

## 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

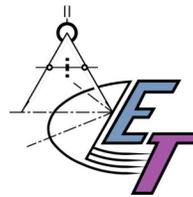
## DAMAGE TO THE PARKWAY STRIP

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.



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San Leandro, CA 94577

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As of July 2007



## SIDEWALK REPAIR PROGRAM

TAKE STEPS  
TO SAFETY  
(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 or apply a patch to the damaged area at no cost to the property owner. The property owner is responsible for notifying the City of any significant change.

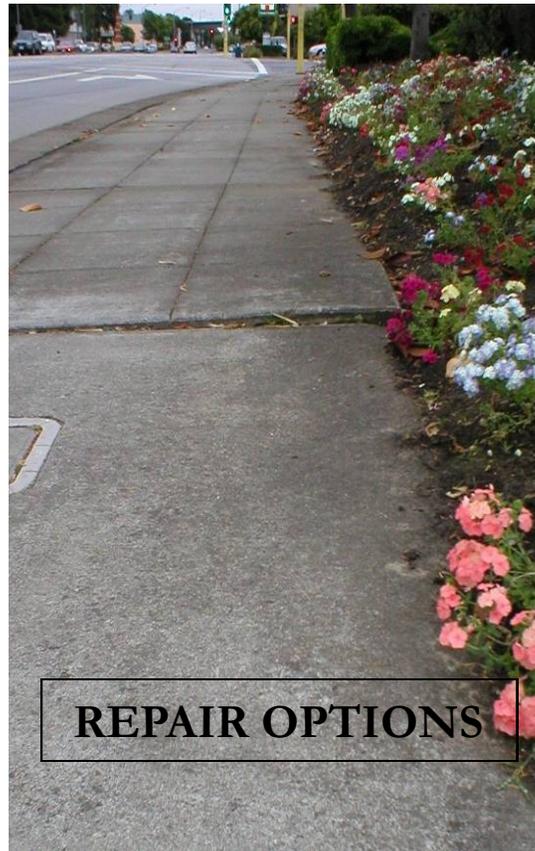
### MAJOR DAMAGE

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, regardless of degree, has been caused by the roots of a street tree, the City will attempt to control further damage by root pruning and 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 locating, supervising, and paying a concrete contractor. Competitively priced repair will be scheduled through the City as soon as possible and 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. Due to funding constraints, if you choose this option the entire cost is your responsibility.



## DELAY

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) and 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 within this period, the **City's contractor will automatically be sent** orders to do the required work.

After the work is completed, but before you are billed, 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 the 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.