

Chapter 12.08 - CURBS, GUTTERS AND SIDEWALKS

12.08.010: DETERMINATION OF NECESSITY FOR REPAIRS:

The mayor, building inspector and maintenance worker, in consultation with the council member in charge of the street department, shall determine when curb, gutter, and/or sidewalk situated anywhere within the corporate limits of Farr West City is unsafe, unsightly or in general need of repair. No repairs or replacement of curb, gutter or sidewalks shall be made without city approval. (Ord. 96-05 § 1)

12.08.020: CITY RESPONSIBILITIES:

A. Labor; Materials: After such determination has been made, the city may, in cooperation with any owner whose property abuts or lies adjacent to such curb, gutter or sidewalk, supply labor to remove, form and finish the curb, gutter and/or sidewalk replacement as approved by the city mayor, building inspector and maintenance worker. The city shall also repair or patch any asphalt surface adjacent to the curb, gutter and sidewalk.

B. Remove Old, Install New: It shall be the city's responsibility to demolish and remove the unprepared, unsightly or unsafe curb, gutter, or sidewalk, set the forms, install new concrete and provide the finish for the same. (Ord. 96-05 §§ 2, 3)

12.08.030: COST:

A. Owner's Financial Obligation; Percentage: The owner shall be responsible for fifty percent (50%) of the cost to repair or replace curb, gutter or sidewalk. The owner is solely responsible for necessary repair and replacement of adjacent landscaping, including dirt, vegetation and sprinkler system.

B. Owner Sole Responsibilities: The cost of repair, removal and replacement of driveway approaches and sidewalk in the driveway area shall be the sole responsibility of the adjacent land owner. Any damage by land owner or his or her agent shall make the land owner responsible for all costs of repair or replacement. This shall include damage caused by any shrub or tree planted within five feet (5') of any city curb, gutter or sidewalk. The city offices shall have available an approved plant list for trees and shrubs within five feet (5') of curb, gutter or sidewalk. (Ord. 96-05 §§ 3, 4)

12.08.040: UNPAID ASSESSMENTS:

All costs assessed by Farr West City for curb, gutter or sidewalk shall be paid by December 31 of the year assessed. Any unpaid assessments shall be attached to the property owner's tax assessment in the following year. (Ord. 96-05 § 5)

12.08.050: MAINTENANCE RESPONSIBILITY:

It shall be the responsibility of the owner of the property abutting a street to clean and maintain sidewalks, and curb and gutter. It is unlawful for the owner, occupant, lessor or agent of any property abutting on a paved sidewalk to fail to remove, or have removed from such paved sidewalk, all hail, snow or sleet thereon within a reasonable time after such snow, hail or sleet has fallen. It is unlawful for any person removing snow from the sidewalk or driveway or other areas, to deposit or blow snow, dirt, leaves or any other material into the street. Nor shall any of these materials be deposited in the gutter so as to clog or prevent the free flow of water. It is unlawful for any person owning, occupying or having control of any premises to place, or permit to be placed upon any or in the sidewalk, parking area or gutter any material which could be considered hazardous to pedestrians, animals or vehicle traffic or in any way obstruct the flow of traffic or drainage. Sidewalk maintenance shall include maintaining clearances of seven feet (7') overhead and one foot (1') to either side of a paved sidewalk, including sprinkler heads or other permanent objects above the sidewalk surface level. (Ord. 96-05 § 6)