



THE CITY OF MADRAS

Downtown Sidewalk Repair Grant Program

Program Background

The City of Madras recognizes that the maintenance of sidewalks within the City is necessary to protect the health, safety and welfare of residents and visitors. The City's sidewalk Ordinance places the responsibility for sidewalk maintenance upon the adjacent property owner.

The City has received complaints about uplifted sidewalks that are in need of repair. Many times, the sidewalk damage has been caused the roots of a street tree. The City of Madras understands the burden to businesses' to repair their adjacent sidewalks due to damage caused by Street Trees and wants to provide relief to the property owner by providing assistance through the Downtown Sidewalk Repair Grant.

Eligible Uses of Grant Funds:

1. Applications will only be accepted for commercial properties in the downtown where there is a street tree planted.
2. Property owners may only apply for one grant for one property in a calendar year.
3. First-time applicants will be given priority over previous applicants.
4. Applications must be received and approved by the City prior to any work being performed. Retroactive applications will not be accepted.

Use of Funds:

1. Grant funds may only be used for the repair or replacement of existing sidewalks that have been damaged by the roots of a City street tree.
2. Property owners are responsible for obtaining and complying with the conditions of the City's Right-of-Way permit for jobs that require sidewalk replacement.
3. In order to access grant funds, property owners must obtain competitive bids from a licensed contractor with a current City business license. The maximum grant reimbursement will be up to \$1,000 of the lowest bid or up to \$1,000 of the actual invoiced amount, whichever is less, regardless of who the property owner chooses for the work.
4. All grant awards and reimbursements will be made on a first-come, first-served basis, subject to the availability of funds in the approved City Budget. Once the budgeted amount has been expended, no further applications will be approved.
5. The lack of sufficient funds to cover the number of applications received by the City in any given year will not excuse the property owner from the responsibility of maintaining the adjoining sidewalk in a safe condition nor create any liability to the City for any unsafe sidewalks.

Procedures:

Applications may be scanned and emailed to mquinn@ci.madras.or.us, dropped off or mailed to Public Works Department, City of Madras, 125 SW "E" Street, Madras, OR 97741, attention Michele Quinn. Applications must be signed by the owner of the subject property and have copies of bids attached to the application. A completed Right-of-Way permit along with a check for \$100 must accompany the application.

Upon verification by the Public Works Department that the sidewalk has been damaged by the roots of protected trees, the applicant must fil out a tree permit and the Downtown Sidewalk Repair Grant Application will be approved, subject to available funds, and the property owner will be notified that the work may proceed. The work must then be completed within 90 days.

After the work has been completed, the property owner must submit the actual invoice from the contractor along with a signed Downtown Sidewalk Repair Reimbursement Request form. Upon approval by the City, the grant funds will be disbursed in the amount not to exceed \$1,000 of the invoice or the lowest bid, whichever is less.

Questions?

Contact the Public Works Department at 541-475-2344 or email us at mquinn@ci.madras.or.us



THE CITY OF MADRAS

City of Madras

Application Form – Downtown Sidewalk Grant Program

Date: _____

Owner/Applicant Name: _____

Mailing Address: _____

Telephone Number: _____

Email Address: _____

Project Location Address: _____

Adjacent Business Name(s)
and Address(es): _____

Project Description
(replacement or repair work): _____

Probable Cause of Sidewalk
Damage: _____

Project Size (square feet): _____ Estimated Cost: \$ _____

Program Funds Requested: \$ _____ Contractor Bids (3) (attach): Contractor:
_____ Bid Amount: \$ _____ Contractor: _____ Bid Amount: \$ _____
Contractor: _____ Bid Amount: \$ _____

Required for Application Submittal
 Right of Way Permit Tree Permit
 Applicant/Owner Business License No. _____

Applicant Certification

The undersigned applicant agrees, declares, and certifies under penalty of perjury as follows: (a) applicant is the legal owner of the property where the proposed sidewalk replacement or repairs will occur and has all requisite power and authority to sign and submit this application; (b) all information contained in this application (and any accompanying materials) is true, accurate, and complete; (c) applicant has read, understands, and agrees to comply with the terms and conditions of the Downtown Sidewalk Grant Program, including, without limitation, those contained in City of Madras Resolution No. 2015-13, as amended.

Applicant Signature: _____ Date: _____

Applications must be scanned and emailed to mquinn@ci.madras.or.us or hand delivered or mailed to Public Works Department, City of Madras, 125 SW "E" Street, Madras, Oregon 97741.

