

City of Germantown

REALTOR GUIDE TO SIDEWALK INSPECTIONS



Starting January 1, 2024, a sidewalk inspection permit is required before any sale or transfer of ownership of any property located within the city limits of Germantown. There is a fee of \$100 for each sidewalk inspection application. A permit application is available at the Economic and Community Development Building, 1920 S. Germantown Road. No permits or inspections are required for the sale of condominiums or homes without sidewalks.

Frequently Asked Questions

What's the inspection process?

- Before listing the property, inform your seller that they'll need a sidewalk inspection and accompanying permit.
- Fill out a sidewalk inspection permit application at the City's Economic and Community Development Building, 1920 S. Germantown Road. The fee is \$100.
- The City will perform a sidewalk inspection, after which you'll receive approval to proceed or notice of needed repairs.

My property's sidewalk was inspected and has been marked. What should I do?

If the sidewalk panel(s) has been marked after the inspection, the necessary repairs or replacement must be completed before closing on the property. If any related arrangements - such as escrowing the bid amount for the required repairs - have been made, please notify us.

- White paint: Sidewalks marked with white paint can be caulked with approved concrete caulking. The approved brand is MasterSeal NP1, which can be found at hardware stores. This commercial grade caulk cannot be found in typical retail stores. After caulking has been completed, a reinspection of the repair is required.
- Orange paint: Sidewalks marked with orange paint must be replaced. Before work begins, contact the City of Germantown Engineering Office at 901-751-5720 for a permit.

Who maintains sidewalks in the right-of-way?

The property owners are responsible for maintaining the sidewalks in the right-of-way. The City has an easement that allows public use, but the responsibility for repairs falls on the property owner. For more information on sidewalk regulations, see the City of Germantown Code of Ordinance Section 16-49.

I don't think my sidewalk looks bad. Why didn't it pass inspection?

Unfortunately, even minor defects can lead to pedestrian injuries and impede objects such as walkers and wheelchairs. Sidewalk maintenance isn't just about appearances; it's about preventing accidents, promoting accessibility and keeping everyone safe.

My clients just moved into a home that I sold them. Why didn't the previous owner take care of the sidewalk problem?

Even if the previous owners left a sidewalk issue untouched, unfortunately, the current property owner is still responsible for it. Moving forward, all sidewalks will be inspected before property ownership transfers within our City limits.

The tree in the planting strip damaged the sidewalk. Why do the new property owners have to fix it?

If there are trees on the property, it's the property owner's responsibility to ensure that the trunks, branches or roots don't create hazards for the public. Even if the trees were planted by a previous owner, exercising reasonable care takes priority.

Caulking Information and Instructions

If sidewalk panels have been marked with white paint, it means you're allowed to caulk the cracks in the concrete with MasterSeal NP1, a commercial-grade caulk. You can find this caulk at hardware stores. After you've caulked the concrete and it has cured, contact the Code Compliance Office at 901-757-7281 for reinspection.

Instructions:

- Prepare the surface - The surface must be clean and dry. To clean the crack, use a wire brush or sandblast it to remove all dirt and loose particles.
 - Install backer rod if necessary - If a crack is over ½-inch deep, use a backer rod (flexible lengths of foam used as a “backing” in joints or cracks to help control the amount of sealant/caulking used). Install it before caulking.
 - Apply the caulk - Fill cracks that are at least ¼-inch deep. Using a caulk gun, apply consistent pressure to force the sealant into the joint and completely fill the crack.
 - Dry tool the crack - Use a putty knife or other tool to dry tool (smooth) the crack for maximum adhesion and a neat joint. Make a concave joint or level joint, but don't allow the sealant to puff up above the concrete. Raised sealant can pop out and create a trip hazard.
 - Allow time for the caulk to cure - The cure rate varies depending on the size of crack, the temperature, humidity and the product used. At 75 degrees, the caulk in a ½-inch crack will usually skin over within a few hours or overnight, but it won't be fully functional for walking or driving for three days. Colder temperatures or high humidity will increase the cure time. Don't walk on the caulk until it cures - if so, it can be pulled out of the cracks.
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