

# Montgomery Weeds, More Regulations?

*Keeping Montgomery sidewalks weed free is a challenge. Is the answer more regulations accompanied with increased enforcement and fines or are there other solutions?*

Public comments as of October 27, 2011, 1:59 AM

All Participants



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## Introduction

Routine sidewalk maintenance such as snow removal, edging and general clean up is the property owner's responsibility as defined in City ordinances. Even so, the city routinely receives calls about unsightly weed growth in paver sidewalks.

Currently, the City's only recourse is to site property owners when weed growth in sidewalks exceeds a height of 6 inches. As weeds in sidewalks typically do not grow this tall, regulations on weed height have not had the desired result of weed-free sidewalks. As a community that prides itself on its walkability, paver sidewalks, and beautification, the weeds in paver sidewalks visibly detract from the Montgomery feel we all value.

What is the solution?

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As of October 27, 2011, 1:59 AM, this forum had:

Attendees:	169
Participants:	23
Hours of Public Comment:	1.2

## Montgomery Weeds, More Regulations?

Keeping Montgomery sidewalks weed free is a challenge. Is the answer more regulations accompanied with increased enforcement and fines or are there other solutions?

### All Participants

Name not shown in Montgomery

February 16, 2011, 4:59 PM

Keeping the sidewalks clear of snow is quite important. There are individuals who choose to run or walk even in the cold weather when the snow covers the ground. As i drive my husband to the bus at Montgomery Square at 6am, there have been times that I have noticed a runner or two in the roadway to avoid the snow. There are times that these runners are not wearing reflective gear, so it is often at the last moment that as a driver you become aware of their presence in the road.

There are often runners along Montgomery Road in the morning hours who end up running in the road as the snow is not removed from the sidewalks along Montgomery Square or in front of all homes and stores.

This situation can create challenges for individuals to get on and off the bus as well.

I doubt if enforcement alone is the answer. through the newsletter and web site the residents can receive information as to the need to remove snow and maintain sidewalks. Encouraging community members to help out their neighbors with snow removal along sidewalks would be a plus. Bringing this matter to the forefront prior to the first snowfall next year could set in motion some brainstorming or some neighbors helping others in these circumstances.

Matt Neumann in Montgomery

January 20, 2011, 3:58 PM

The weeds are unsightly, but the snow and ice is a safety concern, especially in areas where walking/jogging in the street is a poor alternative (e.g. Montgomery Road, Weller Road, etc...). I seem to recall the city soliciting ideas a while back on how to get the city more active (exercise-wise); this is it.

The city needs to either take ownership of snow removal on sidewalks or enforcing it's own code (without residents calling to complain). Once the city stops enforcing a portion of it's code you will get people questioning why it insists on enforcing other portions.

Long term, perhaps the city needs to consider converting the brick sidewalks to black top or cement so it is easier to weed and shovel.

Name not shown in Montgomery

December 12, 2010, 7:35 PM

The city should look into applying Polymeric sand to re-fill the joints between the brick pavers. Polymeric Sand is a specially designed polymer modified paver-finishing sand. It sets hard to resist weed growth, insect mining and erosion. It also strenghtens the inter-locking of the pavers and thereby extends the life of paver walks. Polymeric sands (e.g. Joint-Lock™ and SuperSand™) weren't available when the Montgomery sidewalks were installed, but it is now preferred versus regular sand as the final application for brick paver installations.

Name not shown in Cincinnati

December 10, 2010, 8:42 PM

I believe the brick pathways could once again be a great asset to the city, if they would be properly maintained. But, because of some lazy homeowners, the brick paths have turned into an eye-sore

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and are now degrading the overall appearance of the community.

A little bit of history of how we got to this point....

Originally, these were marketed as Brick Bike Paths. They were installed along some of the city's primary streets such as Zig Zag, Pfeiffer and Montgomery Rd, in order to provide easy bike riding routes to unite various parts of city. This was part of the City's master plan to make the overall community more attractive and accessible.

