



# Sidewalk Maintenance and Repairs Ordinance November 16, 2021



**Presentation By:  
Diana Langley, Public Works Director**



# Background

- California Streets and Highways Code (SHC) Sections 5600-5630 govern the maintenance of sidewalks.
- SHC requires private property owners to be responsible for sidewalk repairs.
- Title 9, Chapter 3 (Street Trees) of the City Municipal Code provides that property owners must keep sidewalks and planting strips in a safe condition.

# Background



- California courts have held that the City can be held liable for injuries as a result of private sidewalk damage if the City has not adopted a sidewalk liability ordinance.

# Analysis



- Proposed Ordinance affirms property owner’s responsibilities outlined in the SHC and Section 9-3.12 of the City Municipal Code.
- “Hazard” defined as:
  - Vertical displacement of ½-inch or greater
  - Horizontal separation of ¾-inch or greater
  - Slope of 8.33 percent or greater
  - Any condition deemed hazardous by the Public Works Director.
- City may, at its discretion, make repairs or provide tree mitigation to ease the burden caused by Street Trees. Liability remains with the property owner.
- Ordinance codifies:
  - Property owner notification procedures
  - Path for property owners to request time extensions
  - Allowances for City to perform repairs when property owners fail to do so in a timely manner.
  - City’s Administrative Citation process to be implemented, including a lien process.

# Alternatives



- Direct staff to modify the terms of the proposed Ordinance.

# Recommendations



Introduce an Ordinance of the City Council of the City of Yuba City establishing sidewalk maintenance and repair responsibilities by adding Chapter 11 (Sidewalk Maintenance and Repairs) to Title 6 of the Yuba City Municipal Code, and waive the first reading.



# Questions