

RESOLUTION No. 212590

Adopted on FEB 6 1975

BE IT RESOLVED, by the Council of The City of San Diego as follows:

That Council Policy No. 200-12 entitled "Sidewalk Maintenance Policy" is hereby established as set forth in the form of Council Policy filed in the office of the City Clerk as Document No. 750183.

BE IT FURTHER RESOLVED, that the City Clerk be and he is hereby instructed to add the aforesaid to the Council Policy Manual.

APPROVED: JOHN W. WITT, City Attorney

By J. S. Wiegand
J. S. Wiegand, Deputy

JSW:cav
11/12/74

DOCUMENT NO. 750183

FILED FEB 12 1975

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

Subject	Policy Number	Page
SIDEWALK MAINTENANCE POLICY	200-12	1 of 2

BACKGROUND:

The City's practice with regard to the maintenance of existing Portland Cement Concrete (PCC) sidewalks has for many years been based on the California Streets and Highways Code, Section 5610.

This section essentially places the responsibility for replacement of PCC sidewalk totally on the abutting property owner unless an unsafe condition exists because of some act of the City or some third party, such as allowing parkway trees to damage the sidewalk, permitting poor compaction of soil under a sidewalk, sidewalk damage caused by City utility intrusion, etc. Consequently, PCC sidewalk replacement at City expense is done only under the following conditions:

1. Damage caused by parkway trees.
2. Damage due to grade subsidence.
3. Damage due to City utility cuts.
4. Sidewalk fronting City-owned property.
5. Sidewalk at street intersections (no abutting property).
6. Damage due to heat expansion.

A significant portion of an existing unsafe sidewalk does not fall into any of the above categories, but is in such a condition because of its age. Naturally, these conditions are most prevalent in older parts of the community. Replacement of these unsafe old sidewalks therefore depends on the financial ability and willingness of the abutting property owners to do so. Experience indicates that few citizens avail themselves of the opportunity to replace an unsafe sidewalk. This is probably because they are reluctant to go through the process of obtaining a contractor, bids, permits, etc. All unsafe sidewalk conditions which come to the attention of the City are patched with asphalt to eliminate tripping hazards and assist in protecting the City from liability.

As a result of the aforementioned, there are now many areas of aged sidewalk which have been asphalt patched for safety, but which nevertheless are not satisfactory to the affected users. The problem is particularly acute in areas heavily used by senior citizens and small children.

Subject	Policy Number	Page
SIDEWALK MAINTENANCE POLICY	200-12	2 of 2

PURPOSE:

The purpose of this policy is to modify the City's sidewalk maintenance practice to permit greater financial participation in the replacement of unsafe PCC sidewalks by the City.

POLICY:

It is the policy of the City Council that the cost of replacing unsafe Portland Cement Concrete sidewalk:

A. Will be borne entirely by the City when:

1. It has been damaged by parkway trees.
2. It has been damaged by grade subsidence.
3. It has been damaged by City utility cuts.
4. It fronts on City-owned property.
5. It exists at street intersections.
6. It has failed because of heat expansion.

B. Will be borne on a 50/50 matching basis under all other conditions; provided, however, that damage to sidewalks which the City Manager determines to have been caused by owners of property abutting damaged sidewalks or by third parties shall not be qualified for the 50/50 matching basis funding.

This policy applies only to conventional sidewalks built on-grade and is not meant to cover special circumstances such as sidewalks constructed over basements, garages or other unique features. Determination as to whether repairs are required shall be made by the City Manager.

JSW:cav
1/20/75

Passed and adopted by the Council of The City of San Diego on FEB 6 1975,
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floyd L. Morrow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN
City Clerk of The City of San Diego, California.

By Kathleen Martiniz Deputy.

Received:
1975 JAN 29 AM 11:26

Office of the City Clerk, San Diego, California

Resolution Number 212590 Adopted FEB 6 1975