At hearings held prior to the installation of the brick paths, the City verbally promised the residents that the city would maintain the brick paths including snow removal. Prior to 2000, the City sprayed the paver sidewalks for weeds on a city-wide basis, and occasionally removed the snow. Surprisingly in 2000, an ordinance was enacted to make routine maintenance the responsibility of the adjoining property owner. I have no idea what motivated the city to pass that ordinance. The City of Montgomery continues to do weed spraying on sidewalks that front City property such as parks or other public land.

Now 10 years later, it is obvious that the 2000 ordinance has been a failure. Several residents completely ignore their obligations to treat the weeds from the brick path despite reminders issued by the city. The weeds growing in front of their homes are an eye-sore and degrade the value of the entire neighborhood. A contractor told me that the weeds growing in the cracks also undermine the structural integrity of the paver construction. Sadly, The city says they are unable to enforce the ordinance.

It should be noted that some of the homeowners along the brick path do a great job of clearing the weeds and snow, and it shows! I spray the brick path in front of my home twice a year. While it costs me a few dollars and less than an hour of my time, I consider it a good investment to maintain my property's appearance and market value.

What's the solution?

- 1) Revoke the 2000 ordinance, and have the City resume treating the weeds annually – as originally promised to the residents.
- 2) If the city is unwilling to revoke the ordinance, then the City needs to modify the ordinance's language to make it enforceable. Simply say the homeowners are responsible for promptly removing weeds and grasses from growing in the brick paths. Then, enforce it! Give offenders a friendly warning, and if they persist then the city should hire a contractor to spray the weeds and charge it to the homeowner.

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Name not shown in Montgomery

December 7, 2010, 11:42 AM

I have a paver sidewalk in front of my home. This side walk is not on my property per a survey and per the county plat. The city has never in the 6 years I have lived at my Pfeiffer Rd home cut, fertilized or weed treated the grass nor removed snow or salted the ice on the sidewalk. Yet the city regulates the bushes and trees I can plant in the grass area of this same strip.

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I spray weed killer on this strip when I spray my lawn twice every year. This does not eliminate the weeds. I feel my sidewalk is no worse than any of the others that I walk and I don't think the weed volumn is an eye sore but it is not perfect either.

Also, I cut the grass on both sides of the sidewalk in this strip which again is not my property but is between my property and the road.

Cutting and weed treating the grass on either side of the sidewalks is more the aesthetic issue to me than the weeds in the pavers.

Additionally, I shovel the snow on the sidewalk every snowfall. This is a convenience and in some cases a safety issue for those walking on the sidewalk.

If I understand the ordinance correctly, I am being required to clean and maintain public property. I have owned homes where the sidewalk was required on private property and was the home owners responsibility but I am suprised that any resident is required to perform work on public property for no other reason than proximity to public property. No one is required to maintain public parks just because they abutt the park so why am I and numerous others being required to maintain and in particular remove snow and ice from public property sidewalks?

If the city can spend \$35K to encourage recycling then they can surely spend the money necessary to cut and treat the grass plus snow remove and de-ice the sidewalks on public property. If someone was to get hurt cleaning the sidewalks or using the sidewalks with ice or snow, the city would be liable.

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Name not shown in Cincinnati

December 1, 2010, 11:34 PM

Instilling pride in our community and a little peer pressure rather than fines and regulations should be the first line of defense against weeds in the pavers.

In areas where there is a homeowner's association, it would be appropriate for that entity to allocate funds to help ameliorate the problem.

In the Historic District, in order to have uniform control the City should take responsibility.

Another thought is to have a small annual fee that would allow the City to provide one annual treatment with the expectation that the homeowner would be responsible for follow-up. On a trip to the mailbox, a quick glance at the sidewalk could nip a lot of problems in their bud.

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Name not shown in Montgomery

November 28, 2010, 7:39 PM

We lived in Swaim when the sidewalks were installed there. I have always felt that the sidewalks benefit the neighborhood and community just like our parks do. I think sidewalk maintetnace and upkeep (weeding and edging) should be part of our operating budget just like the expense for Bastille Day, median plantings, city hall etc. Even if every resident doesn't take advantage of one of our

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community offerings, we should all support these features that our residents and leaders think are most important to our community. Consistent sidewalk upkeep across the city would enhance our community and could be done more cost effectively as a community project.

