

BUDGET AND FINANCE COMMITTEE REPORT relative to modifying the proposed sidewalk repair responsibility draft ordinance.

1. CONCUR with the November 28, 2016 actions of the Public Works and Gang Reduction Committee on this matter.
2. REQUEST the City Attorney to include in the proposed sidewalk ordinance amendments to Los Angeles Municipal Code (LAMC) Section 62.104 as follows:

- a. Modify subsection (b) so that the ordinance reads:

(b) Responsibility for Maintenance. The owner of a Lot shall maintain any Sidewalk, Driveway, Approach, Curb Return or Curb on or fronting on the Lot in such condition that the 1 Sidewalk, Driveway Approach, Curb Return, or Curb will not endanger any Person or property passing thereon or violate the Americans with Disabilities Act.

- b. Modify subsection (c) so that the ordinance reads:

(c) Notice of Non-Compliance and Order to Repair. Except as provided in Subsection (d), if the Board determines that a Sidewalk, Driveway Approach, Curb Return or Curb is in a condition that endangers a person or property passing thereon or violates the Americans with Disabilities Act, the Board shall notify the owner of the Lot containing or fronting on the Sidewalk, Driveway Approach, Curb Return, or Curb to repair the Sidewalk, Driveway Approach, Curb Return, or Curb.

Fiscal Impact Statement: None submitted by the City Engineer. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

SUMMARY

At a regular meeting held on December 5, 2016, the Budget and Finance Committee considered a report from the Bureau of Engineering (BOE) dated October 20, 2016 relative to modifying the proposed sidewalk repair responsibility draft ordinance to restore the requirement for developers to fix sidewalks fronting development projects, transfer of sidewalk responsibility to the property owner if a private tree prevents sidewalk repair, and establishment of fee waivers for easements provided for meandering sidewalks and to save street trees.

The City Engineer addressed the Committee and responded to related questions. A member of the Committee moved to request that when drafting the Sidewalk Ordinance, that LAMC Section 62.104 subsections (b) and (c) be amended to add the phrase "or fronting on" relative to sidewalks, driveways, approaches, curb returns, or curbs in relation to lots and responsibility for maintenance and orders to repair.

After consideration and after providing an opportunity for public comment, the Committee approved the amendment above and concurred with the actions of the Public Works and Gang

Reduction at its meeting of November 28, 2016 in which that Committee approved the BOE report as amended to include an urgency clause in the requested draft ordinance, modify the proposal pertaining to trees located on private property to include trees located on adjoining or neighboring properties. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

BUDGET AND FINANCE COMMITTEE



<u>MEMBER</u>	<u>VOTE</u>
KREKORIAN:	YES
ENGLANDER:	YES
MARTINEZ:	ABSENT
BLUMENFIELD:	YES
BONIN:	ABSENT

REW
12/6/16
FILE NO. 14-0163-S12

-NOT OFFICIAL UNTIL COUNCIL ACTS-