

## CHAPTER 136

# CURB, GUTTER AND PAVEMENT REGULATIONS

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**136.01 PURPOSE.** The purpose of this chapter is to specify the procedure to be followed by the Council or Clerk in ordering the repair, replacement, or reconstruction of portland cement concrete curb, gutter, and pavement.

**136.02 DEFINITIONS.** For use in this chapter the following terms are defined:

1. “Boring” means the way a water, sewer or other utility service line is placed underground to the existing water or sewer main or other utility cable or pipe.
2. “Broom finish” means a sidewalk finish that is made by sweeping portland cement concrete when it is hardening.
3. “Curb and gutter” means all permanent waterways constructed of portland cement concrete on each side of City streets.
4. “Established grade” means that grade established by the City by grade ordinance for the location in which the curb, gutter or pavement is to be repaired, replaced or reconstructed.
5. “One-course construction” means that the full thickness, width and length of the concrete is placed at one time, using the same mixture throughout.
6. “Pavement” means the exposed and unexposed portland cement concrete roadway edge along both sides of City streets. A portion of the pavement overlaid with asphalt is not exposed.
7. “Portland cement concrete” means C-4 or M-4, Iowa Department of Transportation, 4,000 pound strength material of cement, water and limestone aggregate.

**136.03 PERMIT REQUIRED.** Before any person shall repair, replace or reconstruct a curb, gutter or pavement within the corporate limits of the City, said person shall obtain an excavation permit from the City. A written application for the permit shall be filed with the Clerk. On the permit it shall state the purpose for the removal of the curb, gutter or pavement, the name and address of the person removing the curb, gutter or pavement and that the property owner shall repair, replace or reconstruct the curb, gutter or pavement at the property owner’s expense with portland cement concrete as specified herein.

### **136.04 REPAIR, REPLACEMENT OR RECONSTRUCTION BY PROPERTY OWNER.**

1. The Clerk may serve notice on the abutting property owner, either by mail or visitation, requiring said property owner to repair, replace or reconstruct the curb, gutter or pavement due to the repair, replacement or installation of new water,

sewer or other utilities or the construction of a new driveway or reconstruction of an existing driveway. Warranty violations shall also be subject to similar notice.

2. If the abutting property owner does not perform an action required under subsection 1 of this section within a reasonable time, the Council may require the Clerk to perform the required action and assess the costs against the abutting property owner for collection for said services in relation to the repair, replacement, or reconstruction.
3. Chapter 135 of this Code of Ordinances specifies other requirements for construction under streets. Where work is under asphalt or concrete pavement with asphalt overlay, replacement surfaces shall be the same as those removed.

#### **136.05 SPECIFICATIONS FOR THE REPAIR, REPLACEMENT OR RECONSTRUCTION OF CURB, GUTTER AND PAVEMENT.**

1. Portland cement concrete is the only material to be used in the repair, replacement or reconstruction of existing portland cement concrete curb, gutter and pavement. Portland cement concrete is the only material to be used to construct the first four-foot (4') length of new or reconstructed driveway adjacent to City concrete curb, gutter or pavement.
2. Curb, gutter and pavement replacement shall be of "one-course" construction.
3. Concrete may be placed directly on compact and well-drained soil. Where soil is not well drained, a two-inch (2") sub-base of compacted, clean, coarse gravel or sand shall be laid. The adequacy of the soil drainage and compaction shall be determined by the Public Works Director or City Administrator.
4. The curb, gutter and pavement shall be no less than one and one-half feet (1.5') wide, and no less than eight inches (8") thick at the gutter flow line, and no less than eleven inches (11") thick at back of curb height. Each section shall not be less than five feet (5') in length and each end shall have a BD joint. Other patch faces shall be sealed using joints as shown on Drawings 1 and 2 attached to Ordinance No. 138, which drawings are contained in the Appendix to this Code of Ordinances.
5. All curb, gutter and pavement must be cut to full depth prior to removal by a concrete saw designed for such work.
6. Where possible, "boring" may be done in lieu of removing the concrete curb, gutter or pavement. "Boring" constitutes an excavation on each side of the curb, gutter or pavement to allow a tool to bore under the concrete for installation of water, sewer or utilities.
7. All curb, gutter and pavement replaced shall match existing grade prior to removal and grades established by the City grade ordinance except for driveway construction as defined in Section 136.06 of this chapter. All new portland cement concrete shall be finished with a "broom finish."

#### **136.06 SPECIFICATIONS FOR NEW AND RECONSTRUCTED DRIVEWAYS.**

1. New and reconstructed driveways may be built by leaving the existing mountable curb and gutter in place, or by removing the curb and gutter as described in Section 136.05 of this chapter and as shown on Drawing 2 attached to Ordinance No. 138 and contained in the Appendix to this Code of Ordinances.

2. All new or reconstructed driveways installed by removing the existing curb and gutter shall be constructed of portland cement concrete for the first four feet (4') in length measured from the back-of-curb back toward the property line. The original gutter line elevation must be maintained. The new driveway shall slope upward from the gutter line elevation back to the property such that an elevation 0.25 feet (3 inches) higher than the gutter is obtained at some point within this four foot (4') section. Once this high point elevation is established, the new driveway may begin to slope downward as the owner may need. The initial upward slope is needed to maintain top of curb elevations for carrying water.

**136.07 WARRANTY.** All portland concrete repairs and reconstruction shall be warranted by the property owner for a period of two (2) years from the time construction is accepted by the City. Warranty shall cover all materials and workmanship. Defects must be repaired by the property owner at the owner's expense within thirty (30) days of notification. Failure to make repairs shall allow the City actions as outlined in Section 136.04 of this chapter.