

City of Providence
STATE OF RHODE ISLAND

CHAPTER

No. 211 **AN ORDINANCE AMENDING CHAPTER 23, "STREETS, SIDEWALKS AND PUBLIC SPACES", ARTICLE III, "CONSTRUCTION AND REPAIR OF SIDEWALKS", SECTION 23-71 "RESERVED" OF THE PROVIDENCE CODE OF ORDINANCES**

Be it ordained by the City of Providence:

Section 1. Chapter 23, "Streets Sidewalks and Public Spaces," Article III, "Construction and Repair of Sidewalks," Section 23-71 "Reserved," is hereby amended as follows:

Sec. 23-71 – Purpose of 50/50 Sidewalk Program

~~–Purpose:~~ ~~Intent;~~ ~~e~~ Establishment of the "50/50 Sidewalk Program" ~~fund~~

A. The intent of this article is to assist City residential property owners ~~residents~~ and commercial property owners who are current on their property tax payments and would like to participate in a program wherein the City reimburses the property owner for up to 50% of the costs of sidewalk repairs and replacements performed by the property owner. ~~50/50 Sidewalk Program to replace those sidewalks and/or curbs that have been damaged.~~

B. A fund shall hereby be established to be used for both residential and commercial property ~~owners~~ owners to repair or replace ~~in whole or in part~~ existing city sidewalks and/or curbs that have been damaged or are deteriorated. The property owner shall pay at least 50% of the cost of repair ~~removal~~ and replacement, and the fund shall reimburse the property owner up to 50% of the remaining ~~pay the remaining 50% of the~~ cost of repair ~~removal~~ and replacement.

C. The maximum amount of funds that may be reimbursed per property owner shall be no more than 50% of the total project cost up to a maximum of \$5,000. If the cost of the project exceeds \$510,000, the property owner shall pay the remainder of the cost.

Section 23-72 – Eligibility

~~–~~ **ELIGIBILITY** Eligibility: For a property owner to receive funds under this program the following criteria must be met:

1. Applications will only be considered for repair of sidewalks along public streets as approved by the Department of Public Works ~~and Engineering Divisions.~~
2. Applicants may only ~~apply receive for~~ funds ~~one sidewalk match~~ for one property in a calendar year.
3. Applications must be received and approved by the City before ~~the work~~ repairing or replacing a sidewalk begins.
4. Requests will not be considered for work that is underway or has been completed prior to application approval nor will ~~already previously~~ approved sidewalk construction permits be eligible for ~~this funding~~ under this Ordinance.
5. The property must be either Residential or ~~and commercial.~~ to be eligible. ~~applications are eligible.~~
6. ~~For eligible properties, work~~ All repair and replacement Work must be completed within 180 days of application approval. ~~If this deadline is not able to be met, t~~ The applicant may apply for a one-time extension as determined by the Department of Public Works. Applicants must contact the City at least 28 days prior to the deadline if additional time is needed.
7. The repair or replacement must not be performed as a result of or as part of ~~Installation as a result of a~~ broader construction ~~development~~ development ~~s shall not be eligible eligibility for this program~~ as determined by the city administration.
8. ~~In order for to be eligible~~ Projects must be completed by an approved vendor, selected from an ~~previous~~ existing list developed ~~provided~~ by the City of Providence, determined established by a competitive bidding process

-Section 23-72 – Distribution of 50/50 Sidewalk Program Funds

(1) For a property owner to receive funds through the 50/50 Sidewalk Program, the Property owner must:

- A. Pay the vendor who completed the work; and
- B. Submit proof of payment and a copy of the invoice no later than thirty (30) days after project completion.

(2) Upon receipt of the proof of payment and invoice the City shall:

- A. Review the submission by the property owner for form and correctness; and
- B. Issue a reimbursement to the invoiced property owner for no more than \$5,000.

Payment by the Property Owner

~~Payment by the residential or commercial property owner for the 50/50 Sidewalk Program shall be paid directly to the vendor who completed the work.~~

~~B. The property owner shall submit proof of payment and a copy of the invoice to the City of Providence no later than 3060 days after project completion. Once reviewed and approved for form and correctness, the City shall issue a reimbursement paid to the property owner for no more than \$5,000.~~

Section 23-73. Establishment of 50/50 Sidewalk Program Fund~~Funding for eligibility projects~~

~~(1) Initial Funding:-~~

~~(2)(1)~~ (1) The initial funding for the 50/50 Sidewalk Program Fund shall be an appropriation of \$1,000,000 from the Capital Improvement plan in Fiscal Year 2025-as appropriated from the Capital improvement plan budget for Fiscal Years 2024 through 2028. In the Fiscal Year 2025, and thereafter, 50/50 Sidewalk Program appropriations from the approved City budget shall be deposited in this fund, pending availability. The Providence City Council may make additional appropriations from other capital funds or grants as recommended by the City Council or the City Administration.

(2) Funds Restricted: Funds may only be used for the repair or replacement of existing sidewalks that have been damaged by the roots of street trees, general wear, aged concrete, including tree removal or maintenance as approved by the Public Works, Planning and Engineering Departments through the application process.

~~(3) Permit Required:~~

(3) Property owners or their contractors shall be responsible for obtaining a Providence Physical Alteration Permit and comply with the conditions set forth in the permit for projects that require sidewalk repair.

~~(4) Contractor Verification by Property Owner:~~

(4) Property owners must hire a licensed, bonded, qualified contractor for sidewalk repairs. The contractor must be one of the previous approved vendors as determined by the City at the time of submission of a residential or commercial property owners' application.- The Property Owner shall be responsible for verifying the status of the contractor's licensing, bonding, and qualifications prior to the submission of the application and may not rely solely on the list of pre-approved vendors as an indication of adequate licensure, bonding, or qualifications.

~~(5) Distribution of Funds:~~

(5)

~~1.~~ The maximum funds that will be reimbursed through this program is 50% of the project cost up to \$5,000 per application-property owner per fiscal year.

1.

2. All program awards will be made on a first-come, first-served basis, subject to the availability of funds in the approved program budget. Funding will be made available per Ward and will be capped at \$66,666 for the first six months of the program at which time, the remainder of those dollars ~~will become available for any pending applications for approval~~ will be allocated to each individual wards Neighborhood improvement fund to be used for sidewalk repair. Once the budgeted funds have been expended, no further applications will be approved in the funding cycle.

- (6) The lack of sufficient funds to cover the number of applications received by the City in any given fiscal year will not create any additional liability to the City for any unsafe Sidewalks.

Section 2: This Ordinance shall go into effect upon passage.

IN CITY COUNCIL
MAY 02 2024

READ AND FAILED

Sina L. Mastrosianni
CLERK