



Policy Coversheet

Purpose of Coversheet: Please fill out the applicable information below and send with the newly created policy.

SIMPLIFIED INFORMATION REGARDING PURPOSE OF PROPOSED POLICY

The original Sidewalk Repair Program policy was executed on May 1, 2026.

Since the program has launched, there have been numerous occurrences of sidewalk repair requests due to tree root invasion and damage. To support a permanent sidewalk repair for residents, this policy has been updated to include the removal and replacement of the tree that is impacting the sidewalk. Additionally, this policy is now updated to show that the Program only applies to sidewalks in the public rights-of-way, and not walkways leading to front doors, backyards, or any concrete that is located on private property.

ADDITIONAL NOTES OR COMMENTS FOR SIGNATORIES TO SEE BEFORE SIGNING POLICY (IF APPLICABLE)

These policy updates have been reviewed by ACM Tolbert and City Attorney's Office.

SIGNED ACKNOWLEDGEMENT OF POLICY COVERSHEET

Policy Acknowledgement [Department] By:	DocuSigned by: <i>Jenna Hahn</i> F028F33E60ED46F
Policy Acknowledgement [Legal] By:	Signed by: <i>Kwani M. Farbes</i> 34C231A2F80CAE3
Policy Acknowledgement [HR] By:	N/A
Policy Acknowledgement [Assistant City Manager] By:	DocuSigned by: <i>Jim Tolbert</i> 9C157D85E923436
Policy Acknowledgement [City Manager] By:	Signed by: <i>[Signature]</i> A1672F8883F4C0



Document No: _____
Effective Date: June 2026

Commerce City Sidewalk Repair Program Policy

Organizational Level: Department **Document Type:** Policy

PURPOSE

The purpose of this policy is to help eligible property owners repair or replace hazardous sidewalks next to their property, improving safety, accessibility, and overall public welfare. At the same time, it acknowledges that under Section 6-2012 of the Commerce City Revised Municipal Code, property owners remain ultimately responsible for keeping adjacent sidewalks maintained and free of hazards.

SCOPE

The Sidewalk Repair Program will begin in 2026 with a city-allocated budget of \$100,000, and will be included in future annual budgets, subject to appropriation. Repairs will be completed by the City or a City-contracted crew under Public Works direction.

The Program is designed to correct public safety hazards by helping property owners repair or replace hazardous sidewalks. As such, the Program applies only to sidewalks located in public rights-of-way and not private walkways leading to doors, yards, or other areas located on private property.

POLICY, PROCESS, PROCEDURE, or STANDARD

1. Purpose

To help eligible property owners repair or replace hazardous sidewalks next to their property, improving safety, accessibility, and overall public welfare. At the same time, it acknowledges that under Section 6-2012 of the Commerce City Revised Municipal Code, property owners remain ultimately responsible for keeping adjacent sidewalks maintained and free of hazards.

2. Program Overview

- The **Sidewalk Repair Program** will operate annually starting in calendar year **2026**, with a **\$100,000** city-allocated budget. Future year budgets will be included in the City’s regular budgeting process, subject to annual appropriation.
- Repairs will be carried out by the City or City contractor as directed by Public Works.

3. Eligibility

- **Location:** Single family attached and detached residential properties within Commerce City limits with sidewalks adjoining City right of way.

- **Applications received for sidewalks that are not located in the public right-of-way** will not be eligible for the Program.
- **Condition:** Sidewalk segments must be identified by City staff as hazardous or non-compliant. Examples include the presence of uneven slabs, cracks affecting accessible use, or raised sections of concrete that present a safety hazard.
 - If sidewalk repairs are requested due to tree roots invading the sidewalk causing sidewalk damage, it is the responsibility of the homeowner to contact their HOA and/or remove the tree root and adhere to Section 21-7514 of the CCRMC. If sidewalk repairs are needed due to overgrown tree roots, the City may offer a cold-mix asphalt patch as a repair option to the sidewalk as an alternative to full-panel concrete repair.
 - If the sidewalk repairs are needed due to a City-maintained asset failing (i.e- roadway cracking, irrigation line causing water permeation, etc.), then the City will repair the sidewalk at no cost to the homeowner. The determination of failure to the sidewalk will be made and documented by a Public Works staff member.
- **Types of Repairs Offered:**
 - **Grinding Concrete:** This type of repair may be used when there is a minor “lip” that is not level to the coinciding concrete panel. City staff will go out to simply level it out using a grinder. The City will not charge for this type of repair
 - **Concrete Panel:** This type of repair will be offered to homeowners when the two other options will not resolve the sidewalk hazard. This process will include a “like-for-like” panel to repair the sidewalk. For this option, the 50/50 cost-share portion of the program will still be applicable to the homeowner.
 - **Cold-Mix Asphalt Patch:** This type of repair may be used when grinding the concrete would not solve the hazard on the sidewalk. Additionally, this option may be used when tree roots are invading the sidewalk causing minor uplifting, shifting, or deterioration of the sidewalk. For this option, the 50/50 cost-share program will still be applicable to the homeowner. If an invasive tree root is causing the minor uplifting, shifting, or deterioration, then the asphalt patch will only provide a temporary fix. The temporary fix will likely last two to five years before the problem re-presents itself.
 - If the homeowner elects to move forward with a temporary fix, then that sidewalk panel will not be eligible for future, City-funded repair assistance and the owner will be required to address the problem again in the future, per City Code.

