

12.08.080 Driveway and/or parking area repair and maintenance

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It shall be the duty of the person benefiting from the driveway to keep the driveway and driveway approach on public right-of-way in good repair and free from obstruction and openings. Snow removal from parking areas, driveway and driveway approaches is the responsibility of the owner of the property adjacent the parkway where the parking area, driveway or driveway approach is located.

Restoration obligations. In the event it becomes necessary for the City or its contractors to perform any maintenance or repairs within the City right of way (R.O.W.), the owner agrees that by taking out a permit, the city or its contractors may remove or dig up the 'nonstandard pavement' defined as brick pavers or stamped concrete/bituminous asphalt without notice to the owner. In this event, neither the City or its contractors have any obligation to replace, repair or otherwise reconstruct the "nonstandard pavement"; the responsibility and the cost thereof shall be the obligation of the owner. The Director of Public Works or his designee may, however, authorize a partial cost reimbursement which would reflect the City's cost to repair only the disturbed portion of the "nonstandard pavement." Said reimbursement will be based on the current city secured unit cost for asphalt or concrete based on existing conditions. The owner understands, acknowledges and accepts any and all responsibility for repair, restoration and any and all other work necessary to restore Non-Standard Pavement as a result of City damage during use or access of public R.O.W. shall be owner's responsibility. The City shall have no responsibility under any condition for repair or restoration of Non-Standard Pavement.

(2007-M-55 : § 1; 2007-M-5 : § 1)