

## CHAPTER 19

## STREETS AND SIDEWALKS

(For state law as to authority of city relative to streets and sidewalks generally, see Gov. C., s 40401. As to city streets generally, see Sts. & H., s. 1800 et seq. As to special gas tax street improvement fund, see s. 2-4 of this Code. As to distribution of handbills, dodgers, etc., see x. 3-5. As to herding animals through streets, see x. 4-3. As to dogs generally, see ss 4-4 to 4-15. As to motor vehicle and traffic regulations generally, see ch. 13. As to driving vehicles on sidewalks, see s 13-12. As to consumption of alcoholic beverages on public streets, sidewalks, etc., see s 15-2. As to curfew, see ss 14-4 to 16-5. As to peddlers generally see ch. 16. As to minimum street requirements in subdivisions, see ch. 20-9. As to standards of design of streets in subdivisions, see s 20-13).

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Article I. In General

19-1 Excavation permit – Required. It shall be unlawful for any person to excavate, alter, change or do any other work whatsoever upon or in connection with any street, alley, sidewalk, curb or other public place in the city without first having obtained a written permit from the superintendent of streets authorizing the same. (Ord. 357)

(As to licenses and permits generally, see ch 12. of this Code).

19-2 Same – Application. Any person desiring to make an excavation, alteration, change or perform any work shall make application to the superintendent of streets for a permit upon such form as shall be prescribed and designated by the superintendent of streets, and shall set forth in such application all information which may be required by the superintendent of streets. (Ord. 357)

19-3 Same – Issuance; terms and conditions. Before issuing an excavation permit upon application, the superintendent of streets shall cause such investigation to be made as he shall deem proper, and he may thereafter grant or deny such application upon such terms and conditions as he may deem necessary or proper in order to safeguard the public streets, sidewalks, curbs and other public places within the city. (Ord. 357)

19-3.1 Finding and Purpose. The City Council of the City of Imperial finds it incurs costs in connection with issuance of excavation permits under Section 19-1 et seq., of the Imperial City Code. Such costs, include, but are not limited to, inspection to insure any excavation of a street, alley, sidewalk, curb or any other public place is properly restored. Without proper restoration, such excavation could present a danger to passing motorists or pedestrians. Consistent with said concern, section 19-3.2 is intended to establish, on an interim basis, fees which represent costs incurred by City in connection with the issuance of excavation permits. (Ord. 570)

19-3.2 Fees. The City Council, may, by resolution establish fees for issuance of an excavation permit. (Ord. 570)

19-4 Same – Bond. As a condition to the issuance of an excavation permit, upon granting an application, the superintendent of streets may require a good and sufficient bond, either cash or surety, to be posted by the person making such application to guarantee that the work shall be properly done, and to reimburse the city for any expense for damage which it may suffer by reason of the failure of such person to properly perform such work in accordance with the terms and conditions of the permit. (Ord. 357)

19-5 House numbers – System adopted. There is hereby fixed for the city a system of numbering of houses and business blocks fronting on the various streets of the city as follows:

All streets east of Imperial Avenue shall be designated as East \_\_\_\_\_ Street, as the case may be.

All streets west of Imperial Avenue shall be designated as West \_\_\_\_\_ Street, as the case may be.

All streets south of Eighth Street (Main Street) shall be designated South \_\_\_\_\_ Street, as the case may be.

All streets north of Eighth Street (Main Street) shall be designated as North \_\_\_\_\_ Street, as the case may be.

All numbering on streets north of Eighth Street (Main Street) shall begin with 100, and shall run 100 numbers to one block; the second block north of Eighth Street (Main Street) shall be 200, and so on to the city limits.

All numbering on streets south of Eighth Street (Main Street) shall begin with 100, and shall run 100 numbers to one block, the second block south shall be 200, and so on.

All streets east of Imperial Avenue shall begin with 100, and shall be numbered 100 to one block, the same as above set forth.

All streets west of Imperial Avenue shall begin with 100, and shall be numbered 100 to one block, the same as above set forth.

Each twenty-five feet of a block shall have a number running consecutively, odd numbers on the north side and west side of the street, and even numbers on the south side and east side of the street.

Ellen Street and Franklin Street shall begin with 100 at Fifteenth Street and be numbered north in the same manner as other streets.

San Diego Boulevard shall begin with 100 at First Street and be numbered south in the same manner as other streets. (Ord. 217)

(As to building regulations generally, see ch 6 of this Code).

