FAIRFIELD TOWNSHIP
RESOLUTION NO. 26-86

RESOLUTION ADOPTING A TOWNSHIP SIDEWALK POLICY FOR FAIRFIELD TOWNSHIP

WHEREAS: The Township has received multiple complaints from residents about the excessive number of cracks and lack of maintenance of the sidewalks throughout the township; and

WHEREAS: The Fairfield Township Board of Trustees believes it is necessary to develop a policy for the township that addresses those repairs or replacements and who will be responsible for that maintenance of sidewalks; and

WHEREAS: The Board desires to adopt a new policy as set forth in the attached Policy designated as Exhibit A and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Fairfield Township, Butler County, Ohio, as follows;

SECTION 1: The Board of Trustees hereby authorizes the adoption of a sidewalk policy for Fairfield Township, attached hereto as Exhibit A.

SECTION 2: The Board hereby dispenses with the requirement that this resolution be read on two separate days, pursuant to RC 504.10, and authorizes the adoption of this resolution upon its first reading.

SECTION 3: This resolution is the subject of the general authority granted to the Board of Trustees through the Ohio Revised Code and not the specific authority granted to the Board of Trustees through the status as a Limited Home Rule Township.

SECTION 4: That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.

SECTION 5: This resolution shall take effect at the earliest period allowed by law.

Adopted: October 27, 2026

Board of Trustees	**Vote of Trustees**
Michael Berding:	Yes
Shannon Hartkemeyer:	Yes
Joe McAbee:	Yes

AUTHENTICATION

This is to certify that this is a resolution which was duly passed and filed with the Fairfield Township Fiscal Officer this 27th day of October, 2026.

ATTEST:

Shelly Schultz

Shelly Schultz, Fairfield Township Fiscal Officer

APPROVED AS TO FORM:

Katherine Barbiere, Township Law Director

FAIRFIELD TOWNSHIP

Great History. Bright Future.

SIDEWALK REPAIR, MAINTENANCE AND REPLACEMENT POLICY

ARTICLE I - PURPOSE, AUTHORITY, AND APPLICABILITY

Section 1.1 – Policy Statement

Fairfield Township recognizes sidewalks and paved multi-use paths adjacent to Township-maintained roadways as important components of the Township's transportation infrastructure. These facilities support public safety, neighborhood connectivity, accessibility, and quality of life for residents and visitors.

The Township is committed to preserving these public assets through routine inspections, coordinated capital improvements, and responsible stewardship of public resources. Whenever practical, the Township will work cooperatively with property owners to achieve voluntary compliance before pursuing remedies authorized by law

Section 1.2 – Purpose and Authority

The purpose of this Policy is to establish a fair, consistent, and transparent framework for the inspection, maintenance, repair, and replacement of pedestrian facilities.

This Policy is adopted pursuant to Ohio Revised Code Section 5543.10 and other applicable provisions of Ohio law. Nothing in this Policy limits any authority otherwise granted to Fairfield Township by statute.

Section 1.3 – Applicability

This Policy applies to public sidewalks, driveway aprons, and paved multi-use paths adjacent to Township-maintained roadways, including facilities assigned to private maintenance through subdivision approval, recorded easement, maintenance agreement, or other legal instrument.

This Policy does not apply to recreational trails, park paths, or pedestrian facilities located entirely on private property and not intended for public use.

Section 1.4 – Definitions

For purposes of this Policy:

Driveway Apron means the portion of driveway located within the public right-of-way that provides the transition between the roadway and the private driveway.

Pedestrian Facility means sidewalks and paved multi-use paths subject to this Policy.

Property Owner means the owner of property abutting a pedestrian facility or any person or entity otherwise responsible for maintaining a pedestrian facility pursuant to law, recorded easement, maintenance agreement, subdivision approval, or other legal instrument.

Public Works Director means the Fairfield Township Public Works Director or an authorized designee.

ARTICLE II - INSPECTION AND REPAIR CRITERIA

Section 2.1 – Inspection Program

The Public Works Director is responsible for administering the Township's inspection program to evaluate the condition of pedestrian facilities and identify locations requiring repair or replacement.

Inspections may be conducted routinely, in response to complaints, as part of the Township's Capital Improvement Inspection Program, or whenever conditions indicate an inspection is appropriate.

