

**ADMINISTRATIVE ORDER NO. 58-24-06**  
**of the**  
**City Manager of the City of Eugene**

**REGARDING THE OPPORTUNITY TO COMMENT ON A PROPOSAL  
TO AMEND THE SIDEWALK AND DRIVEWAY APRON  
REPLACEMENT AND GRINDING MAINTENANCE SERVICE FEE  
SCHEDULE.**

**The City Manager of the City of Eugene finds as follows:**

**A.** Section 2.020 of the Eugene Code, 1971 (EC), authorizes the City Manager to determine and set fees and charges to be imposed by the City for services, goods, use of municipal property, and licenses and permits. EC 7.154 provides that if sidewalk repair or reconstruction is performed by City forces, the owner shall be charged at a rate established by the City Manager which shall cover the costs of the work, including supervision, inspection, billing, overhead, and whatever additional costs any extraordinary aspect of the work entails.

**B.** Pursuant to the above authority, on January 21, 2021, I issued Administrative Order No. 58-20-24-F establishing the current Sidewalk and Driveway Apron Replacement and Grinding Maintenance Service Fee Schedule (“the Fee Schedule”).

**C.** In determining whether to amend the Fee Schedule, in accordance with EC 2.020(2), I have considered the following factors: applicable policies, enactments and directives of the City Council; the amount charged for these services by the City in the past; the full costs of providing the services supported by the fees; the amounts charged by other comparable providers; and the revenue needs of the City as determined by the adopted City budget. See Exhibit C.

**D.** Based on my consideration of the factors listed above, I propose to replace the Fee Schedule with an updated Fee Schedule as set forth in the Notice attached as Exhibit A to this Order.

**On the basis of these findings, I order that:**

**1.** A copy of this Order with its exhibits shall be provided to the Mayor and City Councilors, and a Notice substantially conforming to the Notice attached as Exhibit A shall be made available to any persons who have requested such notice and posted at two locations at City Hall.

2. A Notice substantially conforming to the Notice attached as Exhibit B which contains those fees proposed to be \$250 or more shall be published in the Register Guard Newspaper.

**Dated this Fifth day of June, 2024.**

JCH

JCH

EJ

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**Sarah Medary**  
**City Manager**

**NOTICE OF OPPORTUNITY TO COMMENT ON PROPOSED CHANGES TO THE  
SIDEWALK AND DRIVEWAY APRON REPLACEMENT AND GRINDING  
MAINTENANCE SERVICEFEE SCHEDULE.**

Pursuant to the provisions of Sections 2.020 and 7.154 of the Eugene Code, 1971, and as a result of an investigation of the revenue needs of the City in providing sidewalk and driveway apron maintenance services, the City Manager is proposing to amend the Sidewalk and Driveway Apron Replacement and Grinding Maintenance Service Fee Schedule effective July 1, 2024, as follows:

**Current Fee Schedule**

Service	Current Fee
<b>Sidewalk Replacement</b>	
<b>One-time mobilization fee</b>	\$600
<b>Fee per sq. ft. (minimum 25 sq. ft.)</b>  <b>For additional thickness in concrete beyond 4", additional fee will be calculated using current concrete cost multiplied by additional concrete quantity.</b>	\$13.80 per sq. ft.@ 4"
<b>Driveway Apron Replacement</b>	
<b>One-time mobilization fee</b>	\$600*
<b>*One-time mobilization fee waived if sidewalk replacement is being performed in conjunction with driveway apron replacement</b>	
<b>Fee per sq. ft. For additional thickness in concrete beyond 5" additional fee will be calculated using current concrete cost multiplied by additional concrete quantity.</b>	\$16.96 per sq. ft. @ 5"
<b>Grinding</b>	
<b>Fee per linear ft. (minimum 5 linear ft.)</b>	\$32.89 per lineal ft.

