



City of  
**Salisbury**  
Jacob R. Day, Mayor

**POLICY FOR CURB, GUTTER,**  
  
**SIDEWALK**  
  
**&**  
  
**RIVERWALK REPLACEMENT**

Council Approved May 22, 1967  
Reviewed & Reaffirmed – February 1990  
Updated and Case Clarified – May 2019  
Fees revised – July 2021

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Department of Infrastructure & Development  
125 N. Division St., #202 Salisbury, MD 21801  
410-548-3170 (fax) 410-548-3107  
[www.salisbury.md](http://www.salisbury.md)



## **Generalized Guidance**

**THE PROCESS LISTED BELOW IS ONLY FOR THE REQUESTED OR REQUIRED MAINTENANCE OF CURB, GUTTER AND SIDEWALK WITHIN THE CITY OF SALISBURY CORPORATE LIMITS THAT LIES WITHIN THE CITY'S RIGHTS-OF-WAY.**

**If the property owner intends to perform the work on their own with a City Approved Private Contractor; the following process shall be performed:**

- 1) Contact Salisbury Department of infrastructure & Development (DID) and request a Break Permit.
- 2) Fill out the Break Permit and return it to Room 202 of the Government Office Building (GOB) located at 125 North Division Street. It should take approximately 24-48 hours for the permit to be processed.
- 3) DID will notify you via the provided phone number when the permit has been processed.
- 4) There will be a \$50.00 fee or more (depending on work being performed) when you return for the Break Permit.
- 5) After the Break permit is approved, picked up and the fee is paid; the property owner's contractor may proceed with the proposed work only after providing the DID Transportation Technician 24 hours prior notice to starting work at this phone number: (410) 548-3170. Failure to notify the DID Transportation Technician and schedule inspection may result in the work being rejected and the issuance of an order to either remove the uninspected work or verify compliance via non-destructive testing methods. All testing must be done by an approved testing agency.
- 6) All work by the contractor must adhere to the latest version of the City of Salisbury Standards and Specifications. The contractor shall have a copy of the City of Salisbury Standards and Specifications on- site while performing the approved work.

**If the property owner chooses to utilize the Citywide Contractor; the following process will be performed:**

- 1) Notify Salisbury Department of infrastructure & Development (DID) of the damage.
- 2) DID will evaluate the damage.
- 3) Using THE POLICY FOR CURB, GUTTER, SIDEWALK & RIVERWALK REPLACEMENT, the



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evaluated damage will be compared to the cases specified in this policy and the responsible party will be determined. If the property owner is responsible wholly or in part, an estimate will be provided to the property owner for review.

- 4) If the property owner chooses to or is required to proceed with the repairs, the estimate will need to be signed and returned to DID.
- 5) If the damage is a safety hazard as determined by the City, the City will require the work to be performed and those responsible will be billed for the work as per City policy.
- 6) After the estimate is returned to DID, the work will be performed in a generally first come, first served basis.
- 7) Work may be delayed until funds are replenished at the beginning of each fiscal year (July 1).

**\*\*NOTE\*\***

The property owner must contact Salisbury Department of Infrastructure & Development (DID) prior to breaking any structure within the roadway. This includes the cutting, removal and/or excavation of any soil, concrete and / or asphalt within a City of Salisbury right-of-way or easement within the City of Salisbury Corporate Limits. All provisions of the Break Permit must be adhered to by the Property Owner and their contractor.

A contractor on the approved contractor's list must be used. If there is a contractor that the property owner would like to use that is not on this list; that contractor would need to fill out and submit the Experience Questionnaire for "Approved Contractor" for approval.

**THESE PROCEDURES ARE NOT WAIVERABLE AND WILL  
BE ENFORCED**



## CASES OF DAMAGE

### CASE I

#### ROOT DAMAGE

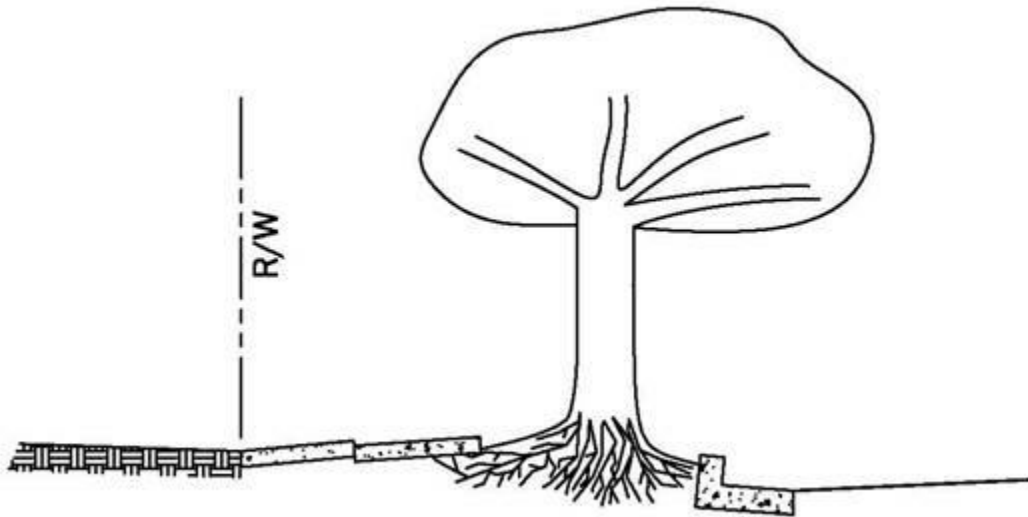
*(a) 100% Property Owner or*

*(b) 100% City*

*Tree in Grass Plot (City R/W)*

Damages curb and gutter and/or sidewalk so as to create unsafe condition:

- (b) **Cost of removal and replacement**  
CITY – when City is permitted to remove tree or when City wishes to retain tree for beautification purposes. Tree removal also at city expense.
- (c) PROPERTY OWNER – when property owner wishes to retain tree contrary to City wishes.
- (d) When tree is removed by City it may or may not be replaced with a species more suited to narrow grass plot at option of City.





