



ORDINANCE 2012-013

AN ORDINANCE DECLARING CERTAIN SIDEWALKS IN THE CITY TO BE DEFECTIVE UNDER SHERWOOD MUNICIPAL CODE CHAPTER 12.08 AND RATIFYING PRIOR ACTS WITH RESPECT TO SUCH SIDEWALKS

WHEREAS, the city council adopted Resolution 2012-038 on August 7, 2012; and

WHEREAS, the resolution identified various properties with sidewalks in need of repair; and

WHEREAS, the city has a program to provide sidewalk maintenance assistance where the city will generally share the cost of sidewalk repairs with participating property owners; and

WHEREAS, city staff has contacted the property owners identified in Resolution 2012-038 to solicit their participation in the assistance program and simultaneously notify them that they must repair their sidewalks to city standards in accordance with SMC Chapter 12.08; and

WHEREAS, SMC Chapter 12.08 requires the council to enact an ordinance to enforce the terms of SMC Chapter 12.08; and

WHEREAS, the council intends to ratify the actions that city staff has taken pursuant to Resolution 2012-038, including notifying property owners of defective sidewalks that they have the opportunity to participate in the assistance program and that they must bring their sidewalks into compliance with city standards.

NOW, THEREFORE, THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:

Section 1. The council finds that the Public Works Director recommended area-by-area approach to addressing defective sidewalks (described in the August 7, 2012 staff report) is consistent with the priority levels established in Resolution 2011-097 and will most effectively and cost-efficiently promote public safety when balanced against competing city projects.

Section 2. In accordance with SMC 12.08.060, the council declares that the sidewalks associated with the properties identified in Resolution 2012-038, Exhibit A are defective, a nuisance and must be brought into conformance with city standards for sidewalks. In accordance with SMC 12.08.070, city staff shall notify the owners of such properties that they must repair their respective sidewalks consistent with city standards.

Section 3. The defective sidewalks must be repaired within 60 days of the date of the notice described in Section 2 above, unless the public works director or designee permits an extension. The director or designee may not permit an extension longer than 120 days.

Section 4. The materials and specifications to be used and followed in repairing the sidewalks are on file with the Public Works Department.

Section 5. Effective Date: This ordinance shall become effective the 30th day after its enactment by the City Council and approval by the Mayor.

Section 6. Once it is effective, this ordinance is retroactive to August 7, 2012.

Duly passed by the City Council this 14th day of November 2012.


Keith S. Mays, Mayor

Attest:


Sylvia Murphy, CMC, City Recorder

	<u>AYE</u>	<u>NAY</u>
Clark	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Langer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Butterfield	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Folsom	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Grant	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mays	<input checked="" type="checkbox"/>	<input type="checkbox"/>