



*Maintaining a Walkable Port Hueneme:*  
**SIDEWALK MAINTENANCE  
PROGRAM HANDBOOK**



Information on defective sidewalks and driveway approaches

**W**ell-maintained sidewalks and curb ramps provide safe and desirable paths for pedestrians and others to enjoy neighborhoods, commercial centers, and other areas of our city. Where sidewalks are good, the neighborhood becomes a more desirable place to live. Maintaining our sidewalks requires the efforts of residents, property owners, and the City.

### Removing obstacles enhances accessibility

Did you know improperly parked cars... garbage cans... tree branches can be dangerous. It's important to remember to keep our sidewalks clear to ensure accessibility for all pedestrians. Sidewalks serve so many purposes; and encouragement of people to make more use of the most basic form of transportation – walking.



### Quality maintenance and repair of sidewalks also improves safety and encourages walking.

Broken or damaged sidewalks are not only an eyesore and an inconvenience; cracks, spacing, and grade displacements in the sidewalk also can impede public access and cause serious accidents for passers-by. To address these problems, the Public Works Department oversees a sidewalk maintenance program to ensure that all sidewalks in the City of Port Hueneme are safe and accessible for all pedestrians.

In Port Hueneme, like most communities across the country, the property owner is responsible for the maintenance of the sidewalk abutting their property. California state law allows this practice on the basis that property owners receive the most benefit from a well-maintained sidewalk because it is available for their use, and it enhances their property value. In most cases, property owners are responsible for making repairs.

## Sidewalk Inspections

The sidewalk inspection program is conducted on an annual basis and inspections are also available per request. The City inspects sidewalk conditions when there has been a request to do so by a property owner or by a concerned citizen over the condition of the sidewalk, or through the routine annual inventory of on-site work activities of the inspector. When responding to a request for inspection, the city inspector will evaluate the entire site (*the general rule is the inspector is to inspect the area identified as defective and 50 to 75 feet in either direction, or to the corner if closer*) noting all concrete and sidewalk deficiencies at the site and the neighboring properties.

The aim of the program is to identify sidewalk defects and assist the property owner with the repair process. Inspectors are looking for defects, such as holes, spalled or chipped areas, wide cracks, deterioration, and areas that are damaged by tree roots.



Inspectors follow general guidelines that apply to the City right-of-way where there are sidewalks that have been established to aid in identifying those defects.

### JPIA INSPECTION CRITERIA AND GUIDELINES

Generally, a “*Defective Sidewalk*” is a sidewalk where line of grade is altered or displaced or such other condition exists that interferes with the public convenience in the use of the sidewalk. Some examples of these conditions are:

- a significant vertical or horizontal displacement of  $\frac{3}{4}$ ” or greater;
- an area of sidewalk that has spacing with a width of  $\frac{1}{2}$ ” or greater;
- Holes that are  $\frac{1}{2}$ ” or greater in depth and in diameter
- Sidewalks with slopes that exceed a 5:1 ratio
- settlement of sidewalk causing water to pond and creating a slipping condition to pedestrians;
- excessive cross slopes caused by tree roots;
- chipped and spalled sidewalk surfaces creating a defective condition;
- an area of sidewalk that is off grade (and adjacent to the curb and gutter) to the point where the curb and gutter has a significant displacement between the curb, gutter and sidewalk.

## What is the resident's responsibility?

In the City of Port Hueneme, the property owners are responsible for the cost of the maintenance and repair of the driveway approach and adjoining sections of sidewalk adjacent to their property. The California Streets and Highways Code, section 5610, and Port Hueneme City Code, section 6011, provides the City of Port Hueneme the ability to require that the maintenance and repair of all driveway approaches and adjoining sidewalk be the responsibility of the adjoining property owner.



The complete code is available on the City's website at:

[https://library.municode.com/ca/port\\_hueneme/codes/code\\_of\\_ordinances](https://library.municode.com/ca/port_hueneme/codes/code_of_ordinances)

## Sidewalk complaint procedures and property owner notification process

When the City of Port Hueneme receives a complaint for a defective sidewalk, a city inspector is dispatched to inspect the site. If a defect is identified, the inspector will determine the scope of work, what will be an acceptable repair, create an estimate for the repairs and determine who is responsible for the cost of the repair. If needed, the inspector may employ a temporary sidewalk patch to maintain accessibility while the sidewalk notification process is completed and the work is scheduled. If it involves a driveway and one of the directly adjacent sections of sidewalk, then it is the responsibility of the adjoining property owner. Then the sidewalk notification process will begin.

Once the property owner is identified, the City sends the property owner a Sidewalk Repair Notice with an estimate for the cost of the repairs and their options for making the repairs. If the property owner does not respond within 30 days a second notice is sent providing them with an additional 30 days. After the second 30 days have elapsed and the property owner has not completed the work the City will repair the sidewalk by default and send the bill to the property owner for the repairs.

