

**Update on Sidewalk Inspection Program and
Ordinance Adding Article 35.09 to
Chapter 35 of the City's Municipal Code Related to
Responsibility and Maintenance of Sidewalks**

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Background and Council Direction

- **In August 2025, City Council established a prospective inspection program related to sidewalk maintenance to address concerns about safety and liability**
- **Council directed staff to return with:**
 1. **An update on the inspection program**
 2. **An ordinance that would allow the City to hold adjacent property owners responsible for sidewalk maintenance and repair consistent with state law**

Streets & Highways Code Section 5610

“The owners of lots or portions of lots fronting on any portion of a public street or place when that street or place is improved or if and when the area between the property line of the adjacent property and the street line is maintained as a park or parking strip, shall maintain any sidewalk in such condition that the sidewalk will not endanger persons or property and maintain it in a condition which will not interfere with the public convenience

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Sidewalk Repair and Maintenance Ordinance

- Places the responsibility for sidewalk maintenance on the adjacent property owner consistent with state law
- Describes sidewalk conditions that require repair (e.g., hazardous vertical “lifting”)
- Provides a mechanism for notifying property owners of the need to repair
- Provides a process for assessing property owners in the event the owner fails to repair and the City conducts the repair

Inspection Program Update

Sidewalk Accessibility for Everyone (SAFE) Program

- 5-year rotating schedule
- One Council district per year
- Hazards identified, prioritized and addressed
- Goal to complete all identified repairs within a year
- District 1 has been inspected and package for repairs has been assembled



What Do Other Cities Do?

- While the specific number of cities with proactive inspection programs is unknown, most cities in CA have sidewalk repair programs - some with proactive inspection components
- Many cities have a mix of responsibilities, but most with property owners bearing the primary burden of maintenance per state law
- Cities of Sacramento and Concord have proactive inspection programs where hazards are identified and notice to repair sent to adjacent property owner
- City of San Rafael also follows State law, but has cost-share program for properties where repairs are necessary

Next Steps

- **Staff will begin to work on programmatic and policy options for Council consideration, including outreach with the community**
- **Return to City Council at a future date with policy options to consider**
- **Enforcement would begin after Policy determination from Council (likely during the next two-year budget cycle)**

Staff Recommendation

Introduce an Ordinance (Attachment 1) adding Article 35.09 to Chapter 35 of the Davis Municipal Code, delineating responsibility for sidewalk maintenance and repair, and finding the ordinance exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Sections 15301 and 15061(b)(3)