

**RESOLUTION ESTABLISHING THE ASSESSMENT RATE
FOR PETITIONED SIDEWALKS OUTSIDE THE DURHAM WALKS! PEDESTRIAN PLAN AND
MAINTAINING THE CURRENT ASSESSMENT RATE FOR PETITIONED SIDEWALKS INSIDE THE
DURHAM WALKS! PEDESTRIAN PLAN**

WHEREAS, the City of Durham has an adopted Durham Walks! Pedestrian Plan with an existing sidewalk construction priority and the City Council desires that a process be established for the petitioning and ordering of sidewalks that lie both within and outside of the adopted Durham Walks! Pedestrian Plan (“Plan”); and

WHEREAS, the City Council desires that the adopted Plan continue to be the priority and recognizes that the construction of sidewalks within the currently adopted plan is completed when funding is available and at no cost to the abutting and benefitting properties; and

WHEREAS, abutting property owners are often willing to absorb the cost or a portion of the cost to have sidewalks constructed sooner than the existing prioritized list might allow; and

WHEREAS, there exists a list of previously ordered petitioned sidewalk improvements; and

WHEREAS, the existing sidewalk construction assessment rates have been established to recover a percentage of the actual cost for petitioned sidewalk construction activities.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DURHAM:

SECTION 1: That the maximum assessment rate for petitioned sidewalk projects that are within the adopted Durham Walks! Pedestrian Plan shall be \$35.00 per front foot and that the priority of such petitioned sidewalks may be revised within the existing Plan.

SECTION 2: That the City Manager shall have the authority to revise the priority of petitioned sidewalks within the Durham Walks! Pedestrian Plan.

SECTION 3: That petitions may be submitted for sidewalks outside the adopted Durham Walks! Pedestrian Plan, that Council may order the construction of these sidewalks, and that these sidewalks shall be assessed at actual cost.

SECTION 4: That the City Manager will be charged with prioritizing the construction of petitioned sidewalks outside the Plan.

SECTION 5: That sidewalk projects previously ordered by Council will remain in effect at the assessment rates at which they were previously ordered.

SECTION 6: That the City Manager will be charged with prioritizing the construction of the previously ordered sidewalks.

SECTION 7: That the following schedule is hereby adopted, changing charges for petitioned sidewalk construction assessments:

SIDEWALK CONSTRUCTION ASSESSMENTS

Type of Improvement	Assessment Rate	Pay Period
Petitioned Sidewalks Outside of the Durham Walks! Pedestrian Plan	Actual Cost Per Front Foot	8 years
Petitioned Sidewalks Inside of the Durham Walks! Pedestrian Plan	\$ 35.00 Per Front Foot	8 years

SECTION 8: That any resolutions or policies in conflict with the provisions of this resolution are to the extent of such conflict repealed.

SECTION 9: This resolution shall be effective from and after passage and shall apply to any sufficient petition received by the City on or after April 1, 2013.