## Getting the work done

If you are notified by the City that your sidewalk needs to be repaired, you have two options to complete the work.

1. **Hire a licensed contractor** (“A” contractor License or C-8.) You will need to obtain a no cost Sidewalk Encroachment Permit. Before you hire the contractor; contact Public Works for a Specification sheet.

2. **Have the City perform the repairs.** Sign your notice and return it to the City with the selected option of authorizing the City to do the repairs. Once the City receives your signed notice with this option selected the City will have their contractor schedule and complete the work then the City will bill you once the work is completed.

If a root inspection is necessary, the City will have an Arborist inspect and give recommendations.

## Type of Repair

The City will accept two types of repair, concrete grinding or full concrete replacement. The inspector will make a determination during the inspection. Some sidewalks have already been grinded over the years and further grinding could compromise the integrity of the sidewalk and may not be an option. If the inspector determines that full sidewalk replacement is required and if you elect to hire your own contractor the work must be done in accordance with Standard Public Works Construction Specifications and City of Port Hueneme Standards.

### CITY OF PORT HUENEME SIDEWALK REPAIR SPECIFICATIONS

If the property owner elects to hire a licensed contractor to make the repairs, the sidewalk repairs shall be performed as follows:

1. The repairs shall be commenced within sixty (60) days after the property owner signs the Sidewalk Encroachment Permit and needs to be carried out to completion in a timely fashion.
2. The sections of sidewalk, which are in need of repair, shall be removed and disposed of properly
3. Replacement concrete shall be 560-C-3250 C in accordance with the Standard Specifications for Public works Construction (commonly referred to as the "Green Book")
4. Minimum thickness shall be six inches (6") for residential, eight inches (8") for multifamily residential with a cross-slope of one-quarter inch (1/4") per foot towards the curb line, and finished with a medium broom finish.
5. Weekend Plane joints shall be installed at both sides of a driveway and at 10-foot intervals. All joints must conform to the latest edition of Standard Specifications and Drawings for Public Works Construction.

## **SIDEWALK REPAIR SPECIFICATIONS (*cont.*)**

6. The final product is subject to approval by the City of Port Hueneme, Public Works Department and shall, at a minimum, present a smooth, unbroken surface between the previously existing concrete surface and the replacement portions, where the two adjoin each other.
7. Sidewalk shall be repaired or reconstructed, regardless of recent repairs or construction, matching the width, grid pattern and coloring of the historic character within the neighborhood.
8. Property owner or the contractor performing repairs must call the inspector listed on the repair notice directly for a form inspection prior to placement of the concrete and for a final finish inspection upon completion of the work. All repairs must meet Standard Specifications for Public Works Construction.
9. The person/contractor performing the repairs shall complete all backfill, remove all forms, and thoroughly clean up the job site, not less than twelve (12) hours after the replacement of the concrete is restored to its original condition.
10. Upon failure of the person/contractor performing the repair to comply with any of the above specifications, the City of Port Hueneme may cause the repairs to be completed in a satisfactory manner solely at the property owner's expense.
11. The City shall not be responsible for any damages resulting directly or indirectly from any repair or other work performed by the property owner or by any person/contractor hired by the property owner. If tree roots are the cause of the damaged sidewalks and the property owners elect to hire their own contractor, please contact the Public Works Department after the sidewalk has been removed and the roots exposed. An arborist will make recommendations on the cutting of roots from the tree.
12. Please Note: you must have the Sidewalk Repair Notice number available when calling for a root inspection.
13. Pedestrian control & traffic control is required in accordance with the California Manual on Uniform Traffic Control Devices.

## **What about tree roots?**

If tree roots are the cause of the damaged driveway approach and adjoining sidewalk and you elect to hire your own contractor please contact the City prior to removing sidewalk, to obtain recommendations from an Arborist. The arborist can provide recommendations as to how best to cut the tree roots. The City will absorb all arborist costs.

Please note: Regardless of whom the tree belongs to, it is still the owner's responsibility to pay for the driveway approach and adjoining sidewalk panels when they are damaged by roots. An owner shall maintain and repair any defective driveway approach and adjoining sidewalk fronting such owner's lot. Where a defective sidewalk is caused in whole or in part by a tree root or roots, the owner shall nevertheless have the duty to repair the sidewalk. The Public Works Director or his representative may grant permission to cut the root(s) after consulting with the City arborist.

## **Still have questions about the sidewalk maintenance program?**

For more information about City of Port Hueneme sidewalks, please call (805) 890-0128.