One of my biggest peaves is the poor upkeep of the sidewalks and landscaping in front of Montgomery Square, one of the most visible commercial areas of our city. We invested in beautiful bus pickup stations and then unedged sidewalks and weeds taint our community investment. Key Bank's new look has greatly enhanced that section of Montgomery Road.

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Joerg Zuend` in Cincinnati

November 27, 2010, 3:45 PM

Paver sidewalks in my mind are much nicer than concrete. Quite frankly, I have not seen many problems and am a bit puzzled why this is supposed to be an issue. Sure, there are at times some weed - so what? Just send people a reminder that they should remove the weed from the sidewalks every now and then, preferably w/o chemicals so we do not carry the chemicals into the house after walking.

On the topic of snow removal - I run almost every day. I just move to the road on these few days. In general most of the drivers understand and move out of the way. Ok - some honking at times, but I had no dangerous situation yet.

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Thomas Niederkorn in Montgomery

November 24, 2010, 10:23 AM

The paver sidewalks have been a mistake. Had I been a resident when these were suggested, i would have voted against them -- have never seen an installation in any case whether commercial or residential that did not develop problems, most commonly sinking of the pavers and creating an uneven surface. It is time to admit these were a mistake and have them replaced. It is going to cost more to maintain them.

Weed infested paver sidewalks are not a positive reflection on the community. A well constructed concrete sidewalk would look much better.

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Denise Keller in Cincinnati

November 23, 2010, 8:58 PM

I think that even though the City ordinance states that sidewalks are the responsibility of the home owner that many feel that the sidewalks are not their concern. I think the paver sidewalks are beautiful in the historical section, but they are not practical in residential area. when were the paver sidewalks installed and who decided where the paver sidewalks would be. I feel that the concrete sidewalks can look just as nice and are easier to maintain. I can't imagine trying to keep the paver sidewalks "deweeded" nor would I want to shovel them in the winter. I think the city needs to clean them up and then it would be the homeowners responsibility to maintain.

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Name not shown in Cincinnati

November 22, 2010, 8:35 PM

Even more unsightly than the weeds are the awful tire ruts that disfigure the grassy strips alongside the street (between the street and the sidewalk). During our rainy spring, these muddy ruts make our main gateways to the city truly unsightly.

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They are caused by cars pulling off the road onto the wet soil between the road and the brick pavers. Adding curbs would help prevent this.

As to the weeds between the brick pavers, is there a nontoxic alternative to Roundup that could be recommended to property owners whose homes or businesses are alongside the brick sidewalks?

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Name not shown in Symmes

November 22, 2010, 5:34 PM

I think the paver sidewalks definitely add to the look of the historical district in downtown Montgomery, but when the city suggested doing the pavers throughout the neighborhoods and other areas and let the residents vote on the sidewalks, I'm sure they didn't point out that they would be "high-maintenance" sidewalks. If they are becoming a problem, I think the city should consider slowly replacing them (except in the historical district) with nice concrete sidewalks which will be more maintenance-free.

In the meantime, I feel that the city should spray the weeds and maintain the sidewalks - that burden should not be put on the homeowners b/c the city did not anticipate these issues when they put them in. The city needs to make responsible choices in these instances, not just considering "the look" but also the maintenance b/c which looks worse, clean concrete sidewalks or attractive pavers w/ weeds, cracks & level changes?

The other issue w/ the pavers is that they seem to pop up in areas making them more of a trip hazard for bikers/walkers.

Maybe a compromise would be stamped concrete if they don't like the look of concrete as long as the cost is practical.

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Bob Saul in Montgomery

November 22, 2010, 4:15 PM

Brick/paver sidewalks are too much of a maintenance problem. If sidewalks are installed, then use solid concrete only, which I believe is what the City is now doing.

Snow removal on a sidewalk by a homeowner is perceived as a legal liability.

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John Perry in Montgomery

November 22, 2010, 10:19 AM

I am not a fan of paver sidewalks. I believe the sidewalks in the Historic District have been replaced once.

As pointed out in previous posts, there are problems cropping up in the pavers besides just the grass.

Since a majority of City of Montgomery voters approved the pavers, I believe it should be the City's responsibility to maintain the side walk, including removal or spraying of any grass.

