

**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:** Tuesday, July 27, 2021 8:16:32 AM

---

[SpeakUp](#)

---

## 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.

David Grethen 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: The following definition of sidewalk in CA Code 5600 (SHC Division 7, Part 3, Chapter 22) does not include the gutter. "As used in this chapter "sidewalk" includes a park or parking strip maintained in the area between the property line and the street line and also includes curbing, bulkheads, retaining walls or other works for the protection of any sidewalk or of any such park or parking strip." If the proposed ordinance is motivated by pedestrian safety and liability, then it makes sense to include sidewalks, parkway strips, and the bordering curb which comprise an area at a common level in which pedestrians would be reasonably expected to walk. But the gutter is at a separate and lower level where non-pedestrian but not pedestrian traffic would be expected to occur. If inclusion of the gutter in City's definition of "sidewalk" in the proposed ordinance is motivated by something in addition to pedestrian safety and liability, then those additional motives need to be clearly stated during the public hearing, and possibly codified in the ordinance findings or code. Otherwise, the gutter should be removed from the definition of "sidewalk".

[View and Analyze eComments](#)

This email was sent from <https://granicusideas.com>.

[Unsubscribe](#) from future mailings

