

CITY CODE
of
PLACERVILLE
CALIFORNIA

1962



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CHAPTER 1
SIDEWALKS

SECTION:

- 8-1-1: Encroachments to Sidewalk Space
- 8-1-2: Sidewalk Repairs Required
- 8-1-3: Notice; Failure to Repair; Lien
- 8-1-4: Service of Notice
- 8-1-5: Action for Recovery of Lien

8-1-1: **ENCROACHMENTS TO SIDEWALK SPACE:** All electric light, telephone, telegraph or other poles and all trees, when such poles and trees stand within the space used for sidewalks, or in the surface drainways of the streets, and constitute obstructions thereto, are hereby declared to be nuisances. It shall be the duty of the Superintendent of Streets to demand, in writing, of the parties responsible therefor, that the obstructions be removed and in case of failure of the parties to so remove any of the obstructions within thirty (30) days after notification, the Superintendent of Streets shall proceed immediately thereafter to remove the obstructions. (Ord. 507, 8-9-01)

8-1-2: **SIDEWALK REPAIRS REQUIRED:** It shall be unlawful for any person owning or having charge or control of any building, lot or premises in the City fronting on any portion of an improved street or where a sidewalk is laid, to allow any portion of the sidewalk in front of the building, lot or premises to be out of repair, and the person must at all times keep the sidewalk in such condition that it will not endanger persons or property passing thereon, and will not interfere with public convenience in the use thereof. (Ord. 743, 9-24-51)

8-1-3: NOTICE; FAILURE TO REPAIR; LIEN: Whenever any sidewalk within the City becomes defective from want of repair or renewing, the Superintendent of Streets may, by notice in writing, notify the owner of the real property to renew or repair the sidewalk, specifying in the notice what repairs are required. After the expiration of ten (10) days time from the day of service of the notice, the City shall be deemed to have acquired jurisdiction to contract for the making of necessary repairs if such repairs be not commenced and diligently prosecuted to completion, and the Superintendent of Streets may enter into contract with any proper person to make the repairs at a reasonable price and at the expense of the City; and all such expenses with the cost of collecting the same shall become a lien upon all of the lots or subdivision of land that the sidewalk may be contiguous to; and the lien may be enforced and foreclosed as hereinafter provided. (Ord. 1480, 8-27-91)

8-1-4: SERVICE OF NOTICE: The notices provided for in this Chapter may be served personally by the Superintendent of Streets or by any citizen of the United States over the age of twenty one (21) years; or they may be served if the person upon whom service is to be made resides outside of the City, by the Superintendent by mail, by depositing the same in the United States post office in a sealed envelope, with the postage thereon prepaid, and directed to the person sought to be served, at his last known address or place of residence; and the certificate of the Superintendent of personal service or the affidavit of any other person as hereinbefore provided or in case of service by mail, the affidavit of the Superintendent as to the necessary facts as herein required, shall constitute prima facie evidence of service of the notice. In case the owner is a nonresident of the City, then the occupant of the property, if there is one, must also be served with a duplicate of the notice served by mail on the owner.

8-1-5: ACTION FOR RECOVERY OF LIEN: Whenever the Superintendent of Streets shall have caused any repairs to be made as in this Chapter provided, and the bills therefor shall have been presented to the Council, and the Council shall have ordered the same to be paid and a warrant upon the Treasurer to be drawn therefor, the Council may at the same time or at any subsequent meeting, order the Attorney to commence an action to recover the amount so ordered paid, and enforce and foreclose the lien of the City against the real property liable thereto. (Ord. 507, 8-9-01)