

Section 1. Initial Steps:

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Step 1: Resident submits a formal request to the Select Board office requesting a sidewalk. Request should identify the street and the cross streets where the sidewalk would start and end. The request should include signatures from at least 50% of the land owners in the target area.

Step 2: The Town Engineer determines the following:

If the section of road is considered a “Major Road / Collector” (MassDOT definition) or if the section of road is identified in Canton’s Complete Streets Prioritization Plan. Any material issues related to steep grades, site constraints, lack of use, inadequate width of the public way right-of-way or public safety reasons If the street is a public way The most appropriate side to install the sidewalk An estimate of the cost to design and construct the sidewalk.

Step 3: If sidewalk construction is deemed feasible, and the road is a minor street not on the Complete Streets Prioritization Plan, a strong majority, 75% or more of the owners must represent to the Town in writing that they support the project and will assume a share of the costs and obligations related to the layout and construction of the sidewalks. One way to accomplish this is to request each property owner to sign and return the sample outline attached as Exhibit 1.

Step 4: Depending on the classification of the road, the Select Board may take action to require benefited owners to pay either 100% or 50% of the cost of the project. The Board may order a betterment (i.e., a special tax) to be assessed equally against each of the benefited property owners for 50% share of the costs for the sidewalk. As part of this By-Law, the Board may determine that the property owners’ share will be paid as (i) a 100% full sum payment per agreement with the Board paid to the Town before the Board instructs the DPW to move forward with the project, (ii) a betterment assessment of 50%, or (iii) some combination thereof, as determined by the Board in the Board’s sole discretion, based upon any relevant factors and all applicable laws, regulations and bylaws. The duration of any betterment assessment is not to exceed

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10 years or other period allowed by law or otherwise advisable based upon available rates, terms and conditions for any borrowings by the Town.

Independent reference excerpt. Consult the official town PDF for authoritative formatting and subsequent amendments.

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