

**CITY CODE**  
of  
**PLACERVILLE**  
**CALIFORNIA**

**1962**



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## CHAPTER 9

**STREET IMPROVEMENT**

## SECTION:

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8-9-1: **PURPOSE:** The purpose of this Ordinance is to insure streets and highways of minimum standard for safe and convenient vehicular and pedestrian access and travel. As a result of growth, existing streets and highways have been rendered inadequate. This Ordinance is intended to define the requirements, policies and procedures for the construction of street improvements and acquisition of public rights of way in order to insure conformity to existing zoning and subdivision legislation by extending basic requirements where no subdivision is involved. By virtue of this Ordinance, the cost required for public improvements will be equitably borne by the abutting property owners. Ultimately the purpose is to assure the protection of public safety and general welfare.

8-9-2: **INTENT:** Compliance with the requirements provided herein is not intended to relieve any further and additional obligations with respect to streets imposed by reason of other regulations of the City or as may be provided for by agreement with the City.

- (C) Where the City Manager finds and determines that such requirements, as applied to an individual property, by reason of exceptional or extraordinary situation or condition of said property, or the location thereof, or of the use or development of property in the immediate vicinity of said property, will involve practical difficulties or would cause undue hardship, unnecessary to carry out the purposes and spirit of this portion of this Ordinance. (Ord. 1056, 3-26-74; amd. Ord. 1080, 2-10-76)

Such variance shall not be granted nor become effective unless and until an agreement between the property owner and the City of Placerville is properly executed, agreeing that the property owner will undertake the construction of the required improvements as required by these regulations within ninety (90) days after notice to begin construction of said improvements is sent by the City to the property owner. Notice to begin the construction of said improvements shall not be sent until the City Council has first determined that such improvements are needed. Said agreement shall further provide that in the event of default in undertaking and completing the required improvements within the time specified, the City may cause such work to be done and the cost thereof to be assessed as a lien against the property. Such agreement shall recite that it creates a covenant running with the land and shall be recorded in order to constitute notice to any prospective buyers or encumbrancers. The City Manager is hereby authorized to execute such an agreement for and on behalf of the City.

8-9-5: REQUIRED IMPROVEMENTS AND GRANT OF RIGHT-OF-WAY EASEMENTS: Required improvements and grants of right-of-way easements for all streets, whether public or private, in the City of Placerville shall be as follows: (Ord. 1134, 11-22-77)

- (A) Curb, gutter and sidewalk requirements shall be the same as contained in Title X, Chapter 8 of the City Code. (Ord. 1162, 8-8-78)
- (B) The property owner upon whose property the building is to be constructed or located shall make an offer of dedication to the City of all required easements and rights of way for the installation of streets, utilities, and public service facilities. The width of the rights of way shall be the same as are set forth in Title 10, Chapter 7 of the City Code.
- (C) The width of paving and the standards for paving shall be the same as are required for streets in Title 10, Chapter 7 of the City Code.

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8--9--9: **BUILDING OFFICIAL; DUTIES OF FINAL INSPECTION:** The Building Official shall deny final approval and acceptance, and shall refuse to allow final public utility connections, to any building or structure, unless curbs, gutters, sidewalks and paving as may be required herein, exist or are constructed and accepted by the City. (Ord. 1056, 2-36-74)

8--9--10: **APPEAL TO CITY COUNCIL:** The City Council shall have the jurisdiction to hear and decide appeals where it is alleged by the appellant there is error in any order, requirement, permit, or determination made by any City official within thirty (30) days after notice of the findings of the City Engineer and the City Manager. An appeal to the City Council may be taken by the owner or person aggrieved by the decision of said officials. Such appeal shall be taken within the time specified by filing with the City Clerk a copy of notice of appeal specifying the grounds of said appeal and paying the sum of fifty dollars (\$50.00), which shall not be refundable. Upon receipt of a notice of appeal, the City Clerk shall give written notice of time and place of hearing for such appeal to appellant and to any other persons requesting such notice who have deposited with the City Clerk a self-addressed, stamped envelope to be used for such purpose. All appeals shall be heard by the City Council within thirty (30) days of the notice of appeal. (Ord. 1174, 10-17-78)

8--9--11: **CIVIL ACTION:** The violation of any of the provisions of this Ordinance shall also be deemed a nuisance, civil action to abate, enjoin or otherwise compel the cessation of such nuisance may be taken by the appropriate legal officers of the City of Placerville upon complaint of the City Engineer. The remedies herein provided shall be cumulative and in addition to any other remedy available to the City in either law or equity.

8--9--12: **CITATION OF ORDINANCE:** This Ordinance may be referred to and cited as the City of Placerville Street Improvement Ordinance. (Ord. 1056, 3-26-74)

8--9--13: **STREET SYSTEM EXTENSIONS; REIMBURSEMENT:**

(A) Persons other than the City may desire to alter and/or extend the City's street facilities for the purpose of making these facilities available to properties lying beyond existing facilities or the expansion of the existing facilities to handle additional traffic volumes beneficial to other properties within the area. Persons desiring to extend or expand street facilities must make application with the City Engineer of the City requesting that these facilities be extended. Plans and specifications shall be filed with the City Engineer setting forth the manner in which these facilities are to be extended. The street facility may be extended or enlarged by the applicant in the event that the City Engineer approves the application, together with plans and specifications.

(B) In the event that the City Engineer determines that properties other than the property being developed by the person constructing the street facilities benefit

- (B) When such street improvements are constructed by the City, the City Engineer shall determine the area and the specific parcels of property which will benefit from such improvements, and shall prepare a map designating the area to benefit.
- (C) The determination of benefits may be based either on area or frontage foot charges, whichever is determined to be more equitable by the City Engineer and the appropriate allocation of construction costs shall be based upon the benefit to be derived by each parcel of property. The determination of benefit and allocation of cost by the City Engineer shall be final and conclusive.
- (D) Improvements within reimbursement area. Except as otherwise provided in this code, any person constructing, adding to, or arranging for the construction of, or adding to any building within the reimbursement area, the result of which effects an increase in the density of use of the property or effects an increase of the traffic generated on the street in question, shall be subject to providing reimbursement to the City as determined by the City Engineer for the reimbursement area. The only exception to this provision shall be additions to any existing buildings or the construction of new buildings which are less than two hundred (200) square feet or the construction of a new private garage which is less than four hundred (400) square feet. In order to be excepted from the provisions of this Chapter, only one addition of less than two hundred (200) square feet and one new garage of less than four hundred (400) square feet are allowed on an individual property within a five (5) year period.
- (E) Payment of Reimbursement: Any person requiring to pay a reimbursement can pay the reimbursement in full at the time of application for a building permit or enter into an agreement in writing providing for the payment of said fee. On approval by the City Council for such an agreement, the payment of the fee may be amortized over a period of five (5) years with interest thereon at a rate of ten percent (10%) per annum payable annually. (Ord. 1425, 9-8-87)