

1 [DPW Notification Process for Sidewalk Repair.]

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3 **Resolution urging the Department of Public Works to improve its notification process**
4 **to responsible property owners for the construction, repair, and replacement of**
5 **sidewalks.**

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7 WHEREAS, Based on direction of the Mayor, the Department of Public Works has
8 instituted a more vigorous enforcement of Public Works Code section 706, which mandates
9 that owners of property fronting public sidewalks are responsible for the construction, repair,
10 and replacement of any sidewalks which may cause injury to persons or damage to property;
11 and,

12 WHEREAS, As part of this more vigorous enforcement, the Department of Public
13 Works has already noticed a number of property owners of their responsibilities; and,

14 WHEREAS, The notice distributed to property owners provides that all work “must
15 commence and be completed within thirty (30) calendar days from the date of the notice;”
16 and,

17 WHEREAS, This expectation placed on the responsible property owners is not only
18 next to impossible to achieve, but is also a clear misapplication of Public Works Code section
19 706.2; and,

20 WHEREAS, Public Works Code section 706.2, states that the noticed work need only
21 be *commenced* within 30 days, and that it does not need to be *completed* within 30 days; and,

22 WHEREAS, The Department of Public Works has also failed to clearly articulate the
23 reasons for this more vigorous enforcement to affected responsible property owners and
24 failed to explain the indigent grant program that may be available to lower income property
25 owners; and,

1 WHEREAS, The Department of Public Works has, as a result of this misapplication of
2 the Public Works Code section and its poor outreach efforts, created a sense of confusion and
3 frustration among responsible property owners; and, now, therefore be it

4 RESOLVED, That the Board of Supervisors urges the Department of Public Works to
5 improve its notification process to responsible property owners for the construction, repair,
6 and replacement of sidewalks.

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