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I wish we had a sidewalk in front of our house to be able to worry about weed and snow removal. If enforcement is stepped up, I suggest any funds collected be reserved in a pool and used to build sidewalks for the residents who do not have them.

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Name not shown in Cincinnati

November 22, 2010, 9:13 AM

Weeds? I'm more concerned about property upkeep in Montgomery. Drive around Tanagerwoods and take a look at some of the fences. Shouldn't the city set and/or enforce a standard for the maintenance of fences or other outlying structures? In my opinion this is more of a problem than sidewalk weeds.

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Raymond Miller in Cincinnati

November 22, 2010, 8:04 AM

I am likely considered to be one of the "offenders" who does not meticulously maintain the paver walkway in front of my house. I do use Roundup to try and control the weeds but it is quite a time consuming task to stay ahead of them. I also get to replace my mailbox at least once or twice a winter as I live on a downhill slope and if the street is not cleared properly people slide off the side of the road and take out my mailbox. I haven't asked the city to replace them as the cause is the uncleared road. Don't impose another excessive enforcement regime that diminishes positive feelings about our city.

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Name not shown in Montgomery

November 22, 2010, 6:05 AM

The weeds don't bother me nearly as much as the snow does. When there's snow and ice on the sidewalks, they're unusable and even unsafe. When I see a homeowner has shoveled their driveway but not their sidewalk, it makes me think less of that person for their selfishness. If the drive isn't shoveled, I figure maybe it's someone who -can't-, but if they can shovel or hire someone to shovel the driveway, surely they can do at least a strip down the middle of the sidewalk too.

For weeds, since there's no time urgency, maybe the city can send out a notice that all sidewalks must be weed-free by a certain date. On that date, the city can clean any sidewalks that aren't cleaned and send the homeowner a bill.

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Doug Hughes in Montgomery

November 21, 2010, 12:06 PM

Pavers/sidewalks/a walking community is the signature of Montgomery (along with the lampposts and benches). Pavers enhance the streetscape/neighborhood, even those properties that didn't want or vote for them; BTW, they had to be approved by the majority of the residents of each street before they were installed. Poor landscape maintenance (BOTH private and commercial properties) detract from the community. Maintenance of landscaping/paver walks should be rigorously enforced: by fines, prepayed fees, city-sponsored events (volunteers, etc.), pre-announced/periodic treatments ("green" or otherwise). Perhaps the fines should/could fund these efforts - it might be more palatable to know that the fines were for a specific purpose, and of course - immediate maintenance/property/street/community enhancement would be the payoff.

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Mike Schenker in Montgomery

November 21, 2010, 10:57 AM

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Good to see more comments since my last one. I am adding some more here:

I wanted to comment regarding what somebody said about about roots making the pavers raise causing a hazard, andn we should replace with concrete, slowly. I think (perhaps wrongly) that the paver walks were touted as being easily repairable. Better than concrete because the pavers don't break, they only raise. So a repair could be done by a skilled person like the ones who installed it originally, by lifting up the pavers, fixing the underlying problem, preparing the base, and putting them back in with tamping. On the other hand I think it is a bigger job to fix a concrete walk, taking several pieces of equipment over several days. The city contracts for concrete repairs. I think I see it yearly. I think they must also be doing paver repairs when it gets bad enough, but I could be wrong. Let's not confuse the different problems of repairing heaving, and controlling weeds. Pavers may be higher maintenance for weeds, but I don't think that is the case to repair heaves.

Another comment: I think if somebody is using round up occasionally, or doing something else to fight weeds/grass, then I am fine with the level of weed control. I am not interested in perfection. I only have a problem where the grass has made a sidewalk substantially narrower, because of substantial seam penetration and covering of pavers. I know of a place or two where the outside row of pavers is not at all visible, and a place where the next row is also disappearing. I have considered working on it myself at those areas, but did not know if it would be appreciated, or rejected by the landowner. Especially if round-up was part of my solution.

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Below is what I wrote early Sunday Nov.21, I just added to it above, late Nov 22.

I am a walker who lives in Swaim, and typically uses the Monte and Zig Zag block. I have noticed weed problems and definitely think it detracts from community appearance, where the weeds (usually grass) are substantial in coverage. I think this is a great discussion topic for this site. I will add a few considerations to what is here so far.

