

Title 12STREETS, SIDEWALKS AND PUBLIC PLACESChapters:

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Chapter 12.04CURB AND GUTTER CONSTRUCTION*Sections:

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12.04.010 State provisions adopted. Chapter 27 of the Improvement Act of 1911, consisting of Sections 5870 through 5894 of the Streets and Highways Code of the state of California, is adopted by reference, together with all amendments thereto. (Ord. 146 §1, 1958).

12.04.020 Revolving fund established. There is established a fund in the city treasury to be known as the curb and gutter revolving fund, and there is transferred to the fund, from the general fund of the city, the sum of five thousand dollars. (Ord. 146 §2, 1958).

* For statutory provisions on construction of sidewalks and curbs, see Str. and Hys. Code §5870 et seq.; for provisions on city street work revolving funds, see Gov. Code §43420 et seq.; for provisions on city power to construct curbs and gutters, see Gov. Code §40401 (f) and (g).

12.04.030 Definitions. The following definitions shall be used when construing this chapter:

A. "Block" one side of any street, between intersecting streets means alleys shall not be considered as streets.

B. "Improvement" means curbs, gutters or sidewalks, or any combination thereof.

C. "Owners of real property" means the owners of record as the same appear upon the records of the county assessor.

D. "Unimproved property" means property which does not have curb and gutter, or curb or gutter abutting the property. (Ord. 146 §7, 1958).

12.04.040 Petition for improvement--Procedure. At any time that the owner or owners of real property with one hundred or more feet of contiguous lineal frontage in any one block petition the city council to construct along the block curbs and gutters, and agree to pay the costs of such improvement, as provided in this chapter, the city council may order the improvement to be made, under the direction of the superintendant of public works, the costs of the improvement to be taken from the curb and gutter revolving fund. In those cases where less than one hundred lineal feet remain unimproved with curb and gutter on any one block, the owner or owners thereof may petition the city council to construct the curb and gutter as herein provided. (Ord. 392 §1, 1982: Ord. 146 §3, 1958).

12.04.050 Cost of improvement--Schedule. At such time as all the owners of unimproved property along any block have joined in asking that the improvement be made, they shall severally agree in writing that they will pay the cost of construction, proportionately as the improvement is made abutting their property, within five days after the completion of such construction and notification of their share of the costs, or alternatively that they will pay the same in the following manner:

Any owner of a parcel of land which is improved in the manner described herein may elect to repay the city over time by paying the city a one-time administrative fee of five percent of the total amount to be repaid and then paying installments as follows:

<u>COST OF IMPROVEMENT</u>	<u>PERIOD FOR PAYMENT</u>
Less than \$300.00	Up to twelve consecutive monthly installments
\$300.00 or more	Up to thirty six consecutive monthly installments

The city manager and/or public works director shall have authority to modify the number and frequency of such

