

Fix Iowa's Sidewalk Liability Gap

Restore clarity. Protect taxpayers. Keep sidewalks safe.

WHAT'S CHANGED?

In the *Splittergerber v. Bankers Trust Co.* decision (2024), the Iowa Supreme Court upended prior precedent, shifted liability for certain sidewalk hazards from property owners to cities, and identified the need for legislative clarity.

Cities already had a cost-effective, locally driven process for keeping sidewalks safe through shared responsibility with property owners — supported by education and outreach efforts and prioritizing safety critical areas (schools, senior housing, downtowns, etc.). Cities want to work proactively with property owners to keep their citizens safe by preventing injuries from occurring.

Before the Ruling

Inspection programs identified hazards

City notices provided correction windows for property owners

Cost-share programs allowed faster repairs where applicable

City-performed repairs recouped costs via special assessments when owners didn't act

Impact of 2024 Liability Shift

Shifts responsibility away from negligent property owners

Creates new unfunded mandates for cities, a higher burden for rural communities with smaller budgets

Diverts funds from other public safety & services by slowing repairs & increasing liability risk

Discourages sidewalks in new developments

A \$500 sidewalk repair can prevent a \$36,000 injury claim.

THE FIX

Align Iowa Code to clarify sidewalk liability, restoring the long-standing shared responsibility model that keeps sidewalks safe and prevents injuries.