## FAQ

### 1. As a property owner, what am I responsible for in terms of sidewalk maintenance?

As a property owner, under the California Streets and Highways Code, section 5610, you are responsible for maintaining all aspects of the sidewalk. Although a homeowner does not actually “own” the sidewalk in front of their property, they are still held responsible for maintaining the condition of the sidewalk and the public right of way. The reason is, the public right of way is not only for the convenience of others, it also benefits the homeowner by allowing safe access to their own home.

However, the City recognizes the hardship this can cause property owners and will share the replacement cost. The City Port Hueneme will replace defective sidewalk panels fronting a homeowner’s property that are **not** the following: driveway approaches, adjoining driveway approach panels, or damage caused by property owner negligence.

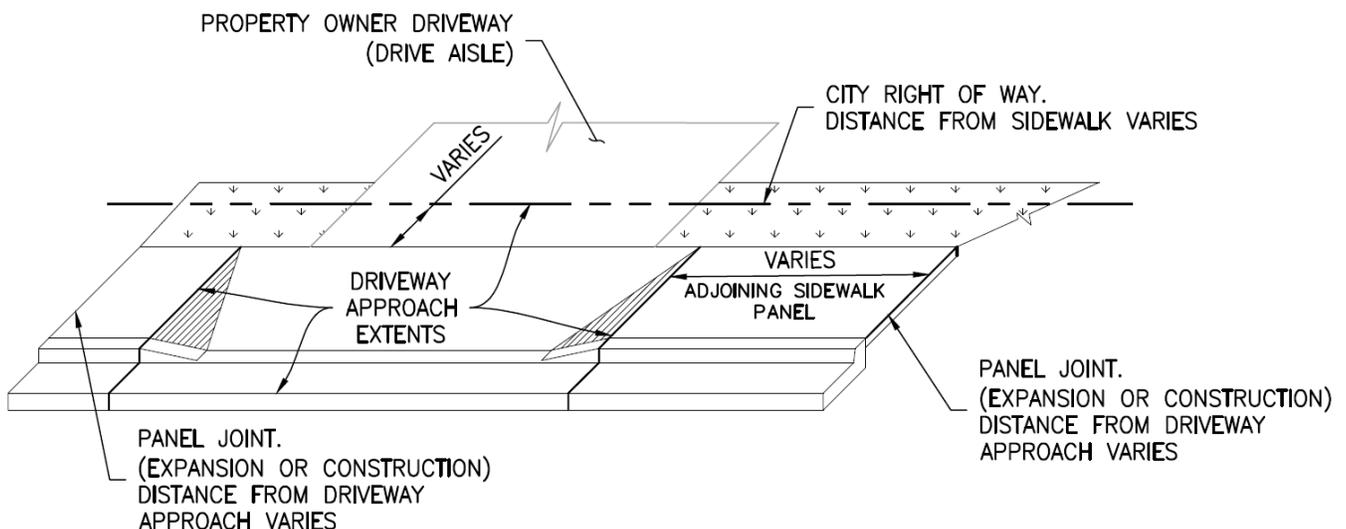
### 2. What are examples of property owner negligence?

Here are some examples:

- Planting a tree on their property adjacent to the sidewalk, they will be responsible for the repair.
- Driving heavy vehicles, heavy equipment on the sidewalk
- Granting permission to a contractor to perform work with disregard to the integrity of the sidewalk

### 3. What is a driveway approach and adjoining panels?

A driveway approach is defined as the portion of the accessway located within the public right-of-way. The driveway approach consists of the driveway apron, wings, and sidewalk section.



**4. What happens after a public sidewalk is reported as damaged?**

When the City of Port Hueneme is notified that a sidewalk is damaged, Public Works will temporarily repair it by placing asphalt on the separation to reduce the chance of tripping.

**5. Can I change the width of my driveway now that I am repairing it?**

Not without proper approval. Your property is subject to zoning conditions and driveway size restrictions. Any alteration to the existing driveway will require approval from Community Development Department.

**6. What is ADA or the American Disability Act and why do I have to comply?**

ADA sidewalk requirements are meant to assist those with disabilities to have an “accessible path” that gives them equal access to all public locations equivalent with those who are not disabled. These requirements apply to city property’s, schools, public parks and sidewalks.

**7. If a homeowner’s property line stops short of the sidewalk, is the property owner responsible for its maintenance and repair?**

In order to understand who is responsible for the maintenance and repair of the sidewalk, it helps to know that most people’s property line stops somewhere on the house’s side of the sidewalk. In some areas of the City, the property line goes right up to the sidewalk, in others it can stop a few inches or feet before the sidewalk begins. Although a home owner does not actually “own” the sidewalk in front of their property, they are still held responsible for maintaining the condition of the sidewalk and the public right of way. The reason is, the public right of way is not only for the convenience of others, it also benefits the homeowner by allowing safe access to their own home.

**8. I have a shared driveway, who is responsible?**

As the driveway is shared, so is the responsibility. Both property owners will be responsible for the repair.