

Shelby Township

Sidewalk Maintenance Program FAQ

Why are the sidewalks in my subdivision being inspected?

The sidewalks in your subdivision are being inspected to determine if any portion of the sidewalk is in need of repair/replacement. The inspection is being done as part of the Sidewalk Maintenance Program, in accord with the Township Code of Ordinances, #260, Section 58-528.

Why are there orange or green lines on my sidewalk?

The orange and green lines are an indication that there is work that needs to be completed on the affected sidewalk. Orange lines indicate the owner's responsibility to complete the work; green lines indicate the work required is the Township's responsibility and will be completed at no cost to you.

What are the Inspection Criteria for sidewalk repairs?

All sidewalks must be removed and replaced if the surface is significantly damaged, does not drain properly, or has sections projecting above walk grade. All sidewalks must meet both ADA Standards and the Township Code of Ordinances.

What happens if the inspector determines that my sidewalk needs to be replaced?

Once your sidewalk is inspected, if there are any replacements which need to be made and are your responsibility (see above), you will receive a letter outlining costs and options available. If you have any questions or concerns regarding the replacements, contact the Township's Engineering – Fazal Khan and Associates. Please contact Shannon Filarecki at (586) 739-8007.

What if I disagree with the findings of the Township?

Property owners shall contact the Township Engineer to schedule an appointment to meet at the property of concern to review the sidewalks in question. At the time of the meeting, the Township Engineer and property owner will discuss details and concerns, and may adjust the amount of work as needed to meet the established criteria. Should the property owner feel the need to further appeal the engineer's decisions, they may do so in writing the Director of the Building Department. Building Department Director will respond to each written appeal in writing with a final determination.

How long will construction take?

The program typically begins in early June and continues to the end of October.

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Can I do the repair myself?

Yes, however please be aware of the criteria for sidewalk replacement. Grinding portions of the sidewalk panels to reduce offsets is not permitted. Note that all work completed privately must be finished prior to the Township contractor's work on your street, even with prior notification to the Township.

What types of repairs are allowed?

All sidewalk flags showing any of the aforementioned deficiencies must be removed and replaced in its entirety. No grinding, mud-jacking, or other types of repairs will be permitted due to requirements of concrete thickness and sub-base outlined in the Code of Ordinances #260, Section 58-527.

Why are the repairs mentioned above not allowed?

Grinding reduces the thickness of the sidewalk; a minimum thickness of 4" is required per the Code of Ordinances #260, Section 58-527. Patching has been found to be a temporary fix; it does not address the core issue causing the damage. Mud-jacking or hydraulic grouting also do not address the core issue. An uneven sidewalk is normally caused by improper drainage which can damage the sub-base below. Mud-jacking and hydraulic grouting do not address the damaged sub-base and can cause further drainage issues.

How long do I have to repair my sidewalks?

Property owners have sixty (60) days from the notice date to complete repairs privately; all work must be completed before the Township's contractor begins work on that street. Failure to complete the work prior to that time will result in the work being completed by the Township's contractor and the resulting costs and fees will be sent to you for payment.

If I opt to complete the work myself, how do I notify the township upon completion?

You can contact the Township Engineer by phone, email or letter. Once work has been completed, a final inspection will be made and the file will be closed. The Township Engineer is Fazal Khan & Associates, Inc. located at 43279 Schoenherr Road, Sterling Heights, MI 48313. Their phone number is 586-739-8007. Emails can be sent to Shannon@fazalkhan.com.

What if the sidewalk has been tilted, raised, or affected by adjacent tree roots?

Tree roots must be removed adjacent to marked sidewalk panels if possible. In some instances where space is available, the sidewalk may be curved around a tree. The property owner is responsible to repair the sidewalks regardless of the location or owner of the tree. Township trees will not be removed unless the Township deems the tree unhealthy.

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Will Shelby remove a tree that is damaging my sidewalk?