Section 2.2 – Capital Improvement Inspection Program

Whenever practical, inspections should be coordinated with roadway resurfacing, roadway reconstruction, curb replacement, drainage improvements, utility work, and other public infrastructure projects.

Coordinating inspections with planned capital improvements improves project planning, reduces construction costs, minimizes future disturbance of newly completed infrastructure, and promotes responsible stewardship of Township resources.

Section 2.3 – Criteria for Repair or Replacement

A sidewalk, driveway apron, or paved multi-use path requires repair or replacement when one or more of the following conditions exist:

1. Cracks exceeding three-fourths (3/4") inch in width or vertical displacement exceeding three-fourths (3/4") inch.
2. Adjacent panels differing in elevation by more than three-fourths (3/4") inch.
3. Holes three-fourths (3/4") inch or greater in diameter or broken concrete resulting in loose or missing sections.
4. Depressions, settlement, or reverse cross-slope resulting in standing water or mud accumulation.
5. Cross-slope exceeding applicable accessibility standards or approved engineering design.
6. Significant spalling, raveling, or surface deterioration creating an unsafe walking surface.
7. Construction using improper materials or without required Township approval.
8. Abrupt changes in longitudinal grade creating a hazardous walking surface.

The Public Works Director will determine the appropriate corrective action based on the severity of the deficiency, public safety, accessibility, and accepted engineering practices.

ARTICLE III - NOTICE AND COMPLIANCE

Section 3.1 – Notice of Required Repair

When the Public Works Director determines that a pedestrian facility meets the repair criteria, the Township will provide written notice to the Property Owner describing the deficiency, the required corrective action, and the deadline for compliance.

The notice may include photographs, measurements, or other documentation supporting the determination.

Section 3.2 – Compliance Period

Unless otherwise specified, required repairs must be completed within ninety (90) days from the date of the notice.

The Public Works Director may grant reasonable extensions for good cause, including weather, contractor availability, or other circumstances beyond the Property Owner's control.

Section 3.3 – Administrative Review

A Property Owner who believes a notice was issued in error may request an administrative review by submitting a written request to the Public Works Director within fifteen (15) days of the date of the notice.

Following the review, the Public Works Director may affirm, modify, or rescind the notice or extend the compliance period when appropriate.

Section 3.4 – Owner Compliance

A Property Owner may complete the required repairs using a qualified contractor or another method approved by the Public Works Director. All repairs must comply with the construction standards established in Article IV.

Section 3.5 – Failure to Comply

If the required repairs are not completed within the prescribed compliance period and no extension has been granted, the Township may complete the work and recover its costs in accordance with Article IV.

ARTICLE IV - REPAIRS AND COST RECOVERY

Section 4.1 – Construction Standards

Repairs and replacements of pedestrian facilities must comply with the current standards of the Butler County Engineer, the Ohio Department of Transportation, and any applicable Fairfield Township specifications unless otherwise approved by the Public Works Director.

Construction methods and materials may vary based on the type and intended use of the facility.

Section 4.2 – Property Owner Repairs

Property owners are responsible for maintaining sidewalks, driveway aprons, and paved multi-use paths assigned to them under this Policy and applicable law. Required repairs must be completed regardless of the cause of the deficiency, including normal deterioration, settlement, or tree root damage, unless another party is responsible pursuant to law, permit, warranty, easement, or other written agreement.

Before beginning repairs, the Property Owner must obtain any permits required by Fairfield Township and coordinate required inspections with the Public Works Director.

Section 4.3 – Township Repairs

If a Property Owner fails to complete the required repairs within the prescribed compliance period, the Township may complete the work in accordance with Ohio Revised Code Section 5543.10.

Whenever practical, Township-performed repairs should be coordinated with planned capital improvement projects.

Section 4.4 – Emergency Repairs

When the Public Works Director determines that a pedestrian facility presents an immediate hazard to public safety, the Township may perform or authorize the repairs necessary to protect the public.

Whenever practical, the Township will notify the Property Owner before performing emergency repairs.

Section 4.5 – Cost Recovery and Assessments

When the Township performs repairs for which a Property Owner is responsible, the Township may recover all costs permitted by Ohio Revised Code Section 5543.10, including construction, inspection, engineering, administrative, and related costs.

If payment is not received within the time established by the Township, the Board of Trustees may certify the costs for assessment in accordance with Ohio Revised Code Section 5543.10.

