

City of Dayton

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Dayton Sidewalk, Gutter, and Driveway Apron Cost-Share Program Application

Notice: To be eligible for the City of Dayton, Ky., Sidewalk, Gutter, and Driveway Cost-Share Program, an applicant must: 1) Be in good standing with the City under applicable City ordinances and regulations, including payment of all taxes, liens, fees, and any other obligations due to the City; 2) Must pay its share the repair/replacement costs to the city **before** any repair/replacement work is commenced; and 3) Enter into a contract with the City and comply with the program rules and regulations, which are attached to this application as Exhibit A.

1. Property Address: _____

2. Property Owner: _____

3. Phone: _____ Email: _____

4. Amount of City Reimbursement Requested: \$ _____ (Maximum Amount = \$2,500)

5. Attach drawing or map of the concrete repairs and replacement you wish to undertake at the above-referenced property.

6. I hereby certify that the property identified above is a single-family home, duplex, or townhome and serves as my full-time residence. I certify I have read the program rules and regulations, attached as Exhibit "A", and I agree to abide by these rules and regulations. I certify that the information, drawings, and statements provided on this application are true and correct to the best of my knowledge.

Signature of Applicant: _____ Title: _____

Applicant's Home Address: _____ Date: _____

E-mail Address: _____

DO NOT WRITE BELOW THIS LINE [OFFICE USE]

Approved: _____ Denied _____

Reason for Denial:

Date application approved by City of Dayton: _____

Code Enforcement Director

ATTACH MAP/DRAWING/PHOTO OF PROPOSED SIDEWALKS SECTIONS OR GUTTERS TO BE REPLACED

EXHIBIT "A"

CITY OF DAYTON, KY., SIDEWALK, CURB, AND DRIVEWAY APRON REPAIR AND REPLACEMENT COST-SHARE PROGRAM RULES AND REGULATIONS

1. *Repair and replacement of sidewalks and curbs.* In areas zoned for residential use in the City of Dayton, Ky., ("City") where sidewalks and curbs have previously been constructed, City ordinances require sidewalks and curbs be properly maintained by property owners. Poorly maintained sidewalks often create a greater hazards to pedestrians than no sidewalks at all.
2. *Duty of property owner to replace sidewalks and curbs.* The cost of repairing or replacing sidewalks, curbs, and driveway aprons abutting residential real estate on public streets is the responsibility of a property owner ("Property Owner") under §§ 96.15 and 96.16 of the City's Code of Ordinances.
3. *City's cost-share program overview.* To assist residential property owners fulfill their responsibilities under the above-referenced ordinances, the City has created a Sidewalk, Curb, and Driveway Apron Repair and Replacement Cost-Share Program ("Program"). On a year-to-year basis, City Council will decide whether to fund this Program, and if so, how much it will fund it through Council's annual fiscal year budget process. Initial funding was provided in the Fiscal Year 2024-25 Budget.
4. *Program policies and procedures.*
 - a. Only property owners whose full-time residence is a single-family home, duplex, or townhome are eligible to participate in the Program.
 - i. Only residential property located in an area zoned for single-family residential use is eligible. Properties located in commercial or industrial zones and zoning classifications other than single-family residential zones are not eligible.
 - ii. Owners of multi-family properties and/or single-family residential properties that are rented or provided at no cost to third parties are not eligible to participate in the Program.
 - b. Only sidewalks, curbs, and driveway aprons ("Concrete Projects") are eligible to receive Program funds. Program funds may not be used for concrete projects on private property, except for off-street parking pads, which have separate rules.
 - c. Property owners who owe past *ad valorem* taxes, fees, or other obligations to the City are ineligible to participate in the Program.
 - d. Property owners who have existing Code Enforcement citations or liens against their property are not eligible to participate in the Program *unless* Program funds are used to address issues involving sidewalks, curbs, or driveway aprons issues that have resulted in citation(s) from the Dayton Code Enforcement Department. These projects take priority in terms of Program funding. The Director of Code Enforcement ("Director") shall make the final decision as to whether a property owner is eligible to receive Program funds, and the Director may decline approval if her department determines that Code Enforcement issues other than sidewalk, curb, or apron violations also exist on the property.
 - e. For Concrete Projects to be eligible for the Program, their condition must be below basic standards, e.g., excessive surface spalling, cracks, broken sections,

heaved or depressed sections, or other concrete issues resulting in citation from the Code Enforcement Department.

- i. If a Property Owner believes a property qualifies for the Program, the property owner must submit an application to the City requesting Program funds. Once this request is made, the Public Works Department, working in conjunction with Code Enforcement Department, will examine the proposed Concrete Projects to determine eligibility under the Program.
 - f. If the proposed project qualifies for the Program, the Property Owner must enter into a contract with the City that sets forth the terms and conditions for participation in the Program.
 - g. Applications to participate in the Program will open on July 1 of each year when Program funding has been allocated by City Council. Acceptance of participants into the Program is handled on a first-come, first-served basis, but priority shall be given to Property Owners identified Paragraph 4(d) above. Funds for this Program are limited, and the Program will be closed to applications once all funds have been allocated for that fiscal year.
5. *Contractors and concrete work.* Only concrete contractors approved by the City or Dayton Public Works employees may construct the Concrete Projects (“Approved Contractor/s”).
 - a. Before concrete is poured by a third-party contractor, the City’s Public Works Department must first inspect forms and base materials used by the Approved Contractor. After the concrete work is finished, the Department will conduct a second inspection to ensure compliance with city standards.
6. *Costs; payment of costs.* The City will agree to fund half of the costs of Concrete Projects up to, but not exceeding, \$2,500 per property. For example, if the total cost of the Concrete Projects is \$5,500, then the City will pay a maximum of \$2,500 and the Property Owner is responsible for remaining \$3,000.
 - a. The City will not pay any costs associated with the removal of trees or tree roots. All costs associated with tree/tree root removal must be paid by the Property Owner and such work must be completed prior to work on the Concrete Projects.
 - b. The City will pay the costs of installing wheelchair ramps required by the Americans with Disabilities Act at the street intersections.
 - c. After an application is approved by the City, the City will solicit bids for the Concrete Projects from Approved Contractors. Prior to the City hiring an Approved Contractor, the Property Owner and City must enter into a written agreement (“Agreement”) regarding this work. The Property Owner must agree with the scope of work and to pay its share of the costs *prior to* the City authorizing the Contractor to start work on the Concrete Projects. The City will not authorize the Contractor to start work until it receives a signed contract and full payment from Property Owner for its share of the work.