

# City of Kettering Engineering Department Assessment Policies

## Maintenance Assessments (ORC 729)

- **Curb, Sidewalk, & Drive Approach Repair Program**
  - Program is for the spot replacement of deteriorated curb/gutter, sidewalk, and drive approaches.
  - Property owners assessed the direct cost to remove & replace deteriorated:
    - Curb/gutter (per lineal foot)
    - Sidewalk (per square foot)
    - Drive approaches (per square foot)
  - City pays for all other project costs, including but not limited to: pavement restoration; turf restoration; maintenance of traffic; catch basin & manhole repairs; curb ramps; project administration costs.
  - City currently pays for the removal of trees that are causing sidewalk upheaval and curb damage.
  - No distinction is made between corner lots and standard lots.
  - Per ORC 729, property owners have the option to make repairs themselves by hiring a bonded & insured contractor with a R/W Construction Permit issued by the Engineering Department.
  - Final assessment quantities are capped at the Estimated Assessment totals. The final assessment dollar amount shall be based on the contractor's bid unit prices, regardless of whether the contractor's bid unit prices are lower or higher than the Engineer's Estimate. Additional quantities added by the City after property owners are notified of their estimated assessment shall be at the City's cost. Additional quantities added by property owners after notification of their estimated assessment shall be fully at the property owners' cost at the contractor's bid unit prices.
  
- **Residential Rebuild Program**
  - Program is for the large-scale replacement of curb (typically entire removal & replacement of curb along a street, salvaging the existing pavement), plus spot replacement of deteriorated sidewalk and drive approaches.
  - All drive approaches are often replaced, regardless of condition, due to revised profile of new street curbs.
  - Credits are given to property owners for the cost of removing & replacing curbs and drive approaches that have not deteriorated to the point where replacement is warranted, but are being entirely replaced as part of the overall project scope.
  - Property owners assessed the direct cost to remove & replace deteriorated:
    - Curb/gutter (per lineal foot)
    - Sidewalk (per square foot)
    - Drive approaches (per square foot)
  - City pays for all other project costs, including but not limited to: pavement restoration and/or resurfacing; turf restoration; maintenance of traffic; catch basin & manhole repairs; curb ramps; project administration costs.

- City currently pays for the removal of trees that are causing sidewalk upheaval and curb damage.
- No distinction is made between corner lots and standard lots.
- Per ORC 729, property owners have the option to make repairs themselves by hiring a bonded & insured contractor with a R/W Construction Permit issued by the Engineering Department.
- Final assessment quantities are capped at the Estimated Assessment totals. The final assessment dollar amount shall be based on the contractor's bid unit prices, regardless of whether the contractor's bid unit prices are lower or higher than the Engineer's Estimate. Additional quantities added by the City after property owners are notified of their estimated assessment shall be at the City's cost. Additional quantities added by property owners after notification of their estimated assessment shall be fully at the property owners' cost at the contractor's bid unit prices.

## **NEW SIDEWALK CONSTRUCTION ASSESSMENTS (ORC 729)**

- **New Sidewalk Construction - Residential Streets (SC - Type 1)**
  - Program is for the construction of new sidewalks where none currently exist on residential streets (as shown on the City's Official Thoroughfare Plan)
  - Property owners are assessed for the direct cost of the sidewalk installation.
  - Property owners are also assessed for 100% of the direct cost of drive approach and/or curb replacement and/or construction, if the drive approach and/or curb condition warrants replacement, or if curbs and/or drive approaches do not currently exist and are planned for installation as part of the sidewalk construction.
  - City pays for all other project costs, including but not limited to: pavement restoration; turf restoration; drive approach replacement (if in good condition prior to project); maintenance of traffic; curb ramps; project administration costs
  - City pays for the removal of trees that are in the way of the proposed sidewalk
  - On corner lots, property owners are only assessed for sidewalk construction on the shortest side of the lot
  - Per ORC 729, property owners have the option to construct the sidewalk themselves by hiring a bonded & insured contractor with a R/W Construction Permit issued by the Engineering Department
  - Final assessment quantities are capped at the Estimated Assessment totals. The final assessment dollar amount shall be based on the contractor's bid unit prices, regardless of whether the contractor's bid unit prices are lower or higher than the Engineer's Estimate. Additional quantities added by the City after property owners are notified of their estimated assessment shall be at the City's cost. Additional quantities added by property owners after notification of their estimated assessment shall be fully at the property owners' cost at the contractor's bid unit prices.
  
- **New Sidewalk Construction – Thoroughfare, Arterial, and Standard Collector Streets (SC - Type 2)**
  - Program is for the construction of new sidewalks where none currently exist on Primary & Secondary Arterial, Primary & Secondary Thoroughfare, and all Standard Collector streets (as shown on the City's Official Thoroughfare Plan)
  - Property owners are assessed for **50%** of the direct cost of the sidewalk installation.

- Property owners are also assessed for 100% of the direct cost of drive approach and/or curb replacement and/or construction, if the drive approach and/or curb condition warrants replacement, or if curbs and/or drive approaches do not currently exist and are planned for installation as part of the sidewalk construction.
  - **Justification for 50%** -- When the City's thoroughfare, arterial, and collector streets were originally widened to their current configuration, the City's policy was to assess 50% of the direct cost of the new sidewalks to the adjacent property owners. Assessing 50% of the direct cost now for the construction of new sidewalks corresponds to the original policy.
- City pays for all other project costs, including but not limited to: pavement restoration; turf restoration; drive approach and curb replacement (if in good condition prior to project); maintenance of traffic; curb ramps; project administration costs
- City pays for the removal of trees that are in the way of the proposed sidewalk
- On corner lots, property owners are only assessed for sidewalk construction on the shortest side of the lot
- Per ORC 729, property owners have the option to construct the sidewalk themselves by hiring a bonded & insured contractor with a R/W Construction Permit issued by the Engineering Department
- Final assessment quantities are capped at the Estimated Assessment totals. The final assessment dollar amount shall be based on the contractor's bid unit prices, regardless of whether the contractor's bid unit prices are lower or higher than the Engineer's Estimate. Additional quantities added by the City after property owners are notified of their estimated assessment shall be at the City's cost. Additional quantities added by property owners after notification of their estimated assessment shall be fully at the property owners' cost at the contractor's bid unit prices.

## Special Assessments (ORC 727)

- **Residential Reconstruction Program**
  - Program is for the complete reconstruction of a residential street (total removal and replacement of the existing street down to bare earth) with a new pavement section, curb, sidewalk, drive approaches, storm sewers, etc.
  - Two-part Total Assessment Policy
    - Part 1: Property owners assessed for the direct cost of the new curb/gutter and sidewalk (“tangible items”)
    - Part 2: Property owners assessed a percentage of their property’s tax valuation for “intangible items”, such as pavement and storm sewers
    - Total Assessment = Part 1 (+) Part 2
    - Property owners are assessed for 1/3 of the Total Assessable Project Cost, plus the direct cost of drive approach installation
    - City pays for the remainder of the project costs
  - Property owners DO NOT have the option to make improvements themselves with a private contractor
  - Final assessment quantities are capped at the Estimated Assessment totals. The final assessment dollar amount shall be based on the contractor’s bid unit prices, regardless of whether the contractor’s bid unit prices are lower or higher than the Engineer’s Estimate. Additional quantities added by the City after property owners are notified of their estimated assessment shall be at the City’s cost. Additional quantities added by property owners after notification of their estimated assessment shall be fully at the property owners’ cost at the contractor’s bid unit prices.