



Legislation Details (With Text)

**File #:** 22-1712      **Version:** 1      **Name:** 11/10/22 Chapter 49 Sidewalks Ordinance Amendment  
**Type:** Ordinance      **Status:** Passed  
**File created:** 11/10/2022      **In control:** City Council  
**On agenda:** 11/21/2022      **Final action:** 11/21/2022  
**Enactment date:** 11/21/2022      **Enactment #:** ORD-22-17

**Title:** An Ordinance to Amend Sections 4:58 and 4:59 of Chapter 49 (Sidewalks) of Title IV (Streets and Sidewalks) of the Code of the City Relative to Responsibility to Repair of Adjacent Sidewalks (ORD-22-17)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD-22-17 Briefed and Approved.pdf, 2. ORD-22-17 Briefed.pdf, 3. Ordinance to Amend Sections 4.48 and 4.59 of Ch 49-redlined.pdf, 4. ORD-22-17 Approval Notice.pdf, 5. WLN clipping ORD-22-17 Streets and Sidewalks - Public Hearing Notice.pdf

| Date       | Ver. | Action By    | Action                    | Result |
|------------|------|--------------|---------------------------|--------|
| 11/21/2022 | 1    | City Council | Adopted on Second Reading | Pass   |
| 11/21/2022 | 1    | City Council | Held and Closed           |        |
| 11/10/2022 | 1    | City Council | Approved on First Reading | Pass   |

An Ordinance to Amend Sections 4:58 and 4:59 of Chapter 49 (Sidewalks) of Title IV (Streets and Sidewalks) of the Code of the City Relative to Responsibility to Repair of Adjacent Sidewalks (ORD-22-17)

On November 3, 2020, Ann Arbor voters approved a new 4-year Streets, Bridges, and Sidewalks Millage, which replaced a similar millage that ended June 30, 2022. The proposed amendments to Chapter 49 of City Code are intended to update the ordinance to match the millage dates (July 1, 2022 through June 30, 2026) in certain provisions that apply to properties within the Downtown Development District.

These include the sections with dates during which the City and Downtown Development Authority (“DDA”) can enter into a contract that relieves the owners of taxable property within the Downtown Development District from the responsibility for sidewalk repairs for one or more fiscal years during the life of the millage if the DDA agrees to return the City an amount equal to the share of 0.125 mill of the 2.215 Streets, Bridges, and Sidewalks Millage, as adjusted, that the DDA receives.

Section 4:58 provides for two possible contractual arrangements. No changes are proposed for these provisions, other than to bring current the dates and the reference to the millage.

Subsection 4:58(D)(1) provides for the DDA to return to the City an amount equal to the share of 0.125 mill of the 2.215 Streets, Bridges, and Sidewalks Millage, as adjusted, that the DDA receives. The City will not be able to use those funds outside the Downtown Development District. As was the case for the prior millage, the impetus for providing this option is to reduce costs by taking advantage of the City’s expertise and existing sidewalk repair program, while providing funding that otherwise

would go to the DDA for this purpose. This was done for all five years of each of the two previous millages and is planned for the four years of the current millage.

Subsection 4:58 (D)(2) provides for the City to pay the DDA an amount equal to the balance of the 0.125 mill of the 2.125 Streets, Bridges, and Sidewalks Millage, as adjusted, that the DDA does not otherwise capture. Although staff and the DDA expect to enter into an agreement under subsection 4:58(D)(1), the option in (2) was provided at the time of the previous two millages and is continued for the current millage. Staff expects to bring an agreement with the DDA under subsection 4:58(D)(1) for approval at the next Council meeting, concurrent with the second reading of this ordinance.

Prepared by: Jennifer A. Richards, Assistant City Attorney

Reviewed by: Brian D. Steglitz, Interim Public Services Administrator

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Approved by: Milton Dohoney Jr., City Administrator

(See Attached Ordinance)