

New Voluntary Sidewalk Repair and Enforcement Program

**City Council
June 18, 2024
ITEM 2024-4142**



OVERVIEW

- Legal context
- City's existing sidewalk program
- Other program alternatives
- Proposed voluntary sidewalk repair and enforcement program



Legal Context

- CA Streets and Highway Code and Alameda Municipal Code (AMC) place primary responsibility for sidewalk repair with the adjacent owner, regardless of cause
- City is required, upon notice of a sidewalk hazard, to notify the owner of their responsibility to make the necessary repairs
- If repairs are not made, the City can make the repairs and lien the property based on the City's repair costs with Council approval.

City's Existing Sidewalk Program

Program components:

- temporary repairs made to sidewalks damaged by street trees and sidewalks adjacent to City property;
- replacement of sidewalk damaged by street trees and sidewalks adjacent to City property; and
- notify property owners of other sidewalk hazards and their responsibility to make the repairs



Challenges for Property Owners

- Unexpected
- Finding a contractor
- Permitting
- Cost

Compliance



Program Alternatives

- City makes repairs and invoices owner (“voluntary repair program”)
- Cost sharing regardless of cause
- Owner required to certify sidewalk upon triggering events (property sale, remodel..)

Sidewalk and Street Trees

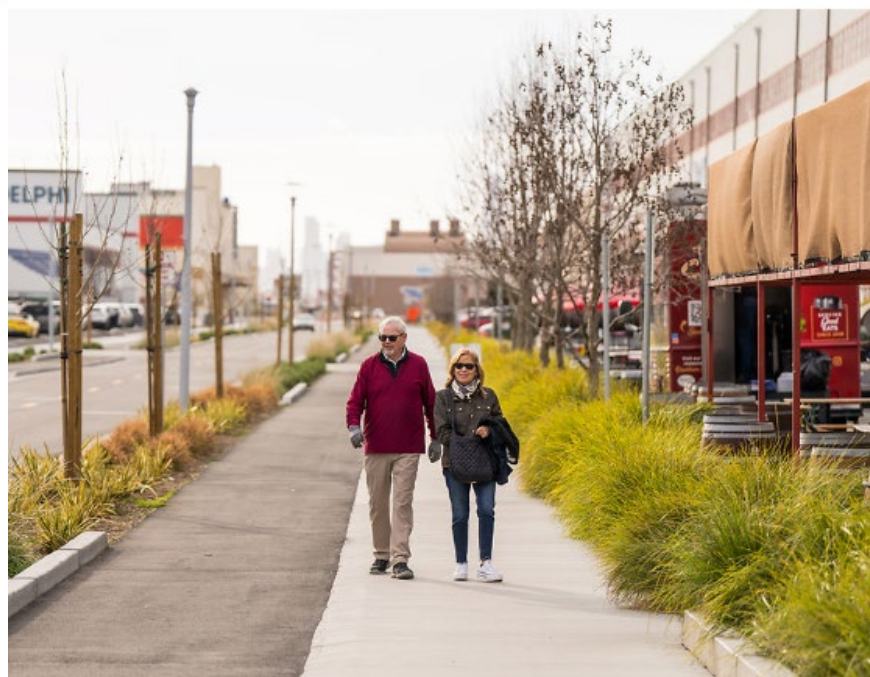
- City incurs cost to repair sidewalk damaged by street trees
- Concerned with increase requests for tree removals
- Sidewalk solutions before removal can be costly



Voluntary Repair and Enforcement

- City sends notice to owner –option for City to make repairs and bill owner or owner makes repairs
- Date provided for owner to have enrolled with City or started on repairs
- Nonresponsive – City does work, recovers cost through property lien, when needed
- City Council final approval for property liens after public hearing

Staff Recommendation



- Approve new voluntary sidewalk repair and enforcement program and direct staff to return to the City Council with related revision of the Alameda Municipal Code.
- Program administration costs not passed to owner initially/reassess
- City continue with street tree damaged sidewalk

