



Frequently Asked Questions

1. Why is this important?
 - a. Currently in Denver, many people with disabilities, older adults, and parents with children struggle to get around parts of Denver where sidewalks are missing, too narrow, or in bad condition. Low-income neighborhoods are the most likely to have unsafe, poorly-maintained sidewalks. Policies that force adjacent property owners to shoulder the full cost of sidewalk construction and repair can be a huge financial burden.

At current funding levels, it would take nearly 400 years to build out a complete sidewalk network to serve all Denverites. Publicly funding sidewalks will make our city more equitable, fair, and safe for all.

2. What happens if voters don't approve the proposed measure?
 - a. If voters don't approve the Denver Deserves Sidewalks program, Denver's sidewalk network will remain incomplete and in bad condition for generations to come, and property owners will continue to bear the full cost of building and maintaining sidewalks.
3. What specifically would the proposed fee revenues be used for?
 - a. The fees would be used to pay for sidewalk construction, sidewalk upgrades (to meet [ADA standards](#) [PDF] and [Denver's Complete Streets design guidelines](#) [PDF] and standards), sidewalk repairs, and costs to administer the program.

The fees would not be used for landscaping (except as needed to restore landscaping disturbed as part of construction), street furniture, structures, roadways, curb and gutter (except as required incidental to construction or widening of a sidewalk), or snow removal.

4. How much would the proposed annual fee be for a typical single family home owner?
 - a. The property frontage of a typical single family home is about 50 feet, and the fee for a local residential street is \$2.15 per linear foot, so in this case the annual fee would be \$107.50, or about \$9 per month. NEST areas receive a 20% discount on this fee, reducing the annual amount to \$86, or about \$7 per month.



5. How much revenue would the proposed fee generate?
 - a. The fee would generate approximately \$41 million per year. This revenue could be bonded against to generate an initial up-front capital investment of \$850 million that would allow construction of a complete sidewalk network within nine years. The fee would then cover the ongoing cost of repairs, allowing every sidewalk in the City to be replaced, on average, every 75 years.
6. Would the proposed fee sunset at some point in the future?
 - a. No, the fee would provide funding in perpetuity for sidewalk repairs.
7. Does the proposal account for inflation?
 - a. The proposed ordinance would require review and adjustment of the fee amounts every five years to account for inflation, based on the consumer price index.
8. Would the proposed program fund sidewalks in parks?
 - a. In-park sidewalks are not included. Sidewalks in the right-of-way adjacent to City parkland would be included.
9. How will sidewalks be added or widened if the adjacent property has a fence, retaining wall, and/or landscaping that is directly adjacent to the existing curb line?
 - a. The proposed ordinance gives the city the flexibility to determine what's most feasible in situations like this (e.g., building or widening the sidewalk into the street versus toward the property) and would cover any costs required as part of the sidewalk construction (e.g. changes to landscaping).
10. The proposed ordinance would establish an annual property fee based on the linear footage of the property frontage and the type of street on which the property is located, as designated in Blueprint Denver, the City's long range transportation and land use plan (see [map of Blueprint Denver street designations here](#)). What happens if Blueprint Denver is replaced with a different plan?
 - a. The proposed ordinance refers to "the Blueprint Denver future street typology, or such other comprehensive street typology as the city may subsequently create."
11. Why does the proposed fee vary by street type?
 - a. Denver's [Complete Street Design Guidelines](#) identify preferred sidewalk widths for each of the street types established in Blueprint Denver. These preferred widths relate to the anticipated demand for pedestrian travel, given adjacent land uses. For example, a sidewalk along a local, residential street will likely have less foot traffic than a sidewalk along an arterial street in a commercial area, and



these different street types will have different fees. Properties on local, residential streets will have the lowest fees.

12. Why is the proposal to fund sidewalks via a property fee, as opposed to property taxes or sales taxes?
 - a. A fee ensures the revenues generated will only be used for sidewalks, and not some other purpose, and can be bonded against to allow for the up-front capital investment needed to build out the complete network within nine years. The fee also ensures a very direct nexus with the benefit received by the property owner, because the fee is based on square footage of the sidewalk that would ideally exist in front of the property, based on the linear frontage of the property and the preferred width for a sidewalk on the street type where the property is located, as identified in Denver's [Complete Streets Design Guidelines](#).
13. Would the fee apply to properties that are part of a Homeowners Association (HOA), master-planned community, or special taxing district?
 - a. The fee would apply to all properties in Denver.
14. How would the fee apply to corner lots, that front on two different streets?
 - a. The intent of the proposal is that "frontage" includes both sides of corner lots. If the two streets the property is located on are different types, the relevant fee rate would be applied to each side of the lot (e.g., if one side is a local street, the local street fee rate would apply to that linear footage, and if the other side is a collector street, the collector street fee would apply to that linear footage).
15. How would this affect me as a renter?
 - a. Renters would not pay the fee directly. The owner of the property would be responsible for the fee.
16. The proposed fee would be discounted 20% for properties located in targeted neighborhoods identified through [Denver's Neighborhood Equity & Stabilization \(NEST\) program](#). Would landlords who own multifamily or commercial properties in NEST areas also receive this discount?
 - a. All properties in NEST areas would receive the 20% discount. The intention is to not only reduce the financial burden on low-income households, but also correct for a historic lack of investment in public infrastructure in these areas, and to avoid the administrative burden of requiring income qualification for the discount.



17. Is the proposed program based on similar models from other cities?
 - a. We did research on ordinances addressing sidewalks from municipalities both inside and outside of Colorado, and borrowed some elements that were relevant to our intended purpose. In particular, we drew inspiration from an ordinance passed by Ithaca, NY, which established a property fee that is scaled to attributes of the property related to anticipated demand for pedestrian travel, and funds the construction and repair of sidewalks throughout the city. The City of Englewood's sidewalk program was also used as a model for portions of the ordinance. Although, the structure for drafting the ordinance was based primarily off the Denver stormwater fee, simply to make the ordinance layout and structure fit within the Denver Code.

18. Would the proposed program increase liability for the City and expose them to potential lawsuits related to sidewalks?
 - a. A recent Colorado Supreme Court case regarding the City of Boulder's sidewalk program suggests that the proposed program would not expose the City to undue risk of lawsuits. The Court found that "the statutory language requires looking beyond the City's criteria to determine whether the acknowledged hazard is one that exceeded the bounds of reason. ... the fact that the City had identified the deviation as needing repair does not make the risk it presents an unreasonable one . . . " and that holding the City liable "would impose an 'impossibly high standard' whereby 'state and local governments [must] keep [sidewalks] like new at all times.' ...The [City] could not simultaneously fix every [sidewalk]; some [sidewalks] would be prioritized and renovated before others. And when a [pedestrian] was injured on one of the non-prioritized [sidewalks] that were awaiting renovation, the government would be potentially liable for not fixing the [sidewalk]. Thus, the taxpayers would be footing both the costs of making [sidewalks] like new and the costs of potential lawsuits."

19. What provisions does the proposed ordinance include regarding flagstone sidewalks?
 - a. The ordinance directs the Department of Transportation and Infrastructure to develop strategies for re-leveling and resetting existing flagstone sidewalks where the original flagstone remains intact.