

521.06 - DUTY TO KEEP SIDEWALKS IN REPAIR AND CLEAN.

- (a) No owner or occupant of abutting lands shall fail to keep the sidewalks, curbs and gutters in repair and free from snow, ice or any nuisance. (ORC 723.011).
- (b) Each owner of any lot or parcel of ground in the city shall cause the sidewalk and every part thereof in front of, alongside or abutting such lot or parcel to be kept in good order and repair and free from any nuisance. The Director of Public Service or designee may direct such owner to perform replacement or repair as needed to ensure the public's health, safety and welfare, if one of the following is present:
- (1) A minimum of one (1) inch vertical separation anywhere in the sidewalk area, including individual blocks.
 - (2) Slope along or across a sidewalk block of one (1) inch or more per foot above or below the adjacent sidewalk block's grade.
 - (3) Spalled concrete, deteriorated patches, wedges or ramps, exceeding a 1 in 12 slope, loose or partial infill, cracks of one-half ($\frac{1}{2}$) inch or more in width, or cracks with protruding vegetation, all of which create an irregular walking surface.
- (c) All sidewalk repairs, alterations, and replacements shall be in accordance to City of Gahanna code section 903.01. Should the Director of Public Service or designee determine that any of the conditions set forth in G.C.O. § 521.06 (b) (1), (2), or (3) are caused by the presence or growth of tree roots from a tree growing within a public street right-of-way, the City may remove the tree at the City's expense, however, all necessary repairs or replacement of damaged sidewalk by tree growth will be at the owner expense.
- (d) The Director of Public Service's or designee's notification to repair and replace sidewalks shall be in writing, include the address of the property, and the reason why a repair or replacement is needed.
- (e) For purposes of this section *spalled* means areas of concrete that have broken away from the sidewalk, etc. causing the sidewalk to break into larger fragments. Spalling does not include the superficial concrete surface defect of scaling. Scaling is the local flaking or peeling of the hardened concrete surface due to the exposure of the concrete surface to freezing, thawing, or de-icing agents.
- (f) Whoever violates this section is guilty of a minor misdemeanor and subject to penalties and/or fines in accordance with G.C.O. § 501.