

Department of Transportation & Infrastructure

SIDEWALK PROGRAM BILLING RULES & REGULATIONS



Date Advertised
In Publication
Public Hearing

October 14, 2025
The Daily Journal
November 5, 2025

Approvals

Miko Ando Brown, Denver City Attorney

Amy Ford, DOTI Executive Director

Adopted Pursuant to Article II of
the Charter of the City & County
of Denver and Section 2-91 et seq.
of the Revised Municipal Code

12/18/2025

Effective Date

The Following Rules and Regulations Pertain to the Sidewalk Service Charges & Real Property Frontage, Account Structures, Sidewalk Fee Adjustments, and Liens.

Referred to herein as “Sidewalk Program Billing Rules and Regulations.”

I. Purpose and Authority

These Rules and Regulations govern the administration and billing related to the City and County of Denver’s Sidewalk Program and Sidewalk Enterprise Fund, Denver Revised Municipal Code (D.R.M.C.) § 49-145, et seq.; and are adopted pursuant to the D.R.M.C. § 49-155.

II. Terms and Definitions

Except as noted below, words and phrases shall have the meaning assigned by the Charter of the City and County of Denver and the Denver Revised Municipal Code (D.R.M.C.).

- A. **Geographically nested-** the boundaries of one geographic area are wholly contained within the boundaries of another geographic area, such that the smaller area exists entirely inside the larger area without extending beyond it.
- B. **Group accounts-** accounts that consolidate more than one lot or parcel, that are contiguous, share a direct physical connection, or provide a unified operation or user experience, under a single account for which billing responsibility is assigned to a single responsible entity. Examples include Homeowner Associations (HOAs), parks, railyards, and school campuses.
- C. **Responsible entity-** any natural person, legal entity, or organization that owns, manages, or exercises control over a property or shared property interest. This includes but is not limited to homeowners’ associations, condominium or cooperative associations, property management companies, partnerships, corporations, trustees, or contractual designees such as parties to a party-wall agreement.

III. Sidewalk Service Charges & Real Property Frontage

- A. Notwithstanding any exemptions or maintenance responsibilities described in the City's sidewalk construction standards, design criteria, or related rules and regulations, the property owner shall remain responsible for payment of the sidewalk service charge.
- B. Parcels owned by the City and County of Denver that are used or maintained exclusively for public right-of-way or transportation purposes, including but not limited to street medians, roundabout centers, roadway islands, and residual or sliver parcels that provide no building site, access, or occupancy function, shall not be assessed a sidewalk service charge.
- C. Real property frontage includes to-be developed property, meaning that frontage calculations and the associated sidewalk service charge are based on total real property frontage, regardless of current development status or whether a sidewalk is present.

- D. Real property frontage is not limited to the perimeter of a parcel. Any area of a parcel that meets the criteria for real property frontage shall be assessed the sidewalk service charge.
- E. Where real property frontage is shared by more than one account, the shared frontage shall be equally allocated across the impacted accounts.
- F. When an account contains geographically nested accounts within its boundary, and the nested accounts receive separate bills for their sidewalk service charges:
 - a. The total real property frontage of the outermost account shall be reduced by two hundred thirty (230) linear feet for each nested (interior) account that receives a separate bill.
 - b. If the resulting adjusted frontage is less than or equal to 230 linear feet, the outermost account shall be responsible for the base flat fee, as defined in the ordinance.
 - c. If the resulting adjusted frontage is greater than 230 linear feet, the outermost account shall be billed for the base flat fee plus an additional excess frontage fee based on the remaining frontage.

For example, if an HOA has a total frontage of 4,000 feet and has 15 properties geographically nested within it that each receive bills for their respective sidewalks service charges, the frontage would be calculated as follows:

$$4,000 \text{ feet of frontage} - (15 \text{ properties} \times 230 \text{ feet}) = 550 \text{ feet}$$

Because the resulting frontage is 550 feet (therefore greater than 230 feet), the HOA is billed the base flat fee and an excess frontage fee for frontage greater than 230 feet (in this case, 320 feet). Using calculated rates for 2025, the sidewalk service charge would be calculated as follows:

$$\$150 \text{ base flat fee} + (320 \text{ feet} \times \$3.50 \text{ excess frontage fee}) = \$1,270 \text{ annual sidewalk service charge}$$

Note: the rates used above are for illustrative purposes only and are not to be used as the assumed annual rates.