19-6 Same – Placement. All building numbers shall be aluminum, and shall be three inches in height, and shall be placed upon the pillar of the porch or some equally conspicuous place in front of any dwelling. In the case of any business block the number shall be placed over the door of the business block. All numbers shall be so placed as to be plainly seen from the street and so as to be not obscured by any vegetation or awning. (Ord. 217)

19-7 Use of bicycles, roller skates, etc., on sidewalks prohibited. It shall be unlawful for any person to ride a bicycle or tricycle on any of the public sidewalks of the city.

It shall be unlawful for any person within the city to coast upon any hand wagon, cart or other vehicle, or to skate with roller skates on any of the sidewalks of the city. (Ord 34 & 38)

19-7.1 Finding, Intent and Purpose. The City Council finds that the use of skateboards on sidewalks, public parking lots and private property open to use by the public have caused injury to persons utilizing said facilities and have caused damage to said property. The purpose of this Ordinance is to establish regulations governing the operation of skateboards on sidewalks and other areas open to the public in the City. (Ord. 564)

19-7.2 Definition.

a) Skateboard shall mean a single platform mounted on wheels which is propelled solely by human power. (Ord. 564)

19-7.3 Rules of the road – skateboards.

a) Skateboarding is prohibited in the following areas:

1. Any portion of the City designated as business district, including but not limited to, private property open to the public and public parking lots, except with the express permission of the owner or person in lawful possession of the premises.

2. Sidewalks in those areas of the city with zoning designations C-1, C-2, VC, I-1, I-2 and other non-residential zones according to the zoning map as currently enacted or amended from time to time.

b) Skateboard operators shall yield to right-of-way to all vehicular and to all other non-skateboard pedestrian traffic. (Ord. 564)

19-8 Compliance with article. It shall be unlawful for any person to construct, build, maintain, put up or allow to be constructed, built, maintained or put up any awning, arcade, sign, light or any other structure or obstruction over or upon the sidewalks of the city unless the same conforms to the provisions of this article. (Ord. 200)

19-9 Specification for arcades. Any arcade which may be constructed, shall be built of brick pillars which shall be not more than twenty feet distant from each other, and which pillars shall be of a uniform size of not more than eighteen inches by twenty-six and one-half inches, not including base, set on the edge of the sidewalk or curb line, and which pillars shall be set upon a concrete foundation of not less than three feet in depth. The ceilings of all arcades shall be not less than twelve feet in height, and ceiled with metal ceiling; they shall be roofed with the same fireproof roofing as the buildings in the fire district in which the same are situated. (Ord. 200)

19-10 Awnings. Any awning shall be of canvas attached to the wall of the building and shall be of such height that when the awning is lowered the horizontal support shall be not less than seven in height from the sidewalk; it shall not have any support from the outside line of the awning to the sidewalk. (Ord. 200)

19-11 Signs, lights, etc. It shall be unlawful to place any sign or light or other structure over or upon any sidewalk in the city unless the bottom line of the light, sign or other structure shall be not less than seven feet in height above the sidewalk; provided, that such sign, light or other structure shall not have any support from the outer line of same to the sidewalk, but shall be either suspended from an arcade or securely fastened to the wall of the building. (Ord. 200)

19-12 Applicability of article; removal of nonconforming structures. The provisions of this article shall apply to all awnings, signs, lights, and other structures and obstructions now erected or maintained in the city and all persons who now have awnings, lights, signs or other structures or obstructions that do not conform to the provisions of this chapter shall remove the same and comply with the provisions of this article. (Ord. 200)

19-13 Violations deemed nuisances. All awnings, signs, lights, and other structures and obstruction constructed or maintained in contravention of the provisions of this article shall be and the same are hereby declared to be, public nuisances, and all remedies and penalties heretofore or hereafter to be provided, either by the laws of the state or by this Code or other ordinance of the city for the abatement, prevention or punishment for the maintenance of nuisances are hereby made applicable. (Ord. 200)

### Article III. Maintenance and Repair of Sidewalks

19-14 Maintenance and repair of sidewalks. Anything in this chapter to the contrary notwithstanding, the maintenance and repair of sidewalk areas and the making, conforming and collection of assessments for the cost and expenses of said maintenance and repair may be done and the proceedings therefore may be had and taken in accordance with this part and the procedure therefore provided in Chapter 22 of Division 7, part 3, commencing with Section 5600 of the Streets and Highways Code of the state as the same is now in effect or may hereafter be amended. In the event of any conflict between the provisions of said Chapter 22 of Division 7, Part 3, of the Street and Highways Code of the state and this Article III, the provisions of Article III shall control. (Ord. 558)

The owners of lots or portions of lots fronting on any portion of a sidewalk area between the property line of the lots and the street line, including parking strips and curbs, and persons in possession of such lots by virtue of any permit or right shall repair and maintain such sidewalk areas and pay the costs and expenses therefore including a charge for the City of Imperial's costs of inspection and administration whenever the city awards a contract for such maintenance and repair; the amount to be set resolution of the city council for administering the contract.