**Proposed Replacement Fee Schedule**

Service	Fees				
	July 1, 2024 – June 30, 2025	July 1, 2025 – June 30, 2026	July 1, 2026 – June 30, 2027	July 1, 2027 – June 30, 2028	After June 30, 2028
<b>Sidewalk Replacement</b>					
<b>Base fee (up-to 25 sq. ft.)</b>	\$1,700	\$1,751	\$1,803	\$1,857	\$1,913
<b>Fee per sq. ft.</b>	\$20 per sq. ft.@ 4"	\$20.60 per sq. ft.@ 4"	\$21.22 per sq. ft.@ 4"	\$21.86 per sq. ft.@ 4"	\$22.52 per sq. ft.@ 4"

(per sq. ft. above Base Fee 25 sq. ft. min.)  For additional thickness in concrete beyond 4”, additional fee will be calculated using current concrete cost multiplied by additional concrete quantity.					
<b>Driveway Apron Replacement</b>					
Fee per sq. ft. (No Base Fee)  For additional thickness in concrete beyond 5” additional fee will be calculated using current concrete cost multiplied by additional concrete quantity.	\$37	\$38.11	\$39.25	\$40.43	\$41.64
<b>Grinding</b>					
Fee per linear ft. (minimum 5 linear ft.)	\$50 per lineal ft.	\$51.50 per lineal ft.	\$53.05 per lineal ft.	\$54.64 per lineal ft.	\$56.28 per lineal ft.
Fees may be reduced by up to the current sidewalk replacement Base Fee for property with one single-family dwelling, where the property owner applies for and meets City of Eugene Low-Income Subsidy qualification criteria, subject to funding availability.					

Comments on the proposed amendments may be submitted in writing to Eric Johnson, City of Eugene Public Works Department, 1820 Roosevelt Blvd., Eugene, Oregon 97402, or via e-mail to [EJohnson@eugene-or.gov](mailto:EJohnson@eugene-or.gov). To be considered, written and e-mail comments must be received within 15 days from the date posting as indicated below. If the City Manager chooses to take action after considering the comments received, the proposed or modified fees will be adopted by administrative order.

**Date of Posting: June 13, 2024**

**NOTICE OF OPPORTUNITY TO COMMENT ON PROPOSED CHANGES TO THE  
SIDEWALK AND DRIVEWAY APRON REPLACEMENT AND GRINDING  
MAINTENANCE SERVICEFEE SCHEDULE.**

Pursuant to the provisions of Sections 2.020 and 7.154 of the Eugene Code, 1971, and as a result of an investigation of the revenue needs of the City in providing sidewalk and driveway apron maintenance services, the City Manager is proposing to amend the Sidewalk and Driveway Apron Replacement and Grinding Maintenance Service Fee Schedule effective July 1, 2024. Fees proposed to be \$250 or greater are set out below. A full schedule of the proposed amendments can be reviewed at the City Hall, 101 West 10th Avenue, Eugene and at [www.eugene-or.gov/520/Administrative-Order](http://www.eugene-or.gov/520/Administrative-Order).

The current fees include: a \$600 one-time mobilization fee and \$13.80 per sq. ft. (@ 4” concrete thickness and a minimum of 25 sq ft). Instead, the following fees are proposed: a base fee of \$1,700 until 6/30/25, then \$1,751 until 6/30/26, then \$1,803 until 6/30/27, then \$1,857 until 6/30/28, then \$1,913; and a fee per sq ft (@ 4” for repairs above 25’ minimal sq ft rate) of \$20 until 6/30/25, then \$20.60 until 6/30/26, then \$21.22 until 6/30/27, then \$21.86 until 6/30/28, then \$22.52. Under current and proposed fees, for concrete thickness beyond 4”, additional fees are calculated using current concrete cost X multiplied by additional concrete quantity.

Comments on the proposed changes may be submitted in writing to Eric Johnson, City of Eugene Public Works Department, 1820 Roosevelt Blvd., Eugene, Oregon 97402, or via e-mail to [EJohnson@eugene-or.gov](mailto:EJohnson@eugene-or.gov). To be considered, comments must be received within 15 days from the date of publication as indicated below. If the City Manager chooses to take action after considering the comments received, the proposed or modified fees will be adopted by administrative order.

