Fix Iowa's Sidewalk Liability Gap

Restore clarity. Protect taxpayers. Keep sidewalks safe.

IOWA LEAGUE of CITIES

WHAT'S CHANGED?

In the *Splittgerber 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 critical safety 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	Impact of 2024 Liability Shift
Inspection programs identified hazards	Shifts responsibility toward taxpayers at large for liability claims
City notices provided correction windows for property owners	Creates a higher burden for rural communities with smaller operating budgets
Cost-share programs allowed faster repairs where applicable	Diverts taxpayer dollars from cost-effective sidewalk maintenance and essential services toward costly litigation and liability claims
City-performed repairs recouped costs via special assessments when owners didn't act	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.

(515) 244-7282 | legislativestaff@iowaleague.org | www.iowaleague.org