- Alternatively, the homeowner can work with the City to remove and replace the impacted tree, then repair the impacted sidewalk. Please see the “Tree Removal” section of this Policy. For this option, the 50/50 cost-share program will still be applicable to the homeowner.
- If a homeowner declines either the temporary cold mix asphalt patch or the tree removal option, the affected sidewalk will remain the homeowner’s responsibility to repair. In this situation, the homeowner may be subject to City Code violations for failing to maintain the sidewalk, and the portion of sidewalk the homeowner chose not to repair under the 50/50 Program will not be eligible for future City funded repair assistance.

City staff will evaluate the sidewalk and exercise their discretion to determine method of repair offered.

- **Tree Removal:** In the event that tree root(s) are impacting the sidewalk, the homeowner may choose to either apply a temporary, cold-mix asphalt patch or remove and replace the tree.
 - Cost: Cost for the remove and replace varies significantly based on age and type of tree. Homeowners can reasonably anticipate a tree removal to cost between \$2,000 and \$10,000. The 50/50 cost-share program will still be applicable to the homeowner.
 - Tree type: The City will present the homeowner and applicable Homeowner’s Association with three tree species options to replace the removed tree with. Please note that in order to preserve the City’s tree canopy, one removed tree may require up to three new trees. If replacement warrants more than one tree, the other trees will be planted in a nearby, public area identified by the City.
- **Compliance:** Before repairs are made, the applicant and their property must be free of other Code violations, including non-payment of City taxes. The property owner will have 30 days from the time of acceptance into the Sidewalk Repair Program to address compliance violations. If compliance violations are not addressed, the sidewalk will be removed from that year’s list of repair projects.
 - If the sidewalk maintenance concerns stem from another Code violation, such as an overgrown tree root, the City will not be responsible for resolution of the other violation(s). The City is not responsible for any work other than sidewalk repairs, and sidewalks with other Code violations will not be accepted into the program until the outstanding Code violations are addressed.
 - Public Works has discretion to make exceptions. For example, if the impacting tree is located within a tree lawn, then the adjacent homeowner is still eligible to receive assistance under this program.

4. Application Window Period, Procedures, and Process

- **Annual application window:** Applications will be accepted both electronically and in-person from May 1 through June 30 of each year. Applications submitted outside of this window may not be accepted for that calendar year. If funding remains available, then additional applications will be processed as they were submitted to the City. If at any point during the application window funding runs out, applications that have already been submitted will be rolled over to the following year. However, homeowners will be subject to City Code during this period.
- Applications that are not selected for funding will not automatically carry over to the following year; in such cases, sidewalk maintenance remains the responsibility of the property owner. Applicants that are not selected may apply again the following year, if funding is available. Applicants that are selected may not apply a second time in the same calendar year. If applicants are selected for the program, the time period in which they can reapply will need to occur in the next calendar year.
 - **If a Code violation is identified**, an application may be submitted at any time during the calendar year. These applications will be placed on the list for the next year's funding cycle.
 - If a Code violation is present, then an application will be accepted throughout the entire calendar year but rolled over to the program list for the following year's funding cycle.
- **First-come, first-served:** Applications will be reviewed in the order received. If funding is depleted prior to June 30, the application portal will be closed. Applications that carry over to the next year will be prioritized in the following year's funding cycle, if appropriate. However, applications that are rejected due to a larger code violation will not be carried over.
- Applications must be submitted via the City's **online portal** or in-person at the Municipal Services Center. Applications will be prioritized based on the date and time they are received, regardless of how the application is submitted (in person versus the online portal).
- Required documentation: Property address, ownership verification, photo(s) of existing sidewalk condition, income verification, and a signed agreement allowing the City or its contractors to access the property. Incomplete applications will not be considered.
- Approved applicants will be scheduled for inspection and repair work by City staff or the selected contractor. Estimated repair schedules will be communicated to and approved by the applicant.

