

## HOW DOES THE CITY DETERMINE WHICH SIDEWALKS TO INCLUDE AS PART OF THE ANNUAL SIDEWALK PROGRAM?

By inspection, in response to citizen requests, or when City staff observe damaged sidewalks in the field. Damaged sidewalks that are reported are prioritized based on location and severity of damage. The prioritization list is reviewed annually to determine which damaged sidewalks will be replaced during that fiscal year and are prioritized based on proximity to schools, parks or the senior center.

## WHAT ARE THE PENALTIES FOR NOT MAINTAINING THE PUBLIC SIDEWALK?

Any property owner who does not maintain their public sidewalk in a safe condition will be liable as outlined in the California Streets and Highways Code, Sections 5600 et seq. The penalty shall include the City's costs incurred in performing the repair or replacement.

In addition to civil penalties, a citation may also be issued to anyone found to be in violation of the provisions of the Sidewalk Ordinance.

## IS A PERMIT REQUIRED BEFORE I CAN REPLACE OR REPAIR THE SIDEWALK?

Yes, an encroachment permit is required for concrete repair or replacement and may be obtained from the Public Works Department. The property owner may either do the work or hire a contractor to perform the work. Please see the City of Dublin Master Fee Schedule for costs required to obtain the permit.

## HOW ARE PROPERTY OWNERS NOTIFIED IF THEIR SIDEWALKS OR CURB NEEDS TO BE REPAIRED OR REPLACED?

Property owners are sent a letter informing them of the necessary repairs. The required maintenance or repair must commence within 30 days of notification.

## FOR ADDITIONAL INFORMATION



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# CITY OF DUBLIN

## Sidewalk Ordinance



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## **DOES THE CITY OF DUBLIN HAVE A SIDEWALK ORDINANCE?**

Yes. The Sidewalk Ordinance was first adopted by the City Council in 1982. In August 2005, the Ordinance was amended to further ensure that the sidewalks within public right-of-way are maintained in a safe condition. The City's intent is to provide safe and pedestrian friendly walkways that can enhance the street's appearance and increase property value. (Section 7.04.420 of Article 4 of Chapter 7.04 of Title 7 of the Dublin Municipal Code)

## **WHAT DOES THE CITY'S SIDEWALK ORDINANCE MEAN?**

As a property owner, you are responsible for repair and maintenance of the sidewalk, curb and gutter, retaining walls, and landscape planting strips for the portions between your property line and the edge of pavement.

If you do not maintain the sidewalk in a safe condition, then, as a property owner, you are responsible for claims arising from any pedestrian accidents related to defective sidewalks.

## **HOW DO I KNOW IF I HAVE A DEFECTIVE OR POTENTIALLY UNSAFE SIDEWALK?**

The following are considered potential tripping hazards:

1. A sidewalk or concrete park strip where there is a vertical offset of more than  $\frac{3}{4}$  of an inch.
2. A hole or opening in the sidewalk of 1 inch or greater.
3. Any breaking away (or "spalling") of concrete sidewalk or curb with a minimum depth of more than  $\frac{3}{4}$  of an inch.

## **WHAT SHOULD I DO IF I FIND A DEFECTIVE SIDEWALK OR CURB**

Report the defect to the Public Works Superintendent by calling the Public Works Department at 833-6630, or by using the City's website: [www.dublin.ca.gov](http://www.dublin.ca.gov).

The Public Works Superintendent will then send an inspector to your property to determine the extent of the problem.

Defective areas are required to be repaired within 30 days of notification by the City Superintendent.

## **DOES THE CITY PAY FOR THE REPAIR?**

If you decide to repair the break in the sidewalk or curb yourself, the cost of the repair would be your responsibility. However, if the repair is incorporated in the City's sidewalk repair program, the cost of the repair would be covered by the City.

If you have performed temporary repairs and want to apply to have your sidewalk repair included in the Annual Program, please make your request in writing to the Public Works Superintendent.

Please be aware, the City's sidewalk program does not release you from your responsibility to maintain your curb, gutter, and sidewalk in a safe condition.

## **CAN I WAIT FOR THE CITY TO REPAIR MY SIDEWALK?**

The City's sidewalk repair program is not assured and you will have to assess whether the severity of the sidewalk repair warrants immediate attention, or whether your temporary repairs are sufficient protection from liability until such time as the sidewalk is permanently repaired.