FOR OFFICE USE ONLY		
Approved By: _____	Date: _____	Amount: _____
Receipt No. Right of Way Permit _____		



**City of Madras
Reimbursement Request Form – Downtown Sidewalk Grant Program**

Date: _____

Owner/Applicant Name: _____
 Mailing Address: _____
 Telephone Number: _____
 Email Address: _____
 Project Location Address: _____
 Contractor Selected: _____
 Date(s) Sidewalk Replacement
 or Repairs Completed: _____
 Actual Cost to Perform
 Sidewalk Replacement or Repairs: \$ _____ (attach actual contractor invoice)
 Program Funds Requested: \$ _____ (subject to applicable funding limitations)

Applicant Certification

The undersigned applicant agrees, declares, and certifies under penalty of perjury as follows: (a) applicant is the legal owner of the property where the sidewalk replacement or repairs were completed and has all requisite power and authority to sign and submit this reimbursement form; (b) all information contained in this reimbursement form (and any accompanying materials) is true, accurate, and complete; (c) applicant has read, understands, and agrees to comply with the terms and conditions of the Downtown Sidewalk Grant Program, including, without limitation, those contained in City of Madras Resolution No. 2015-13, as amended; (d) all sidewalk replacement and/or repair work has been completed in compliance with all applicable terms and conditions of the Downtown Sidewalk Grant Program, including, without limitation, those contained in City of Madras Resolution No. 2015-13, as amended..

Signature: _____ Date: _____

Reimbursement forms must be scanned and emailed to mquinn@ci.madras.or.us or hand delivered or mailed to Public Works Department, City of Madras, 125 SW "E" Street, Madras, Oregon 97741.

FOR OFFICE USE ONLY	
Date Reimbursement Form Received: _____	Program Funds Requested: \$ _____
Date Application Approved: _____	Program Funds Approved: \$ _____
City Employee Approving Application: _____	Contractor Invoice Amount: \$ _____
Date Sidewalk Replacement or Repairs Inspected: _____	
Was the Replacement or Repairs Work Completed Satisfactory: _____	
City Employee Inspecting Work: _____	
Authorized for Payment:	
By: _____ Date: _____ Amount: 	
GL Code: _____	

CITY OF MADRAS
RIGHT-OF-WAY CONSTRUCTION & USE PERMIT
125 SW "E" Street, Madras, OR 97741 Telephone (541)475-2344 – Fax (541)475-1038

Permit type (may include multiple types, please provide detail in the the description field below)

Utilities

- Waterline*
- Sewerline*
- Storm
- Fire Line
- Franchise Utility

New Improvement

- Sidewalk
- Curb
- Handicap Access
- Driveway Access

Repairs/Replacement

- Sidewalk
- Curb
- Handicap Access
- Driveway Access

May require additional permitting (i.e. sewer permit, water permit) call 541-475-2344 to verify

1. All forms shall be inspected prior to pour, please call for inspection 48 hrs before 541-475-3707
2. Curb shall be poured separate from the sidewalk and/or driveway apron NO MONOLITHIC POURS.
3. Non-Remonstrance Agreement for Sidewalks Only.
4. Contact Oregon Utility Notification Center (1-800-332-2344 or 811) before you dig
5. Contact Oregon Department of Transportation when working within State ROW.

Miscellaneous

- Roadway or Pedestrian Encroachment (Closure and/or Reroute)
- Other _____

Description and location of work being performed: _____

If project is to serve a new development, provide development name: _____

Proposed work start date _____ Proposed completion date _____

Will work require a lane closure? Yes No

Field Contact Name: _____ (must be available at all times)

Cell Number: _____

Email: _____

Closure Times: _____ AM PM TO _____ AM PM

Approved Times are 7:00 AM – 6:00 PM Mon-Fri

Applicant Name: _____ Phone: _____

Address: _____

Contractor: _____ Phone: _____

Address: _____

Application Date : ___/___/___ Name of person picking up permit _____

INSURANCE REQUIREMENTS:

Contractor/Franchisees shall provide Commercial General Liability Insurance covering bodily injury and property damage in a form and with coverages that are satisfactory to City. This insurance shall include personal injury liability, and products and completed operations. Combined single limit per occurrence shall not be less than \$500,000.

The minimum insurance limit listed above may be met by use of an excess or umbrella policy.

As evidence of the insurance coverage required by this permit, the Permittee shall furnish a certificate of insurance to the City prior to issuance of the Right-of-Way Construction and Use Permit. The City of Madras, its officers, agents, and employees shall be named as an additional insured on such certificate. The certificate of insurance shall be accompanied by a copy of the additional insured endorsement.