Shelby Township does not remove trees from the public road right of way. All trees are the responsibility of the resident on any private street. See the Shelby Township Code of Ordinances #260, Section 74-51, for information on tree removal requirements. The Macomb County Department of Roads (MCDOR) Maintenance Department only removes trees within their road right-of-way that are dead or a roadway hazard. If a resident wishes to remove a tree at their own cost, they must notify the MCDOR permits office. Both departments may be reached at (586) 463-8671.

What if there is a manhole or stop-box located within my sidewalk?

All manholes and stop-boxes must comply with the maximum projections above grade. If the manhole or stop-box projects in such a fashion that it does not allow the concrete slab to meet all the requirements, please contact the Township's Engineering – Fazal Khan and Associates, Inc. at (586) 739-8007 to discuss the situation and arrange a private meeting.

A flag of sidewalk marked for replacement is on the property line with my neighbor. How is responsibility determined?

The Township Engineer will visually determine the property line as best as possible and paint a barrier line to show the property line delineation. Re-evaluation of the property line will be made only if a homeowner locates and exposes the iron property line marker. The homeowner may need to hire a licensed land surveyor to locate the property line marker.

May I have additional private work done by the Township's contractor?

The contractor may elect to do private work although they are not obligated to do so. With all private work, you and the contractor negotiate the terms, including cost and payment. Proper permits must be obtained through the proper divisions prior to any construction. The contractor's contact information can be obtained through the Township's Engineer – Fazal Khan and Associates, Inc. at (586) 739-8007.

Will my lawn need to be restored after the work?

Yes. If you choose to use the Township contractor, the restoration is included in the repair cost.

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What about sprinkler systems or invisible fences for pets?

Sprinklers and invisible fences should not be constructed within the road right-of-way without a permit. For residents opting to repair the sidewalks on their own, all liability is their responsibility. Residents utilizing the Township's contractor should clearly mark the location of all such systems. Every care and caution will be taken by the contractor to avoid damaging these areas.

How long before I can drive on the concrete in my driveway? How can I get in and out?

You may walk on the concrete 24 hours after it has been poured, however, no vehicle should be placed on the pavement for at least seven days. The Township or its contractor will provide 24 hours advance written notice to any property affected with sidewalk to be removed and replaced in the drive area. The notice will be placed in the door of the affected property alerting the property owner to have all necessary vehicles moved to the street where parking is allowed.

What if I do not contact the Township and wish to do the repairs myself?

You must contact the Township regardless of your decision to replace the sidewalk yourself. Failure to comply may result in the removal of all privately contracted work replaced by the Township's contractor and the resulting costs and fees applied to your account. Notification must be made to the Township Building Department of your desire to complete the work yourself.

When will I be billed for the sidewalk work?

Residents opting to utilize the Township contractor will receive an invoice for the work after it is completed. Residents may opt to participate in the Township's pre-payment program by submitting payment to the Township in the amount of the estimate shown on the letter of notice. If you do not pay the full amount within the allotted time period for payment, the remaining amount will be placed on the next tax bill.

Can I pay the Township's own contractor directly?

No. All payments for work completed through the Township's contractor must go through the Township to ensure proper documentation.

Can I pay by credit or debit card?

Yes. The form included with the notice will include a credit card form. Otherwise, you may visit the Township Office. Please be aware that payment via credit card will incur a **2.5%** fee (\$3.95 minimum), and payment via debit card will incur a flat \$3.95 fee, added to the total bill.

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Are there any payment plans available?

At this time, Shelby Township does not offer any payment plans. You must pay all costs due to the Township in a timely manner to avoid the amount being assessed on your tax bill.

Why am I being charged a 25% service fee?

This service fee covers the additional engineering supervision costs and general administrative expenses.

Who should I contact if I have any other questions?

All questions should be directed to the Township's Engineer – Fazal Khan and Associates, Inc. at (586)739-8007.

How can I find out more about Shelby Township's sidewalk ordinance and maintenance program?

A copy of the ordinance may be viewed online at:

[www.municode.com/Library/MI/Shelby_Charter_Township_\(Macomb_Co.\)](http://www.municode.com/Library/MI/Shelby_Charter_Township_(Macomb_Co.))