

Is the property owner responsible for repairs if the concrete damage is caused by a tree?

In an effort to beautify our City's neighborhoods, street trees are encouraged in front of each residence. The property owner is responsible for the maintenance of the street tree and for the cost of concrete repair, even though the concrete may have been raised by the street tree. Certain species of trees may raise concrete if preventative maintenance is not performed.

In extreme cases, street trees cannot be saved and must be removed before the sidewalk and/or curb and gutter can be replaced. City standards require replacement of the tree, to be selected from a list of approved street trees. Proper tree selection is critical and is reviewed by the City Arborist. The tree permit process in these cases must be pursued before a concrete permit can be issued. Tree permits are issued by the Parks and Recreation Department. Tree work permitting is governed by Chapter 13 of the Santa Cruz Municipal Code.

What measures should be taken to minimize concrete displacement by tree roots?

To reduce the chance of future concrete displacement, trees can be root-pruned and a root barrier installed. Care must be taken when root pruning to avoid damaging underground utilities.

Also, deep-watering the tree, that is, applying a slow trickle of water over a 24-hour period, encourages deeper root growth which reduces the chance of sidewalk damage.



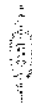
Public Works Department
809 Center Street, Room 201
Santa Cruz, CA 95060



Sidewalk Parkway Strip Maintenance Program

Property Owner Responsibilities

Department of Parks and Recreation
Department of Public Works



the sidewalk, park strip, and curb and gutter are located next to the street on the front and/or side portion of your property. The curb and gutter are located at the edge of the street pavement. The sidewalk is either separated from the curb by a parkway strip area, or is located adjacent to the curb.

Who is responsible for maintaining the sidewalk, park strip area, and curb gutters?

The property owner is responsible for properly maintaining this area (see Santa Cruz Municipal Code Section 15.20.210). This responsibility includes maintenance of damaged or displaced concrete, abatement of weeds or debris, and the maintenance of trees and shrubs whether on private or public property. Replacement and trimming of street trees and shrubs is further governed by Chapter 13 of the Santa Cruz Municipal Code.

Who is liable for injuries caused by defective sidewalks?

The owner of property adjoining a sidewalk area is liable for injuries caused by that owner's failure to maintain the sidewalk area in a safe condition (see Santa Cruz Municipal Code Section 15.20.220).

How is the need for correction of landscape-related problems determined?

■ Visibility – When parkway strip shrubbery interferes with vehicle operator visibility, trimming to a maximum height of thirty inches is required. (30 inches maximum height, 25 feet minimum sight distance at corners).

■ Walkway and Gutter Clearance – Trimming of ground cover or shrubs is required when there is an encroachment onto the sidewalk or gutter.

■ Obstacles in the Parkway Strip – Elimination of tree stumps, large rocks, trash, holes, and some built-up planters is required. When the parkway strip is unimproved or landscaped and there is a drop, the parkway strip must be filled with dirt or other material (no asphalt) to eliminate tripping hazards.

When is concrete repair needed?

Repair of the sidewalk concrete is required in the following circumstances:

- A vertical separation of more than one-half inch in sidewalk or concrete parkway strip.
- Ramping, where there is a rise or depression of more than one inch within a horizontal distance of eight inches in conjunction with a vertical separation.
- A separation or opening in a break or construction joint of 3/8 inch or more (Americans with Disabilities Act Standard).

■ The breaking apart or spalling of concrete with a minimum depth of more than one-half inch.

Curb and gutter repair is required in the following circumstances:

- Where a defect interferes with the safe and reasonable use by pedestrians and bicyclists, such as vertical or horizontal separations of more than one-half inch or there are broken away sections adjacent to a marginal walk or driveway approach.
- It is part of a driveway approach replacement.

What are the options available for completing the work?

Construction of curbs, gutters, and sidewalks in City streets may be performed by a properly licensed and insured contractor. A permit is required for concrete repair, and may be issued to contractors for free by the Department of Public Works. Permits for street tree and shrub trimming may be obtained from the Department of Parks and Recreation. Permits are valid for 45 days; call (831)420-5270.

How does one go about finding a contractor?

The yellow pages or the classified section of the newspaper are good places to start. The contractor selected must secure a concrete construction permit from the Department of Public Works.

Are there inspections and standards for concrete repair work?

Yes, all work and materials must be in conformance with the City of Santa Cruz Standard Specifications for Public Works Construction and Parks and Recreation ISA Standards.

Before placing any concrete you must have the forms, base, tree root removal, and saw cuts inspected. After approval, a City-approved concrete mix must be used. Finish must be a light broom finish with score marks to match the existing sidewalk. After the work is completed, you must call for a final inspection. A permit is required for all concrete work in the public right-of-way. To obtain a permit or arrange an inspection, call (831)420-5160.

■ For further information about sidewalks and street trees please call: Department of Parks & Recreation at (831)420-5270 or Public Works Department at (831)420-5160