**Date of Publication: June 10, 2024.**

**City Manager’s Findings**

**Proposed Sidewalk and Driveway Apron Replacement and Grinding Maintenance Services Fee Schedule Amendments**

Pursuant to Section 2.020(2) of the Eugene Code, 1971, the City Manager has considered the following factors in determining the proposed Sidewalk and Driveway Apron Replacement and Grinding Maintenance Services fee amendments:

**(a) Applicable policies, enactments and directives of the Council.**

Findings:

EC 7.154 Sidewalk and Culverts – Repair and Reconstruction – Charges

If the work is performed by city forces, the owner shall be charged at a rate established by the city manager pursuant to section 2.020 of this code which shall cover the costs of the work, including supervision, inspection, billing, overhead, and whatever additional costs any extraordinary aspect of the work entails. If the work is performed under private contract, the owner shall be charged the amount actually paid to the contractor, plus a charge for supervision, inspection, billing, interest on warrants and overhead, as established by the city manager pursuant to section 2.020 of this code.

**(b) The amount charged by the City in the past.**

Findings:

Current charges under AO #58-20-24-F;

<b><u>Service:</u></b>	<b><u>Fees:</u></b>
Sidewalk Replacement .....	\$600 mobilization fee plus \$13.80 per sq. ft. @ 4". (Minimum 25 sq. ft.) (Additional thickness add material costs) (One-time mobilization fee)
Driveway Apron Replacement .....	\$600 mobilization fee plus \$16.96 per sq. ft. @ 5". (One-time mobilization fee; fee waived if sidewalk replacement is being performed in conjunction with driveway apron replacement.) (Additional thickness add material costs)
Grinding .....	\$32.89 per lineal ft. (5' minimum)

**(c) The full costs of providing the service supported by the fee.**

Findings:

Full costs for providing services were included in the findings for approval of AO #58-20-24-F. New proposed Administrative Order for amending current rates is consistent with Memorandum to Mayor and Council dated December 21, 2020, which states that additional adjustments to rates is necessary to bridge the gap to achieve full cost recover. (See Attachment 1 to Exhibit C)

**(d) The amounts charged by other comparable providers.**

Findings:

In 2019 Public Works reached out to other jurisdictions to consider the practices and cost of similar programs. Locally, several contractors that do this work were also surveyed and their costs were considered as part of the decision process to increase fees shown in AO #58-20-24-F. (See Attachment 2 to Exhibit C)

**(e) The revenue needs of the City as determined by the adopted city budget.**

Findings:

FY24 \$155,000  
FY25 \$155,000



## Memorandum

**Date:** December 21, 2020

**To:** Mayor and City Council

**From:** Eric Johnson – Surface Operations Manager

**Subject:** Sidewalk and Driveway Apron Maintenance Fees Amended (AO #58-20-24-F)

This memo is providing notice pursuant to EC 2.020(5) that fees in excess of \$250 were recently increased by Administrative Order.

Property owners have several options available when sidewalk or driveway apron maintenance is necessary within the right-of-way. One of the options is to contract with Public Works Maintenance, when resources are available, for the repair. Fees for the said repairs are established by AO to cover the cost of repairs and overhead. Other options for repair include doing their own work or hiring a private contractor.

In 2019, a review of program cost identified a gap in cost recovery. The increase necessary to bridge this gap was enough that a two-year phase in approach was chosen. This AO is the second step toward covering program cost.

Following a review of program cost and prior to proposing an increase in fees for this type of work, Public Works reached out to other jurisdictions to consider the practices and cost of similar programs. Locally, several contractors that do this work were also surveyed and their costs were considered as part of the decision process to increase fees.

The proposed amendment to adjust fees was published in the Register Guard and posted at City Hall, and comments were received for 15 days following posting. No comments were received on the proposed fee amendment.

