

**RESOLUTION #23-23**

**PL #22-23**

By Alderman McCall, seconded by Alderman Forney

**TO AMEND THE RULES AND REGULATIONS FOR THE CITY OF OLEAN SIDEWALK REBATE PROGRAM**

**WHEREAS**, the City of Olean Common Council established the Sidewalk Rebate Program in 2019 to provide financial assistance in the form of a rebate based on the square footage of concrete sidewalk replaced by the property owner; and

**WHEREAS**, the City of Olean Common Council has determined amendments to the rules and regulations for the program are necessary in the best interests of the City and program participants;

**NOW, THEREFORE, BE IT RESOLVED**, that the following provisions shall apply to said City of Olean Sidewalk Rebate Program:

- Applicant must maintain property as their primary residence;
- Subject property must be an owner occupied, single-family dwelling unit or duplex (non-owner occupied dwelling units and non-owner occupied properties are ineligible for this program);
- A rebate of 50% of the construction cost of eligible sidewalk, up to \$7.50 per square foot is available for the mainline sidewalk for residential properties with a \$1,000 cap per property (driveway aprons and approach sidewalks are ineligible for this program);
- A permit, and associated fee, will be required for sidewalk replacement;
- All concrete work must be done by a licensed contractor in accordance with City of Olean specification;
- Eligible sidewalks include those that are heaved or sunk, cracked or broken, or are not in compliance with ADA regulations as determined by the Department of Public Works (sidewalks replaced for cosmetic purposes only are ineligible for this program);
- Sidewalks found to have tripping hazards require mandatory replacement;
- An application (available in the Department of Public Works Office or online at [www.cityofolean.org](http://www.cityofolean.org)) must be completed and submitted to the Department of Public Works by the property owner;
- DPW inspection and approval of the application is required prior to the commencement of the project in order for the project to be eligible for the rebate;

- A post-construction inspection will be performed prior to release of funding;
- Priority will be given to applicants who have been notified by the Department of Public Works that their sidewalk is in need of replacement;
- Homeowners can only participate in this program one time (regardless of rebate amount);
- If the Homeowner so elects, the City of Olean can allow the work to be done under the City concrete contract, limited to two sidewalk blocks (32 square feet). Payment shall be due within 90 days following completion of the work. Failure to remit payment will result in the remaining balance being transferred onto the tax assessment for the corresponding property. Any applicant requiring more than 32 sf of work must retain their own contractor;
- The Director of Public Works shall have the authority to promulgate any additional rule and regulations in furtherance of the delivery of this program.

**RESOLVED**, that this Resolution shall take effect immediately.

Approved: May 9, 2023