

From: noreply@granicusideas.com
To: [Eduardo Sarmiento](#); [City Council](#); [Suja Lowenthal](#); [Angela Crespi](#)
Subject: New eComment for City Council Virtual Meeting Face masks required for all in-person attendance=0AClosed 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 11:47:24 AM

[SpeakUp](#)

New eComment for City Council Virtual Meeting Face masks required for all in-person attendance 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.

Julie Neitz submitted a new eComment.

Meeting: City Council Virtual Meeting Face masks required for all in-person attendance 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: Dear Hermosa Beach City Council, The new ordinance adding chapter 12.42 to the Hermosa Beach municipal code to require property owners to repair the sidewalk area abutting their real property is absolutely absurd! First, my family has owned this property for 40+ years and I did not receive any notification of this ordinance. A friend in MB forwarded me the information because she knows we have property in HB. How is the public right-of-way (sidewalk areas) the responsibility of a property owner? Why are you trying to pass the maintenance of public right-of-way onto property owners for property we don't own? Section 1D. Findings " This ordinance advances the interests of public health and safety because property owners are often in the best position to quickly identify and address potentially dangerous conditions that might occur in the Sidewalk Area as opposed to the City." Rebuttal: Not all property owners live nearby or even in CA to assess the sidewalks on a regular basis. What might be considered "dangerous" to the city may not be "dangerous" as viewed by the owner. How is potential repair to remain consistent? Section 1B. Findings "State law provides that the "superintendent of streets" shall notify responsible owners of dangerous conditions and necessary repairs on public sidewalks. If the owner fails to act with due diligence, the City shall make the necessary repairs and recover its costs from the responsible owner" Rebuttal: Yet you say property owners are best at assessing the sidewalk area, but have a "superintendent of streets" who will send the notice so I assume they have to go to the property to assess that it is dangerous. If you are

expecting owners to assess their properties, why are you paying someone to do this redundant job? Section 1E. Findings. “As permitted by state law interpreting the sidewalk maintenance provision of Streets and Highway Code section 5610, this ordinance imposes liability on the property owner for any person’s injuries and damages arising from a dangerous condition of the Sidewalk Area abutting the owner’s property.” Rebuttal: I absolutely do not want to assume any potential public liability for the public right-of-way I do not even own. Am I allowed to put a fence around the sidewalk areas around my property to keep the public off? If I’m paying to maintain the city’s property, I do not want the public to use it. I do not want to assume any liability. This pandemic has been financially difficult for many property/rental property owners. While tenants may have seen rent relief and eviction moratoriums, owners have not received any relief in mortgage payments, property tax bills, assistance to keep the building going in terms vacancies and maintenance. Sidewalks are a public right-of-way, not private property, and the financial responsibility of maintenance and potential liability of accidents should not fall onto the property owner. Thank you, Julie Neitz

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