



Sidewalk Damage Requiring Repair

SIDEWALKS

WHO SHOULD REPAIR?

State law and local ordinances hold the owner of the fronting property responsible for sidewalk maintenance and repair (Section 5600 – 5602 of the California State Street and Highways code and Section 12.04 of the Oakland Municipal Code).

What if the property owner does not repair or maintain the sidewalk?

Property owners who do not maintain sidewalks adjacent to their property in a safe condition may be assessed the cost the City incurs to maintain and repair the sidewalks. Owners may also face liability for injuries due to hazardous sidewalk conditions adjacent to their property.

The City enforces private repair of sidewalk when sidewalk damage becomes an issue of safety.

In the interest of preventing potential injuries and expensive legal claims, the City's Right of Way Inspector will respond to reports of unsafe conditions and will assist property owners through the repair process.

PLANTING STRIP

(Between curb and sidewalk)

WHO'S RESPONSIBLE?

The area between the sidewalk and the curb (commonly called the "planting strip") can be landscaped with plants and trees, or filled with hardscape such as concrete, pavers or bricks. The property owner must repair or remove improvements to the planting strip when they:

- Prevent or interfere with sidewalk repair, or
- Include defects that may cause a risk of injury to the public.

It is especially important for the planting strip to be in good, safe condition if it is in an area of high pedestrian use (e.g. at a crosswalk) and is used as an extension of the sidewalk.



Sidewalk and Planting Strip in Need of Maintenance and Repair

Finally, when adjacent sidewalk repairs are made, the property owner should also ensure that the planting strip is in good condition. The conditions and costs related to improvements within the planting strip are exclusively the property owner's responsibility.



Tree Damage to Sidewalk

TREES IN THE PLANTING STRIP

Street trees are a common cause of sidewalk damage. The City of Oakland has assumed responsibility for damage to sidewalks caused by "Official City trees."

ONLY RAIN DOWN THE DRAIN

When repairing your sidewalk please make sure that no pollutants enter the storm drain.

Street gutters and storm drains flow directly to local creeks and the San Francisco Bay with no treatment.

Trash, fertilizers, soap, concrete saw cuttings, glues, paint and other pollutants flow through the storm drains to our waterways and harm wildlife. Remember only rain down the drain.

*For more info go to:
www.cleanwaterprogram.org*

REPAIR GUIDELINES

To Repair Low or Moderate Damage

- **Low Damage:** less than ½ inch vertical difference in height (offset)
- **Moderate Damage:** ½ inch - 1½ inch vertical offset

Remove the offset concrete panel to the nearest score line and replace to an even grade. Or, you can grind the offset or apply a patch to the offset area by sloping at a 1 (vertical) to 12 (horizontal) ratio.

To Repair High or Very High Damage

- **High Damage:** 1½ inch – 3 inch vertical offset
- **Very High Damage:** 3 inch vertical offset and over or broken concrete

Remove the offset concrete panel to the nearest score line and replace to an even grade.

REPAIR OPTIONS

Do the work yourself or hire a licensed contractor

If the area to be repaired is greater than 25 square feet, you or your contractor must obtain a City permit prior to beginning repair work. The cost of the permit is listed in the current Master Fee Schedule of the City of Oakland.

Use a City contractor

With a City of Oakland Request for Services form, you can avoid the process of finding a contractor by using the City's competitively priced contractor. The repair will be scheduled in a timely manner and the costs will be billed to you after the repairs are completed.

ENFORCEMENT

Notice to Repair

A City Right of Way inspector identifies the areas of sidewalk needing repair. A Notice to Repair is then sent to the property owner. The date of the Notice to Repair begins a two week period during which the property owner can pursue one of the two repair options.

Mandatory Repair Proceedings

If a permit is not obtained within the two week period, the City may begin mandatory repair proceedings. A hearing will be scheduled which will give the property owner a chance to protest the city's findings. Repair of the sidewalk will be scheduled with one of the city's contractors. After the City completes the work, the property owner will receive a bill that will include the total cost of the repair plus administration fee.

Protest

A protest may be made either by appearing at the hearing or by sending your objections in a letter prior to the meeting. If no protest is received, or the City Council overrules the protest, the property owner will receive a bill from the City Finance Office. A Notice of Lien will be placed upon your property on completion of any construction work done by the City and released upon full payment.

FOR MORE INFORMATION

For Property Owner Responsibilities

California State Streets and Highways Code Sections 5600-5602 available at:
<http://www.leginfo.ca.gov/calaw.html>

Right of Way Management - 238-3651
www.oaklandpw.com – "Sidewalk Repair"

City Sidewalk Code

www.oaklandnet.com – "Municipal Code"
Chapter 12.04.

SIDEWALKS

Property Owners

WHAT YOU NEED TO KNOW



SIDEWALK REPAIR PROGRAM

City of Oakland
Right of Way Management

(510) 238-3651

www.oaklandpw.com
"Sidewalk Repair"