

**From:** [noreply@granicusideas.com](mailto:noreply@granicusideas.com)  
**To:** [Eduardo Sarmiento](#); [City Council](#); [Suja Lowenthal](#); [Angela Crespi](#)  
**Subject:** New eComment for City Council Virtual Meeting Closed Session - 5:00 P.M.=0ARegular Meeting - 6:00 P.M.=0ADuly Posted on July 23, 2021 at 4:55 P.M. by E.S.  
**Date:** Monday, July 26, 2021 1:35:15 PM

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[SpeakUp](#)

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## New eComment for City Council Virtual Meeting Closed Session - 5:00 P.M. Regular Meeting - 6:00 P.M. Duly Posted on July 23, 2021 at 4:55 P.M. by E.S.

Denise Balbier submitted a new eComment.

Meeting: City Council Virtual Meeting Closed Session - 5:00 P.M. Regular Meeting - 6:00 P.M. Duly Posted on July 23, 2021 at 4:55 P.M. by E.S.

Item: b. REPORT 21-0468 ORDINANCE TO REQUIRE PROPERTY OWNERS TO REPAIR THE SIDEWALK AREA ABUTTING THEIR REAL PROPERTY (City Attorney Michael Jenkins)

eComment: How is it that any person should held liable for a condition that did not create or control. If I deny access to 'my sidewalk" in order to maintain its condition, am I then in conflict with other ordinances? This proposal is poorly written. It does not identify the process for establishing what is a hazard. Is it up to the "Superintendent of Streets" to flag sidewalks as a hazard? If one does not receive a visit from this official and therefore no hazard has been identified is one still liable if someone is injured? There are many potential hazards on our sidewalks., eg raised main covers, tree roots, uneven pavement, damage caused by city works and contractors as well as damage from car accidents. How is the property owner liable for fixing the mess they did not create? I cannot imagine this proposal meeting the smell test in court. City council, save yourself the hassle and embarrassment and vote no.

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