

**FIRST AMENDED POLICY STATEMENT FOR**  
**THE CONSTRUCTION OF NEW PUBLIC SIDEWALK**

Effective Date: December 15, 2008

- The construction of new public sidewalk on "Arterial Streets" within the Village will continue, with the Village now funding 100% of the cost of construction, subject to determination by the Village that (1) sufficient right-of-way exists for such construction and (2) sufficient funds have been budgeted and are available to use for such purposes. For the purposes of this Policy Statement, "Arterial Streets" include only those streets, or segments of streets, located within the Village's jurisdictional boundary and listed in Schedule A attached to this Policy Statement.
- The construction of new public sidewalk on residential streets within the Village that are not Arterial Streets will occur only (1) upon receipt by the Village of a Residential Sidewalk Petition signed by the owners of a majority (at least 51%) of the lots on the side of a block on which the sidewalk is proposed and (2) upon a determination by the Village that (a) sufficient right-of-way exists for such construction, (b) sufficient funds have been budgeted and are available to use for such purposes and (c) such construction is cost effective and practical. The following procedures shall govern the Residential Sidewalk Petition:
  - The petition shall be on a form prepared and provided by the Village.
  - The petition shall concern only the side of the block for which the sidewalk is proposed.
  - The petition shall be signed by the record owner of a lot. In instances of multiple owners, any owner may sign and that signature shall bind all other owners.
  - Each lot shall be entitled to one signature on the petition.
  - Corner lots shall be entitled to a signature on petitions for each block on which the lot has a frontage
  - Persons or entities owning more than one lot on a block shall be entitled to sign the petition for each lot owned.
  - The terms "block" and "lot" shall be as defined in the Village's Zoning Code

Each Residential Sidewalk Petition will be evaluated by the Village on a case-by-case basis to determine if it complies with the requirements and procedures set forth in this Policy Statement. The Village Engineer shall be empowered to address and resolve all questions and issues concerning the validity of a Residential Sidewalk Petition and any other unique facts or special circumstances.

If the Village determines that the petition is valid and that the sidewalk should be constructed, it will initiate construction of the sidewalk on the side (or sides) of the block (or blocks) for which the petition was submitted. The owners of an affected lot will be responsible for reimbursing the Village for 50% of the cost of constructing the sidewalk along that lot's frontage for up to 130 linear feet per lot. The Village will pay 100% of the cost of any segment of sidewalk constructed along the linear frontage of a lot in excess of 130 feet.

- The Village will require (1) the deposit of a public sidewalk escrow, or (2) the construction of a sidewalk in conjunction with the issuance of a building permit for all new commercial/industrial Building Permits where no sidewalk is currently installed on the fronting street (or streets).

- All public sidewalk escrows for single family residences that are still on deposit with the Village as of the effective date of this First Amended Policy Statement shall be returned directly to the current owner of record of the property. It shall be the responsibility of the owner of record of the property to cause the public sidewalk escrow to be delivered to the proper party in interest. The Village shall not be responsible for any dispute as to who is the proper party in interest. Accordingly, the owner of record of the property shall be required to execute and deliver to the Village a "Release and Hold Harmless Agreement," in the form attached to this Policy Statement as Exhibit 1 prior to the receipt of the refund of the public sidewalk escrow.

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## **SCHEDULE A**

*(LIST OF ARTERIAL STREETS FOR THE PURPOSES OF NEW SIDEWALK CONSTRUCTION)*

### **REGIONAL ARTERIAL STREETS:**

*Dundee Road  
Lake-Cook Road  
Landwehr Road  
Pfingsten Road  
Sanders Road  
Shermer Road  
Skokie Boulevard  
Sunset Ridge Road  
Techny Road  
Waukegan Road  
Willow Road*

### **COMMUNITY ARTERIAL STREETS:**

*Cherry Lane  
Lee Road (Lake-Cook to Edens Spur)  
Meadow Road  
Walters Avenue (Sanders to Waukegan)  
Western Avenue*