



Department of Public Works | 860.584.6125

MEMORANDUM

DATE: March 7, 2023

TO: Mayor Jeffrey Caggiano
Board of Public Works

FROM: Raymond A. Rogozinski, P.E., Director of Public Works

RE: **DPW RETAINING WALL – ALONG CITY STREETS / REPAIR & MAINTENANCE**

Please find attached a policy outlining the maintenance requirements and responsibilities of the City as they pertain to retaining walls located along City streets. The submitted policy is consisted with the memorandum presented to the Board of Public Works at its February meeting.

The purpose of the policy is to establish City maintenance responsibilities for retaining walls which is defined within the policy as a function of the purpose of the wall (does it support the road or private property), the location (is the wall on private property or located within the City's roadway right of way) and is the wall located within in easement designating the City as the responsible party to maintain or replace the wall.

Please feel free to contact me at 860-584-6113 regarding any questions or concerns.



Department of Public Works | 860.584.6125

CITY OF BRISTOL – PUBLIC WORKS

27.50 DEPARTMENT OF PUBLIC WORKS – RETAINING WALLS ALONG CITY STREETS MAINTENANCE REQUIREMENTS AND RESPONSIBILITIES

1. Policy Name

27.50 Department of Public Works – Retaining Walls located along City Streets Maintenance Requirements and Responsibilities.

2. Policy Statement

There are currently a number of retaining walls located along City streets. The subject walls are located parallel to the roadway and the walls either support the roadway or private property. If the wall is constructed below the street, the purpose of the wall is to support the roadway, benefiting the City. If the wall is constructed above the street, the purpose is to support private property (front yard), and generally benefits the property owner. With that said, there are times when the City has built, and will build, retaining walls to support private properties in order to construct roadway/sidewalk improvements.

The purpose of this policy is to define the City's responsibility as it pertains to maintaining, repairing, or replacing retaining walls located along roadways. The determination of City responsibility (if any) to maintain or replace retaining walls is dependent on factors such as: the function/purpose of the wall (whether the wall supports the roadway or private property), the location (whether or not the wall is located within the City right of way), and whether or not the City has an easement over the wall.

3. Policy

A. Retaining Walls Supporting Roadways: The City shall be responsible to maintain and/or replace all walls that support City roadways. Said

maintenance/replacement is required to ensure the safety and structural integrity of the roadway. For walls located on private property, every effort shall be made to obtain easements granting the City the perpetual right to the entire property for the purpose of maintaining, repairing, or replacing said wall. It should be noted that the condition of the wall and the need for maintenance/replacement shall be determined by the DPW, not the private property owner.

B. Retaining Walls Supporting Private Properties located within

Easements: All subject walls located within City easement, provided for the purpose of constructing said walls, shall be maintained or replaced by DPW. As indicated in the Retaining Walls Supporting Roadways section of this draft, the condition of the wall and need for maintenance or replacement shall be determined by DPW, not the private property owner.

C. Retaining Walls Supporting Private Property located outside City

Street right of way: Retaining walls located outside the City right of way on private property are the responsibility of the property owner. The City of Bristol shall not be responsible for retaining walls located on private property, EXCEPT for walls constructed by the City as part of roadway reconstruction or a sidewalk project. HOWEVER, said responsibility shall only extend to the original property owner (property owner at the time City construction occurred). Subsequent property owners shall be fully responsible for maintenance/replacement of walls on private property.

D. Retaining Walls Supporting Private Property located within the Street

right of way: Retaining walls located within the street right of way constructed by the City shall be the responsibility of the City to maintain or replace. Private walls located within the street right of way, constructed by property owners to support private property, shall be the responsibility of the property owners to maintain. Property owners shall be required to obtain an excavation permit from DPW to authorize work within the right of way performed by the property owner (contractor).

4. Responsible Division

Department of Public Works Administrative and Engineering Division

5. Approval authority:

Board of Public Works

6. Approval Date:

March 16, 2023

7. Effective Date:

April 28, 2023