



Sidewalk Maintenance and Repairs Ordinance

December 21, 2021



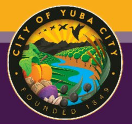
Presentation By:
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Background



- 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



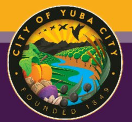
- Proposed Ordinance affirms property owner's responsibilities outlined in the SHC and Section 9-3.12 of the City Municipal Code.
- “Hazard” defined as:
 - Vertical displacement of 1/2-inch or greater
 - Horizontal separation of 3/4-inch or greater
 - Slope of 8.33 percent or greater
 - Any condition deemed hazardous by the Public Works Director.

Analysis



- 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.

Analysis



- On November 16, 2021, the proposed Ordinance was introduced by the City Council.
- Council directed staff to explore options for establishing a financial assistance program for sidewalk repairs.
- Staff is in the process of researching options and will bring a comprehensive program to Council by Spring 2022 addressing sidewalk repairs, water service connections, and sewer service connections.

Alternatives



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

Recommendations



Adopt 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 second reading.



Questions