

# Sidewalk, Curb & Gutter Petitions

The City's Engineering Division has a charted plan to address public infrastructure improvements in the City of Upper Arlington.

The residents also have the option to address improvements in their neighborhood, such as the installation of sidewalks or curbs & gutters. In short, if a neighborhood wishes to have a project constructed in their neighborhood, and are willing to be assessed for the cost of the work, the residents can petition the City for the requested improvement.

The petition process is addressed by Ohio Revised Code 727.

A petition is a resident initiated action. A "community organizer" or "block captain" should conduct an unofficial survey to see if there is enough interest among the neighbors to represent 60% of the front footage of what will become the project area. Only if this person has the signatures of this 60% is the formal petition process recommended

## **Citizen Petition Initiated Curb, Gutter and Sidewalk Assessment Schedule of Steps**

1. Engineering Department informs residents of their ability to petition the City to install curbs and gutters as part of larger improvement projects.
2. Engineering Department collects and calculates results of "informal" petition/survey.
3. Engineering Department prepares formal petition form.
4. Engineering Department sends formal petition form to resident volunteer for use in obtaining signatures.
5. Resident obtains signatures on petition.
6. City Engineer receives the petition and signatures and calculates whether signatures represent the minimum required by state law.
7. City Engineer forwards the petition to City Clerk to be placed on Council's agenda.
8. If Council accepts the petition, then plans, specifications, profiles of the proposed improvement, and estimated cost of the improvement are prepared by the City Engineer and filed with the City Clerk for inspection by all interested parties for a reasonable amount of time, but not more than thirty (30) days by customary practice, before passage of Resolution of Necessity.
9. Resolution of Necessity is brought to Council.
10. Resolution of Necessity approved.
11. City Engineer prepares an estimated assessment per parcel and files it with the City Clerk.
12. City Clerk sends notice, via certified mail, of the adoption of the Resolution of Necessity and the filing of the estimated assessment to all owners of property to be assessed.
13. Property owners have two weeks to object to the improvement or assessment.
14. Property owners have two weeks to file damage claims.
15. Council passes the Ordinance authorizing the improvement to proceed.
16. City Clerk sends notice of the Ordinance authorizing the improvement to proceed to the County Auditor within 15 days of the passage of that Ordinance. Notification letter to be approved by the City Attorney.
17. A contract for the construction of the improvement is awarded by the City Manager under the authority granted by City Council in the Ordinance authorizing the improvement to proceed. (step15). Contract to be approved to form by City Attorney.

18. Construction completed.
19. Council passes Ordinance levying the assessment.
20. City Clerk sends notice of the Ordinance levying the assessment to the County Auditor within 20 days of the passage of that Ordinance. Notification letter to be approved by the City Attorney.
21. City Clerk arranges for notice of the passage of the Ordinance levying the assessment to be published one time in a newspaper.
22. Finance Director mails a notice of assessment to affected property owners within 10 days of the passage of the Ordinance levying the assessment.
23. Finance Director collects the assessments in full from the property owner or certifies unpaid assessment to the county auditor for placement on the tax list.