

## WHY YOU SHOULD CARE



**YES** – the sidewalk in front of your home or business is public property. **BUT** – State law and local ordinances hold the owner of the fronting property responsible for sidewalk maintenance. This responsibility is enforced when sidewalk damage becomes an issue of safety. Legal claims are very common these days and you should be aware that the property owner is the primary target if an accident occurs.

In the interest of preventing potential and expensive legal claims, the City employs an Engineering Inspector to respond to reports of unsafe conditions and to help property owners through the repair process.

## INSPECTOR

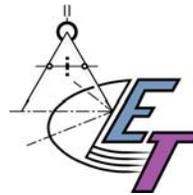
## DAMAGE TO THE PARKWAY STRIP

The area between the sidewalk and curb (commonly called the parkway strip) is frequently filled with concrete, bricks or other surface improvements.

**The City does not require removal or repair of these improvements except where damage:**

- 1) prevents or interferes with sidewalk repair.
- 2) is in an area of high pedestrian use (such as at a crosswalk), and is therefore treated like a sidewalk.
- 3) includes defects that may cause a risk of injury to the public.

If adjacent sidewalk repairs are made, the property owner is advised to consider making any adjustments to the parkway strip that may be needed to create conformity with the new sidewalk. These and any other costs related to improvements within the parkway strip belong exclusively to the property owner.



Engineering & Transportation Department

*Civic Center*

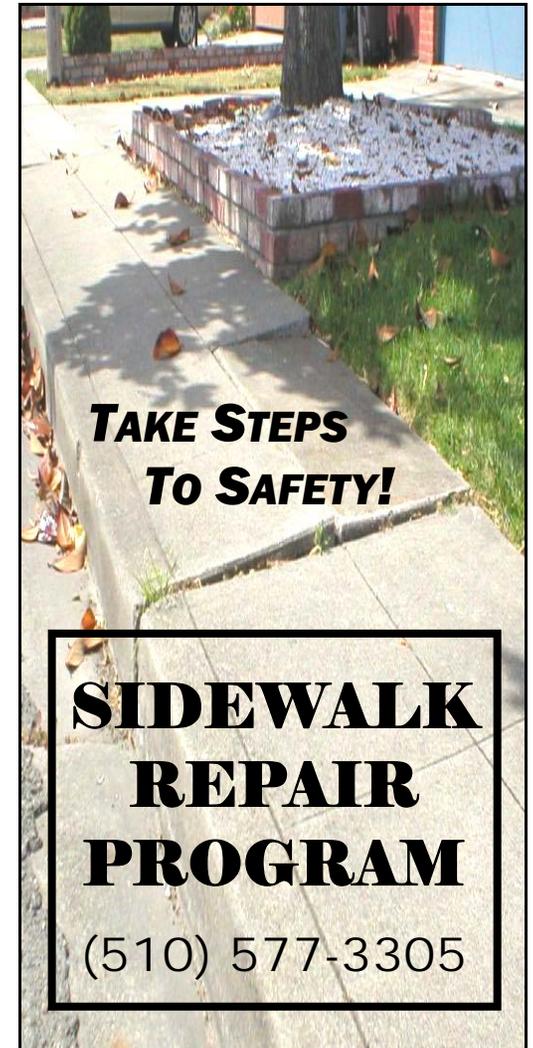
835 East 14th Street

San Leandro, CA 94577

Phone: 510-577-3428

Fax: 510-577-3294

**Sidewalk Hotline: 510-577-3305**



## REPAIR GUIDELINES

From State mandates, the City Council has adopted uniform repair guidelines that property owners must follow as outlined below:



### SLIGHT DAMAGE

Less than 1/2" vertical offset

No repairs are required – BUT, the property owner is responsible for notifying the City of any significant change in the condition of the damaged sidewalk.

### MINOR DAMAGE

1/2" - 1 1/2" vertical offset

The City will suitably grind the area at no cost to the property owner. The property owner is responsible for notifying the City of any significant change.

### MAJOR DAMAGE

1 1/2" or more offset or serious defects

The City will barricade or temporarily patch the damaged area, and the property owner will be **required** to replace the broken or displaced concrete.

## COST SHARING

Street trees are the most common cause of sidewalk damage. In order to maintain a fair balance between individual and City responsibility, San Leandro has adopted a program in which **the cost of repairing street tree related sidewalk damage is shared**. When sidewalk damage has been caused by the roots of a street tree, the City will attempt to control further damage by root pruning, and will assume 50% of the cost of **required** repair if the City's contractor does the repair.



## REPAIR OPTIONS

### 1) Use a City contractor:

With a Request for Services form, you can avoid the process of hiring your own concrete contractor. Instead, the City will schedule the work for repair by a City-hired contractor. Your share of the costs will be billed to you shortly after repairs are completed. If the damage is street tree related, the City will share the cost for this repair.

### 2) Do the work yourself/hire a licensed contractor:

You or your contractor must obtain a City permit prior to beginning repair work and a City inspector must check the concrete to see that it is up to City standards. A contractor's license, general liability and auto insurance are required for this work. Due to funding constraints, if you choose this option the entire cost is your responsibility.

## MUNICIPAL CODE REQUIREMENTS

<http://qcode.us/codes/sanleandro/>

- Sections 5-1-415 and 5-1-420

If you fail to choose a repair option, the City will begin a legal **"posting" process**. This process begins after the City has accumulated a sufficient number of locations

to be "posted" (once every 2-3 months) with a **"Notice to Repair Sidewalk, Curbs or Gutters."** The notice will appear on a postcard in the mail, and on a placard at your doorstep. The date of the notice begins a two week period during which you can pursue one of the two repair options. If a permit is not applied for, or request for services are not signed within this period, the **City's contractor will automatically be sent orders to perform the required work.**

You will receive a bill for work performed by the City's contractor after the work is completed. Unpaid bills will result in a lien against your property. Prior to filing of the lien, you will receive another notice informing you that a **public hearing will be held** (during a future City Council meeting) to hear any objections or protests to the cost of the required repairs.

If you wish to protest, you may appear at the hearing or send your objections in a letter prior to the meeting. **If no protest is received, or the City Council overrules the protest, you will receive a bill from the City's Finance Department.**

The Notice to Repair Sidewalk, Curbs or Gutters, and the subsequent billing statement contain warnings about a **possible lien on your property**. The warning is included because unpaid bills due the City are sent to the County Assessor where they appear on property tax bills. If a bill is not paid with the taxes, it becomes delinquent in the same manner as a tax and with the same consequences.

If you require a translation of this document, please contact the City Clerk's Office at 510-577-3351, TDD 510-577-3343.

如果您需要這個檔案的翻譯，請聯繫市政府書記處辦公室。電話: 510-577-3351, TDD (聽障人的電信設備): 510-577-3343。

Si requiere traducción de este documento, por favor comuníquese al la Oficina del City Clerk al 510-577-3351, TDD 510-577-3343.