4(a). Resident Process for Sidewalk Repair

- Step One: Submitting a General Interest Form

Applicants will submit a general interest form with their name, address, contact information, acknowledging whether they are the property owner, and a few photos of the sidewalk that needs to be repaired. This can be completed either online or in person.

Through the initial verification process, if the applicant is not verified as the homeowner per the Adams County Property Records Search, the applicant will be notified and encouraged to have the property owner apply.

- Step Two: General Interest Form Review
General interest forms will be reviewed in the order they are received to determine initial eligibility. During this time, staff will also confirm property ownership using the Adams County GIS Property Search system. If applicants are eligible based on property verification, a staff member will contact with further steps. If applicants aren't eligible due to property ownership, a staff member will contact the applicant with further information.
- Step Three: Secure Application
After initial eligibility review through the general interest Form, a staff member will contact the applicant via email and phone to discuss the secure application process. During this time, property owners will be sent a secure link to upload their financial verification (W-2 or paystub), temporary construction easement, which allows contractors or City employees to enter the property. If eligible residents are unable to submit the information requested through the secure portal, staff will take this information in person and will upload information to the secure portal.
- Step Four: Sidewalk Inspection, Cost Share Payment, and Scheduling
Once the sidewalk has been inspected by a City staff member or a City contractor, a staff member will be in contact regarding the cost-share portion for the repair(s). There will be a 10-day waiting period for payment of their share to clear with banking institutions. A staff member will contact the resident about the amount owed to the City as part of the cost-share and owner contribution. Once payment has been received and is cleared, scheduling for an inspection of the sidewalk by the City and or City contractor will be scheduled.

For property owners who meet the requirements for a waiver, a staff member will contact the property owner to complete the waiver.

To find the standard operating procedure (SOP) for this program, please find link here: [Sidewalk Repair SOP](#)

5. Cost Limits and Owner Contribution



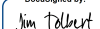

- The Sidewalk Repair Program requires a **50% cost share** between the City and property owner. The property owner must provide the City with their 50% share of the cost for repair prior to repairs being made by the City.
- Homeowners with household incomes below 80% of the Area Median Income, as defined by the U.S. Department of Housing and Urban Development, may be eligible for a waiver of the property owner’s 50% match requirement. Homeowners requesting a waiver must also verify their income by providing a W-2 or pay stub or documentation similar providing income verification information through the application process.

6. Maintenance Liability

- Funded repairs do **not relieve the property owner’s ongoing maintenance responsibilities** under CCRMC Sec. 6-2012, including snow/removal and hazard prevention after the repairs are completed.

7. Program Administration & Review

- The Public Works Department will administer the program including application intake and review, inspections, scheduling, and contractor oversight.
- An annual program report will be prepared for City Council and will include the number of applications received and the number of applications able to be accepted into the program.

Policy Owner Title/Name:	Jenna Hahn, Director of Public Works		
Policy Review By:	Jim Tolbert		
Last Review Date:	June 2026		
RETENTION:	<input type="checkbox"/> Section 40.220 (A) Clerical or other routine manuals: 2 yrs after superseded or obsolete <input checked="" type="checkbox"/> Section 40.220(B) Policies and procedures that have long-term value in determining current and past policies or procedures in liability cases, personnel disputes and other circumstances: Permanent		
Legal Review By:	<small>Signed by:</small>  <small>30CE31A2F80C4E3</small>		
Legal Review Date:	6/22/2026 9:07 AM MDT		
HR Review By:	Not Applicable		
HR Review Date:	Not Applicable		
Policy Approval By:	<small>DocuSigned by:</small>  <small>F92BFA3E0ED46F</small>	<small>DocuSigned by:</small>  <small>9C1E7D68E923436</small>	<small>Signed by:</small>  <small>A1B72F8B883F4CD</small>
Policy Approval Date:	6/22/2026 8:21 AM MDT	6/22/2026 9:29 AM MDT	6/22/2026 10:21 AM MDT

Legal Approval By:	
Legal Approval Date:	
HR Approval By:	
HR Approval Date:	