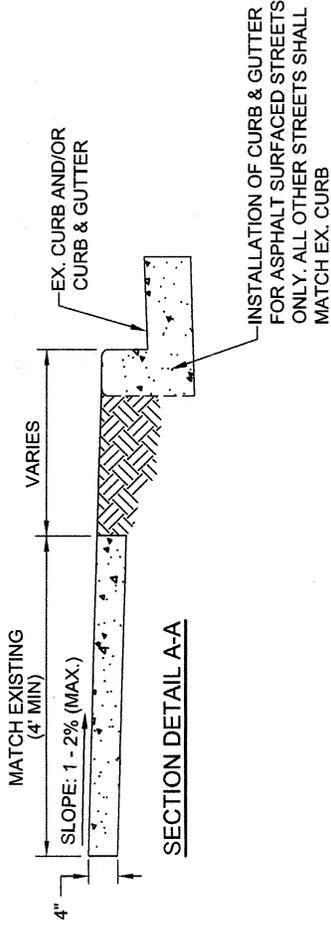
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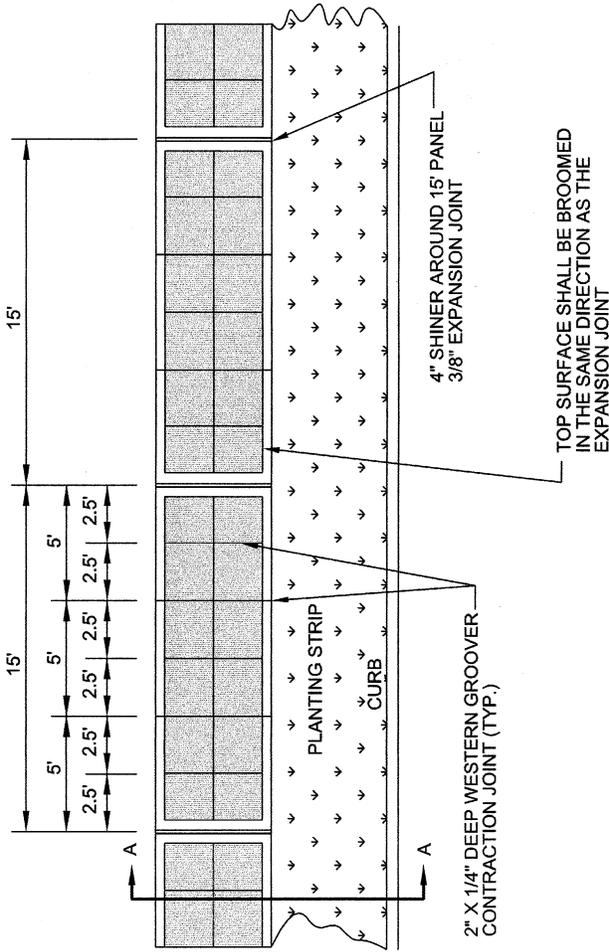
Located in downtown Tacoma at **401 Fawcett Ave.**

**NOTES:**

1. Sidewalks shall be designed and constructed in accordance with ADA Standards for Accessible Design, 28 CFR, Part 35 and as supplemented by the Public Right of Way Accessibility Guidelines (PROWAG).
2. Staking is required where no curb is present.
3. All expansion joints shall be full depth with 3/8" preformed joint filler.
4. All joints shall be cleaned and edged. External edges shall be 1/2" radius. Internal joints shall be 1/4" radius.
5. All soft and yielding foundation material shall be removed and replaced with crushed surfacing top course (CSTC) meeting the requirement of Section 9-03.9(3) of the WSDOT Standard Specifications.
6. All sidewalk shall be replaced to the nearest expansion or contraction joint. All joints shall be saw cut full depth prior to restoration and 3/8" expansion joint installed. Cutting wheel run-out beyond the limits of the opening shall be filled in accordance with WSDOT Standard Specification 5-05.3(8)B for cement concrete surfaces and 5-04.3(5)C for asphalt concrete surfaces.
7. Apply lamp black 1lb. per cubic yard of cement concrete or as required for desired discoloration in accordance with ASTM D209-81 standard specification for lamp black pigment.



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APPROVED FOR PUBLICATION

CITY OF TACOMA  
DEPARTMENT OF PUBLIC WORKS

*[Signature]*  
CITY ENGINEER

*11/6/15*  
DATE

NORTH SLOPE HISTORIC DISTRICT  
CEMENT CONCRETE  
SIDEWALK

STANDARD PLAN NO. HD-NS03