Franchisees that have a current Certificate of Insurance on file at the Madras City Hall will not be required to provide proof of insurance with each permit application.

BUSINESS LICENSE REQUIREMENT:

Except as otherwise exempted under section 4 of Ordinance No. 849, no person may establish, maintain, operate, engage, conduct, and/or carry on any business within the City of Madras without first applying for and obtaining a business license.

NOTE: NO WORK SHALL COMMENCE UNTIL APPLICANT HAS RECEIVED A VALID SIGNED PERMIT.

Notify Public Works Department at 541-475-3707 and Oregon Utility Notification Center at 1-800-322-2344 or 811 before commencing work

This approval is requested pursuant to City Ordinance No. 477. Neither party to this permit is relieved of the responsibility or liability for injury or damage by its intentional conduct. Applicant will hold harmless and will indemnify the City, its agents, officers, and employees against any and all claims, demands, loss, injury, damage actions, or costs of actions whatsoever which they or any of them may sustain by reason of the acts, omissions or other negligence of applicant, its agents, or employees in connection with the construction, maintenance, repair, operations, or use of said facility.

Specifications for, and placement of, all facilities shall be to City of Madras standards and shall conform to any specifications attached to, and made a part of this permit.

Permittee/Applicant hereby acknowledges that they have read and understand these requirements.

_____/_____
Signature of Applicant / Permittee Date

_____/_____
Certificate Received by Date

OFFICE USE ONLY

Comments: _____

Fee Received YES Franchise YES NO

Approved: _____ Date: _____

See next page for submittal requirements, application deemed incomplete if submittal requirements are not met.

Submittal Requirements for Work in the Public Right-of-Way

- ✓ Complete Right-of-way Construction and Use Permit Application.
 - ✓ Vicinity map showing nearest cross street(s)
 - ✓ Site plan showing proposed work – legible, accurate, and drawn to scale (1" = 20') which shall include the following:
 - ✓ North arrow
 - ✓ Location of property lines abutting the area of proposed work
 - ✓ Location and name of streets, alleys and walkways in the area of and adjacent to the proposed work
 - ✓ Location of all driveways on the subject property and nearest driveway on adjacent properties
 - ✓ Location of on street parking spaces, accessible parking spaces must be marked as such
 - ✓ Location of known utilities and drainage facilities in the work area
 - ✓ Dimensions from known utilities identified through current locate to property lines and area of work
 - ✓ Dimensions of proposed work, distance between driveways and property lines, property line for curb
 - ✓ Location and type of all traffic control devices and street lights adjacent to the proposed work
-

Additional submittal requirements for traffic closures

- ✓ Show proposed traffic control devices including; sign types/legends and device types/spacing within delineated work area
 - ✓ Traffic control plan in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) or utilize ODOT Standard Detail Drawings where applicable.
 - ✓ Show limits of work zone, existing lane configuration, distance to all intersections within 500 linear feet and existing traffic control devices.
 - ✓ Show proposed traffic control devices including, sign types/legends and device types/spacing
-

Additional submittal requirements for walkway and bike lane closures

Pedestrians should be provided with a safe, convenient travel path that replicates as nearly as possible the most desirable characteristics of sidewalks, footpaths or bike lanes.

- ✓ Plan, Drawing or declaration depicting how pedestrian and bicyclist movement through or around the work site will be managed. Refer to Manual on Uniform Traffic Control Devices (MUTCD) or utilize ODOT Standard Detail Drawings where applicable.
- ✓ If a pedestrian walkway structure is to be constructed, provide detailed drawings to scale with dimensions, including:
 - ✓ Elevation
 - ✓ Cross-section
 - ✓ Walkway slope elevations
 - ✓ Bracing and framing details



THE CITY OF MADRAS

Tree Permit

Application for Tree Planting, Removal or Pruning in the Public Rights-of-Way. Frequently Asked Questions and Definitions on Back Side.

