

ORDINANCE NO. 2010

BY  CODIFIED
Date 10/2013

(An ordinance amending sidewalk maintenance provisions in Chapters 13.12 and 13.20 of the Hood River Municipal Code)

WHEREAS, Chapter 13.12 requires owners and occupants to maintain trees in accordance with its provisions in order to protect the City's public rights of way;

WHEREAS, the City has authority over its rights of way;

WHEREAS, Chapter 13.20 makes the adjacent owners responsible for maintaining the sidewalks and provides for the City to issue a notice of disrepair;

WHEREAS, it is the City's intent to include tree wells and planting strips as part of sidewalk maintenance; and

WHEREAS, Chapter 13.20 should be amended consistent with the City's intent.

NOW, THEREFORE, the City of Hood River ordains as follows:

CHAPTER 13.20 – SIDEWALK MAINTENANCE

Sections:

13.12.010 Owner responsibility and liability.

13.12.010 Owner responsibility and liability. It shall be the duty of the owner or owners of the property abutting or adjoining the streets within the city to maintain the sidewalks and curbs extending along, in front of, **abutting or adjoining the property in a safe and serviceable condition. All such owners shall be liable for all personal and property damage resulting or arising from the owners failure to maintain the sidewalk or curb in a safe and serviceable condition regardless of whether the city gave notice of disrepair as allowed by Section 13.20.020. For purposes of this Section, sidewalk "maintenance" means the repair or replacement of any cracked, broken or uneven sidewalk sections with a gap, crack or drop of one inch or more. For purposes of this Section, sidewalk "maintenance" shall also include the maintenance of tree wells located in the sidewalk and is limited to keeping tree wells free of weeds, debris and trash and keeping the surface of the tree well level with adjoining sidewalk so as not to create a tripping hazard. The City shall be responsible for the cost to repair any city electrical outlets situated in tree wells.**

13.20.020 Notice of disrepair. [No change to this section].

13.20.030 City repair—Lien. [No change to this section].

Read for the first time: August 12, 2013.

Read for the second time and passed: August 26, 2013, to become effective thirty (30) days hence.

A handwritten signature in dark ink, appearing to read 'Arthur Babitz', written over a horizontal line.

Arthur Babitz, Mayor

ATTEST:

A handwritten signature in dark ink, appearing to read 'Jennifer Gray', written over a horizontal line.
Jennifer Gray, City Recorder