Although I do not feel that chemicals such as round-up are that bad if used infrequently, some others might disagree. If you owned a house with sidewalk, would you want somebody else to spray your sidewalk in an amount and timing you don't know about? Is it okay if it is done by somebody who is trained? What about using a salt/vinegar or similar solution instead? The Montgomery bulletin recently had a recipe for a liquid recipe that other communities have used.

If a walker walks across an unmarked freshly sprayed area, and then they carry the chemical in the house, is it a problem? What about on a dog's paws? Would posting a warning immediately after spraying solve the problem so people can avoid the stretch? I think signs are already mandatory when a lawn is chemically treated by a lawn care company.

Is it better to kill the weeds where they are, or pull them up? I have noticed gaps between bricks where sand used to be, that I believe got there by pulling up weeds that had been there a long time and had hardy roots tha displaced the sand. Pulling up a young weed is probably a good practice, while killing established grass,in place, may be best.

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I have also noticed that some stretches of paver walk running down a hill, stay lush long after other areas go dormant. I think water naturally travels in the sand, in these areas. Those stretches may be "special cases" and require some designated community assistance more than other typical areas. Keep in mind that a house on a corner, has more linear feet to maintain. Do they deserve/need help?

What about getting a volunteer day, where the city organizes citizens to go to problem areas, and clean up the weeds. Perhaps one time only, to get it in good shape, and then make it the homeowner's responsibility again. Or perhaps do it yearly, tackling different problem areas. This could be coordinated with "Great American Clean Up Day", or "Make a difference day".

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Name not shown in Montgomery

November 21, 2010, 10:15 AM

We have the paver sidewalk in front of our house. We have come to the conclusion this side walk is a problem. It needs constant maintenance for all the reasons stated: weeds, snow, paver breakage, leaves, tree fruit droppings, and (gasp!) droppings left behind from pets. Yes, it is true people using these sidewalks to walk their pets frequently leave feces on the walk way or near it. Many of us with the sidewalk did not ask for it nor wanted it and requested in be put on the other side of the street. We have lost our privacy.

There is nothing like being stared down while sitting in my living room by people using this sidewalk. And there are those that like to enjoy a nice early morning walk or jog on Saturday or Sunday and talk so loudly to their partner I am awoken from a peaceful slumber on one of the few days I may get to sleep in. So, now we are going to be forced to maintain or pay fines or pay a crew to maintain a sidewalk that we do not want.

This is on the "govenment" property, so let them maintain it. Maintenance by the government should have been part of the plan when "they" decided to do this.

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Russell Speiller in Montgomery

November 21, 2010, 9:13 AM

I would agree with the comment that the city should not penalize those homes that include paver streets in front of them. I don't live in a home off one of the paver brick streets, but I do frequently walk along those paver streets and wince at the amount of weeds growing through the bricks.

I would support the City of Montgomery picking up the costs of weed control on those streets and distributing those costs across all of the home and business owners PROVIDED this action represents the majority will of the citizens. Point being - if this issue is a big deal to most of us, then we should be willing to contribute a small yearly fee to the city, which then hires a weed control service. Similar to how condo fees are paid by condo owners for landscaping upkeep.

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thom monahan in Montgomery

November 21, 2010, 8:12 AM

Montgomery is a wonderful place to visit and live. We should be proud of the elements that make our community unique. The paver sidewalks are just one of the elements that attract residents to invest in our neighborhoods. However, the pavers are not valuable to 100% of the population and as such we shouldn't believe that we can regulate appreciation or pride. If weeds between the bricks are a nuisance for any one individual, there is nothing stopping that individual from putting in a little extra

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effort and cleaning up an extra yard of bricks. All properties don't have the sidewalks so should we require those homeowner's to pitch in? I have no sidewalk in front of my home, am I being discriminated against? Life is full of pet- peeves and we will not eliminate them. The best solution for weeds or any other amenities is to promote pride in our community and hope that more people value pride over apathy. Too many regulations is no different than too many weeds. Find the things in life that are important to you and do something about them. Refrain from forcing others to share your priorities.

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