Applicant: _____

Mailing Address: _____

Daytime Phone: _____ Email: _____

Property Owner: (if different than applicant) _____

Mailing Address: _____

Daytime Phone: _____ Email: _____

Site Address: _____

The requested permit is for (please check one): Tree & Stump Removal Major Pruning Tree Planting

Number of Trees: _____ Species (list all): _____

Location of Tree(s). Please describe where the tree(s) are located on the site: _____

Reason for tree removal/major pruning (see back of permit for allowable conditions): _____

Work to be done by: Owner Contractor Tenant

Expected work completion date (contact Public Works Department when work is completed): _____

Property Owner's Signature: _____ Date: _____

Official Use

This application is:

approved with the conditions listed below

denied for the reasons listed below

PERMIT IS VALID FOR 90 DAYS FROM THE DATE OF ISSUE. WORK DONE SHALL BE PERFORMED
IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THE CITY OF MADRAS CODE AND THE URBAN
FORESTRY MANAGEMENT PLAN.

Public Works Director: _____ Date of Issue: _____

Frequently Asked Questions

When is a permit needed? *The city's municipal Ordinance 527 section 5.1 states that "a person shall obtain a permit approved by Public Works Director or designee prior to planting, removing or major pruning any tree located on a public area." City workers on official business and public utility companies that hold a current franchise agreement with the City are exempt from the permit requirement.*

What is a public area? *A public area is property owned by the City, all dedicated public rights-of-way and any property under the control of the City. For example, city parks, median strips and property paralleling a dedicated public street, including sidewalks, are all public areas. On most dedicated public streets, the public rights-of-way can be determined by measuring 30' out from the center of the pavement on the road.*

What is major pruning? *Major pruning is the selective removal of over 20% of a tree's crown (within an annual growing season) to meet specific goals and objectives. The crown is the leaves and branches of a tree measured from the lowest branch on the trunk to the top of the tree. TOPPING is NOT major pruning and is a prohibited activity.*

The activity I have planned does not require an approved permit. Can I go ahead and start work? *Before starting work, we recommend that you contact the Public Works Director or Parks Supervisor to make sure the planned activity will be conducted in accordance with the provisions of City of Madras Code. City Code prohibits certain activities and requires that measures be taken to protect a public tree from damage.*

What occurs after a permit application is submitted? *The application will be reviewed by the Public Works Director. The applicant and property owner will be notified of application approval or denial. In most instances, notification will be within 5 working days from submittal of application.*

What are the criteria that need to be met to receive approval to remove a tree? *Permits to remove public trees will be granted only if the Public Works Director or designee determine that at least one of the following conditions exists:*

- A.** The tree is hazardous and removal is the only treatment that will reverse the hazard. A hazardous tree is a tree or tree part that has a high potential to fail and cause damage or injury to people or property.
- B.** The tree is dead or dying, and its condition cannot be reversed.
- C.** The tree is diseased and presents a potential threat to other trees within the City.
- D.** The tree is causing damage to nearby public or private infrastructure and the damage cannot be corrected through permissible treatment or maintenance to the tree or the infrastructure.
- E.** The tree, which has been determined to be of fair or poor condition, is adversely affecting the health of adjacent public trees that have been determined to be of good or excellent condition.
- F.** The tree is located under an electrical power line and an ISA Certified Arborist / Utility Specialist has determined the tree will require topping to meet Oregon Public Utility Commission standards. An approved permit to remove a tree may include a provision requiring the permittee to replace the trees removed with trees approved by the Public Works Director or designee.

What are the criteria that need to be met to receive approval to plant a tree? *Permits to plant a tree on a public area or rights-of-way will be granted if the Public Works Director or designee determines that:*

- A.** The characteristics of the site will allow a tree to grow to a healthy mature size and do so without becoming a nuisance.
- B.** The tree species is tolerant of the site's characteristics.
- C.** The tree species is not on the Urban Forestry Master Plan prohibited list.

What are the criteria that need to be met to receive approval to major prune a tree? *Permits to perform major pruning of public trees will be granted if the Public Works Director or designee determines that at least one of the following objectives can only be met by pruning more than 20% of the tree's crown:*

- A.** Reduce risk of tree failure (branch or whole tree).
- B.** Maintain the health of the tree.
- C.** Mitigate tree interference with street or sidewalk traffic.

Are there work performance standards that need to be followed? *Yes. When tree removal is permitted, the stump must be removed within a 30 day period and a new tree planted to replace it. A copy of these standards is available for review at City Hall, and the City Public Works Building or on our website.*

Can I appeal the decision of the Public Works Director? *Yes, a written appeal must be filed with the City Recorder within 12 working days after the Public Works Director's decision.*

If you have further questions regarding the Public Tree Permit Application. Please Contact Jon Burchell; Parks Supervisor, ISA Certified Arborist at 541-475-2622 ext. 2 or Jeff Hurd; Public Works Director at 541-475-2344.