For the purpose of this part, maintenance and repair of sidewalk area shall include removal and replacement of sidewalks, removal and filling or replacement of parking strips, removal of weeds and/or debris, trimming of shrubs and/or ground cover and trimming shrubs within the area between the property line of the adjacent property and the street line, including parking strips and curbs so that the sidewalk area will not endanger persons or property and will be in a condition which will not interfere with the public convenience in the use of said sidewalk area except as to those conditions created or maintained in, upon, along, or in connection with such sidewalk area by any person other than the owner, under and by virtue of any permit or right granted to him by law or by the city in which case such persons shall be under a like duty to repair and maintain.

Notwithstanding the provisions of Section 5614 of the Streets and Highways code, the Director of Public Works/Planning may in his discretion for sufficient cause extend the period within which required maintenance and repair of sidewalk areas must commence by a period of not to exceed sixty days from the time the notice referred to in said Section 5614 is given.

91-15 Work performance – Director of Public Works/Planning authority. In performing the work of repairing or constructing any sidewalk as provided in Chapter 22 of Division 7, Part 3, of the Streets and Highways Code of the state, the Director of Public Works/Planning of streets may, if the cost of said work does not exceed five thousand dollars:

A. Procure at least three sealed bids to perform said work, from contractors licensed to undertake the same, and let said work to the lowest responsible bidder at the prices named in his bid; or

B. Order a city work crew to perform said work. (Ord. 558)

19-16 Advancement of costs of work. The Director of Public Works/Planning is authorized and empowered to and may advance from a special assessment revolving fund, any sum or sums necessary to pay the cost of the work of repairing or constructing any sidewalk by a contractor awarded a contract to perform said work by the Director of Public Works/Planning under the procedures set forth in this part, and may reimburse said special assessment revolving fund for the sum or sums so advanced from any assessment thereafter levied and collected. (Ord. 558)

19-17 (Ord. 558)

19-17 Notice of cost and hearing by council. Upon the completion of the repairs or construction, the Director of Public Works/Planning shall cause notice of the cost of repairs or construction to be given in the manner specified in Chapter 22 (Repair) of Division 7, Part 3, of the Streets and Highways Code of the State of California, as the same is now in effect or may hereafter be amended, for the giving of notice to repair or construct. The notice shall specify the day, hour and place when the city council will hear and pass on the report of the costs of the repair, together with any written objections

or protests which may be raised by any property owner liable to be assessed for the cost of such repair or construction and any other interested persons. The notice shall also describe the procedure to be followed for such written objections or protests. In no case shall the hearing provided for in this section be sooner than ten days after giving of notice. (Ord. 558)

19-18 Conference with Director of Public Works/Planning. The Director of Public Works/Planning may include with the notice of cost and hearing, as specified in Section 19-17 hereinabove, additional notice of a conference with the Director of Public Works/Planning upon receipt of the written objection or protest, specified in Section 19-17, shall be conducted prior to the council hearing for the purpose of discussion between the property owner and Director of Public Works/Planning of the costs of repair. Upon the conclusion of the conference, the Director of Public Works/Planning shall note his conclusions in the report together with any recommendations for the adjustment of the costs of repair. (Ord. 558)

19-19 Hearing by city council. The city council, on the day and hour fixed for hearing, shall hear and pass upon the report of the Director of Public Works/Planning, together with any written protests or objections, which have not been withdrawn prior to the hearing, from property liable to be assessed for the work of making such repair in accord with the procedure provided in Chapter 22 of Division 7, Part 3, of the Streets and Highways Code. (Ord. 558)

19-20 Part 17 constitutes alternative procedure. This Part 17 constitutes a separate and alternative procedure for performing the work specified herein; and no other provision of this chapter shall apply to proceedings instituted hereunder. (Ord. 558)