**CASE II**

**SPOT DAMAGE**

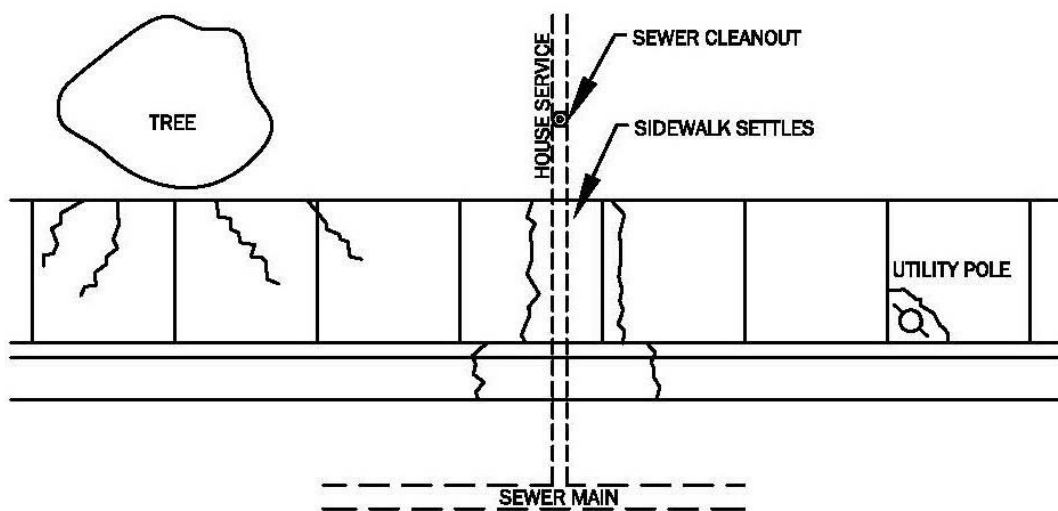
***(a) 100% Property Owner***

***(b) 100% City***

***(c) 100% Utility***

Sidewalk generally in good condition with local damage caused by:

- (a) Tree Root Damage (on home owners property) or improper heavy loading (Truck) which breaks sidewalk - PROPERTY OWNERS EXPENSE.
- (b) Sunken sewer or water main trench on city street - CITY EXPENSE.
- (c) Utility pole replacement requiring sidewalk break by utility - UTILITY EXPENSE-remove and replace entire 5'x5' block. (No patching permitted)
- (d) Sidewalk broken to accommodate test-pitting and boring machinery as part of a public or private utility project – UTILITY EXPENSE-remove and replace entire 5'x5' block. (No patching permitted)





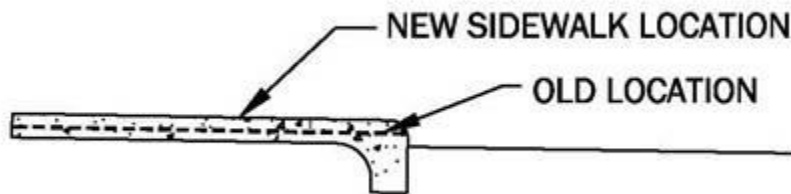
**CASE III**

**CHANGE OF GRADE**

**(a) 100% CITY**

*-New sidewalk location*

- (a) Existing sidewalk and/or curb and gutter too low and not at grade of other adjacent new sidewalks.
- (b) Any change in grade requiring removal of curb and gutter and/or sidewalk at City expense.





## **CASE IV**

### **PROGRESSIVE DECAY**

***(a) 100% Property Owner***

***(b) Option -50/50 Cost Share between City & Property Owner***

Quality and condition of concrete generally at point of failure – progressive decay and dangerous for pedestrian use in many cases, but in others are merely cosmetic. Examples include spalling and surface delamination

(a) Property owner pays for extensive patching.

(b) Remove and replace entire property frontage on any street - City and property owner share cost 50/50 basis (Requires property owner approval or option (a) automatically applies).

## **CASE V**

### **STRUCTURAL FAILURE DUE TO IMPROPER DESIGN**

***(a) 100% City or State***

***(b) 50/50 City & Property Owner***

EXPANSION FAILURE – Short Term

Curb sheared off or rotated by expansion of building. This damage not fault of property owner and must be borne by City or State (street owner).

EXPANSION FAILURE – Long Term

Curb and gutter on long curve – normal expansion of concrete sidewalk causes partial curb and/or sidewalk failure by rotation or dislocation. This condition not fault of property owner, but usually results in many years of satisfactory service. Suggest 50/50 City – Property Owner cost as in Case IV



**CASE VI**

**FROZEN CONCRETE FAILURE**

***(a) 100% Property Owner***

Extensive Sidewalk and/or curb damage due to freezing or other causes to such an extent as to be dangerous.

- (a) Remove and replace at property owners entire cost.

**CASE VII**

**ISOLATED DAMAGE FROM CAUSED BY CONTRACTOR/GENERAL  
CONSTRUCTION**

***(a) 100% Property Owner***

***(b) 100% City***

Damaged caused by a intentionally or unintentionally by a contractor in the employ of a property owner or the City

- (a) Damage caused by a contractor hired by a Property Owner - Remove and replace at property owners entire cost (Property owner responsible for recouping the cost from contractor)
- (b) Damage caused by City Contractor – Contractor or City will remove damaged portion and schedule/fund repair