IV. Account Structure

- A. Account, as defined in D.R.M.C. § 49-145 (e)(1), is a singular responsible entity for purposes of DOTI Utility Billing; if an account receives a Stormwater bill, the responsible entity for the sidewalk service charge shall match that of Stormwater billing. If an account does not receive a Stormwater bill, the sidewalk service charge will be sent to the parcel owner.
- B. If multiple parcels are owned by the same individual or entity and together form a unified park, greenway, building, complex, or similar continuous user experience under the same name, those parcels shall be assessed as a group account for purposes of sidewalk billing.
- C. If multiple parcels are owned by different individuals or entities and are either contiguous or located within 300 feet of each other, the owners may request to

establish a group account, provided that the parcels operate as a single, unified site or development (such as a mixed-use development, housing complex, or commercial center), and designate a single responsible entity for the account. Eligibility shall be determined by the City based on evidence of shared access, facilities, management, or use.

- D.** Pursuant to D.R.M.C. § 49-147(a), group accounts shall be assessed the sidewalk service charge using the same methodology as non-group accounts.
- E.** Provided eligibility as detailed above, parcels may enter and exit group accounts at will, up to once every twelve (12) months or at the discretion of the manager of DOTI.
 - a. Requests to enter or exit group accounts must be received by DOTI no less than sixty (60) days prior to the next scheduled bill date. Requests received less than sixty (60) days before the scheduled bill date will take effect the following billing cycle. DOTI will not retroactively apply the change to group account structure to past bills. Bills sent prior to the request will not be changed or assigned to a different account.
 - b. All charges and fees associated with accounts entering or exiting a group account must be paid in full by the current account owner before the account change can occur.
 - c. Requests for accounts to enter or exit group accounts must be submitted to DOTI Wastewater Billing with proof of consent from all affected account entities.

V. Sidewalk Service Charge Adjustments

- A.** Pursuant to D.R.M.C. § 49-148, the annual sidewalk service charge shall be adjusted annually to account for inflation.
- B.** The annual adjustment for the following year's rates shall be calculated by May 1. The adjusted rates shall take effect beginning with the first billing cycle of the next calendar year.
- C.** This rate adjustment is applied to the entire sidewalk service charge (both the base flat fee and the rate of the excess frontage fee).
- D.** While notice of rate changes are posted online as a convenience to users, the obligation to pay adjusted rates is in no way affected by the failure of the city to send notice to the owner of the updated rates or service charge amounts.
- E.** Sidewalk service charge adjustment calculations
 - a. The annual sidewalk service charge adjustment is calculated based on the percent of the Sidewalk Program's preceding year's total budget allocated between operating and capital per the approved Sidewalk Enterprise Program annual budget.
 - b. A blended rate is developed by summing:

- i. The percent of the previous year’s budget allocated to operating expenses multiplied by the relative change of the most recent United States Department of Labor's Consumer Price Index (CPI) or other applicable index.
- ii. The percent of the previous year’s budget allocated to capital expenses multiplied by the relative change of the most recent Colorado Department of Transportation’s Construction Cost Index (CCI) or other applicable index.

F. CCI and CPI Relative Change Calculations

- a. The relative change shall be calculated by comparing the preceding year to the second preceding year for both the United States Department of Labor's CPI and the Colorado Department of Transportation’s CCI.
- b. The Construction Cost Index (CCI) is calculated using a Fisher Ideal Index or a comparable methodology. The annual percent change is summarized within the CCI report, typically under a section labeled “Relative change from last year, annual data” or its equivalent.

An example of calculations for the annual service charge adjustments based on the previous year’s budget is included below:

	Annual Sidewalk Program Budget	% Allocation
Operating Budget	\$5,000,000	16%
Capital Budget	\$27,000,000	84%
Total Budget	\$32,000,000	100%

Using the budget allocation, the following year's annual escalation is a blend of 16% of CPI and 84% of CCI.

In applied terms, if the previous year's CPI was 3.5% and CCI was 4.1%, the blended ratio would be calculated as follows:

	Relative Change Percentage	Allocation	Rate Increase Percentage
CPI	3.5%	16%	0.56%
CCI	4.1%	84%	3.44%
			4.00%

The total annual rate increase would be set at 4%, as this is the sum of the relative operating and capital inflation rates. The 4% increase would be applied to the base access fee and excess frontage fee for the following year.

VI. Liens

- A.** Liens, as defined in D.R.M.C. § 49-152(c), may be placed on accounts with unpaid sidewalk service charge balances that are more than 90 days overdue and exceed DOTI's established sidewalk service charge lien threshold. For 2025, the threshold will be set at \$150 and may be adjusted annually in accordance with rate changes or as otherwise deemed necessary by DOTI.
- B.** For group accounts, the lien threshold is scaled based on the number of parcels within the account, with the sidewalk service charge lien threshold applying per lot or parcel.
- C.** When a group account is liened, property owners of all parcels or lots within the group account will receive notice of intent to lien and must coordinate with the responsible entity to satisfy the outstanding balance.
- D.** If a property owner has designated another party to make payments on their behalf and a lien is placed on the property, notice of lien will be sent to the property owner, who remains responsible for the outstanding balance.