ARTICLE V - ADMINISTRATION

Section 5.1 – Administrative Authority

The Public Works Director is responsible for administering this Policy and may develop administrative procedures, inspection forms, notices, and other documents necessary to implement this Policy.

Administrative procedures developed under this section must remain consistent with this Policy and applicable law.

Section 5.2 – Interpretation

This Policy establishes the framework for administering Fairfield Township's sidewalk repair, maintenance, and replacement program.

If a conflict exists between this Policy and applicable federal, state, or local law, the applicable law governs.

Section 5.3 – Severability

If any provision of this Policy or its application to any person or circumstance is determined to be invalid by a court of competent jurisdiction, the remaining provisions will continue in full force and effect.

Section 5.4 – Effective Date

This Policy becomes effective upon adoption by resolution of the Fairfield Township Board of Trustees and remains in effect until amended or repealed by the Board.

Resolution No. _____

Effective Date: _____

APPENDIX A

Sidewalk and Pedestrian Facility Inspection Checklist

Fairfield Township
Sidewalk Repair, Maintenance and Replacement Policy

Inspection Information

Inspection Date: _____

Inspector: _____

Property Address: _____

Deficiency Checklist

Mark all conditions that apply.

☐ 1. Crack exceeds **3/4 inch** in width.

☐ 2. Vertical displacement exceeds **3/4 inch**.

☐ 3. Hole or missing concrete **3/4 inch or greater**.

☐ 4. Standing water, settlement, or reverse cross-slope.

☐ 5. Cross-slope exceeds applicable accessibility standards.

☐ 6. Surface spalling, raveling, or deterioration creating an unsafe walking surface.

☐ 7. Improper materials or construction without required approval.

☐ 8. Abrupt change in longitudinal grade creating a hazardous walking surface.

Recommended Corrective Action

☐ Grinding

☐ Partial Panel Replacement

☐ Full Panel Replacement

☐ Other

Supporting Documentation

☐ Measurements Taken

☐ Photographs Attached

☐ Sketch Attached

Inspector Comments

Inspector Name and Signature

APPENDIX B

NOTICE OF REQUIRED REPAIR

FAIRFIELD TOWNSHIP
Public Works Department

NOTICE OF REQUIRED REPAIR

Date: _____

Property Owner:

_____

Mailing Address:

_____

Property Address:

_____

Inspection Summary

An inspection conducted on _____ determined that one or more pedestrian facilities adjacent to the above property require repair in accordance with the Fairfield Township Sidewalk Repair, Maintenance and Replacement Policy.

The following condition(s) were identified:

☐ Crack exceeds allowable width

☐ Vertical displacement

☐ Broken or missing concrete

☐ Settlement / Standing Water

☐ Cross-slope deficiency

☐ Surface deterioration

☐ Improper construction

☐ Abrupt grade change

Other: _____

Required Corrective Action

_____

Compliance Deadline

Repairs must be completed no later than:

Unless an extension is granted by the Public Works Director.

Administrative Review

If you believe this notice was issued in error, you may submit a written request for Administrative Review within **15 days** of the date of this notice.

Requests should be directed to:

Fairfield Township Administration

6032 Morris Road

Fairfield Township, Ohio 45011

Phone: _____

Email: _____

Questions?

Please contact the Public Works Department before beginning repairs.

Issued by:

Public Works Director

APPENDIX C

REQUEST FOR ADMINISTRATIVE REVIEW

FAIRFIELD TOWNSHIP
Public Works Department

REQUEST FOR ADMINISTRATIVE REVIEW

Date Submitted:

Property Address:

Property Owner:

Mailing Address:

Telephone:

Email:

Date of Notice:

Reason for Request

Please explain why you believe the Notice of Required Repair should be reconsidered.

Attach additional pages if necessary.

Requested Action

☐ Notice rescinded

☐ Additional inspection requested

☐ Additional time requested

☐ Other

Supporting Information

☐ Photographs

☐ Contractor Information

☐ Engineering Information

☐ Other

Property Owner Signature

Date

Township Use Only

Date Received:

Reviewed By:

Inspection Date:

Disposition:

☐ Notice Affirmed

☐ Notice Modified

☐ Notice Rescinded

☐ Extension Granted

Comments:

Decision Issued:

Public Works Director