For further information please contact Eric Johnson, Surface Operations Manager at [ejohnson@eugene-or.gov](mailto:ejohnson@eugene-or.gov) or 541-682-4904.



**SIDEWALK RESPONSIBILITY BY JURISDICTION**

**2023 DATA COLLECTED BY**

**CITY OF EUGENE SIDEWALK INSPECTOR**

**CITY OF BEND**

Property owners are responsible and liable for maintenance and repair of sidewalks. Property owners can only choose contractors that have obtained a “right of way” license from the city. Adam stated that they achieve around 75% compliance through enforcement. Repair times can be lengthy to achieve compliance and Bend is willing to work with property owners on timelines due to high demand and busy contractors. A one panel repair with a contractor can be up to \$75 per square foot (\$1,875 for 25 sq. ft.) Adam says approximately ½ mile of sidewalk was repaired last year thru infill. City crews have focused on upgrades to curb ramps averaging approximately 200 upgrades per year. Spoke with Adam Malinowski.

**CITY OF GRESHAM**

The City of Gresham code places sidewalk maintenance and liability on the abutting property owner. Property owners can make their own repairs or hire a contractor. Spoke with Eric Jones.

**CITY OF SALEM**

The City of Salem shares sidewalk responsibility with property owners. Salem is responsible if the sidewalk is damaged by a City tree or the sidewalk was built prior to 1992. Property owners are responsible if damage is not tree related or sidewalk was built after 1992. In the past five years, Salem has completed some large block repairs through infill and repairs averaged out to \$15.06 per sq. ft. Small contracted repairs around utilities ranged between \$20 and \$34 dollars per sq. ft. Spoke with Brandon Klukis.

**CITY OF OREGON City**

Property owners are responsible and liable for maintenance and repair of the sidewalk. Oregon City started a pilot program in February 2022. This grant re-imbursment program of \$200,000.00 re-imburses property owners up to \$1,500 for repairing sidewalk with a contractor. Certain criteria must be met to be re-imbursed such as City tree must be involved, permit must be purchased, and 2 separate bid proposals submitted. The typical cost during slow season (winter) is \$500 per panel. Typical cost during busy season (summer) is \$1,000 to \$2,000 per panel. Property owners have a say in tree retention or removal. New trees must be replanted under new planting standards if an

existing tree was removed. Tree is posted only if diameter is greater than 40". Grant money can only be used once per property. Spoke with Josh Wheeler.

### CITY OF BEAVERTON

Property owners are responsible and liable for maintenance and repair of sidewalks. Grant reimbursement program (\$60,000) re-imburses property owners up to \$1,500 per repair when grant criteria is met. Sidewalk damage must be caused by City tree to qualify. Grant funds are available until the money is gone (July 1<sup>st</sup> to June 30<sup>th</sup>.) Program has been extremely popular, and Beaverton is hoping to add more money to the grant. Average cost with contractor range from \$1,800 to \$2,300 for a ten foot repair. \$36 to \$46 per sq. ft. Spoke with Rick Riedesal.

### CITY OF PORTLAND

Property Owners are responsible and liable for maintenance and repair of sidewalk. Inspectors assess sidewalks and notify the property owner of needed repairs. If repairs are not made by the property owner (within 60 days,) the City hires a private contractor to make repairs and bills the property owner for the costs. Contractor repairs are "expensive." They could not give me a range on price per sq. ft. Spoke with Russ Kreis and Lee Munson

**LOCAL CONTRACTOR PRICING**

Seven local concrete contractors were contacted to discuss pricing sidewalk repairs. Due to the small size of repairs, they did not bid on a square foot price. A minimum charge for 5’ by 5’ sidewalk panel ranged from \$1,500.00 to \$2,500.00 depending on the scope of work to be performed. A square foot price could be achieved if a large amount of square footage was being repaired. One contractor typically stays away from sidewalk/apron repairs due to ADA challenges and not enough money to be made per site. Trees and tree roots were a common deterrent in wanting to take on a repair.

