



DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT
 MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
 AREA CODE 707

On-line Web: humboldt.gov	Administration 445-7491	Natural Resources 445-7741	Clark Complex Harris & H St., Eureka Fax 445-7388
	Business 445-7652	Natural Resource Planning 267-9542	Land Use 445-7205
	Engineering 445-7377	Parks 445-7651	
	Facility Management 445-7621	Roads 445-7421	

Via US Mail, First Class & Certified

Article No.: #####

Case No.:

[Date]

[Owner of Record]

[Address]

[CSZ]

**RE: FIRST NOTICE OF NEED TO REPAIR DAMAGED OR DEFECTIVE SIDEWALK
 (PURSUANT TO IMPROVEMENT ACT OF 1911) AT _____ [ADDRESS] _____,
 [CITY], CA, ASSESSOR PARCEL NO. ____-____-____**

NOTICE IS HEREBY GIVEN that the [sidewalk / driveway apron] or portion thereof in front of the above-described property on [STREET NAME] is in such a condition as to endanger persons or property or in such a condition as to interfere with the public convenience in the use of such sidewalk in the following particulars:

Broken and/or uneven surface and [metal projection / tree roots] may create a hazard to pedestrians.

And that by reason thereof you are required to repair same. The work required to be done, how it is to be done, and the material to be used in the repair is specified as follows:

Repair in accordance with County of Humboldt sidewalk standards.

NOTICE IS FURTHER GIVEN that if the work of repair is not **commenced within two (2) weeks** after the date this notice is given and diligently and without interruption prosecuted to completion, the undersigned shall cause the work to be done, and the cost of same shall be borne by the property owner. The owner of record may submit written request to the Department for any additional sidewalk repair fronting this property, the cost of which will be added to the estimate below.

NOTICE IS FURTHER GIVEN that if the County hires a contractor to perform the repair, the estimated cost to you will be \$_____, plus current overhead charges, and any other County department administration fees and recording fees, for an **approximate** total cost of \$_____. After the repair is completed, the actual expense will be computed and provided to you. If this is not paid within a specified time, it will be added to your property assessment.

PERMIT: The no-cost permit required for such repair must be obtained from the Department of Public Works Land Use Division, prior to performing repairs, by contacting (707) 445-7205 or publicworkspermits@co.humboldt.ca.us. Please call me if you have any questions.

Respectfully,

Robert W. Bronkall, PE, LS
 Deputy Director
 Land Use Division

C: Division Manager, Road Crew Supervisor



Department of Public Works
Land Use Division
3015 H St, Rm 124
Eureka, CA 95501

OFFICIAL NOTICE

Owner of Record
Address
Eureka, CA 95501

IMPORTANT NOTICE: REQUIRES IMMEDIATE ACTION OR YOU WILL BE BILLED FOR SERVICE



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Via US Mail, First Class & Certified
Article No.: #####

[Date]

Case No.:

[Owner of Record]

[Address]

[CSZ]

**RE: SECOND NOTICE OF NEED TO REPAIR DAMAGED OR DEFECTIVE SIDEWALK
(PURSUANT TO IMPROVEMENT ACT OF 1911) AT _____ [ADDRESS] _____,
[CITY], CA, ASSESSOR PARCEL NO. _____**

NOTICE IS HEREBY GIVEN that the [sidewalk / driveway apron] or portion thereof in front of the above-described property on [STREET NAME] has been inspected and found to be in unsafe condition and in need of immediate repair in accordance with County of Humboldt sidewalk standards.

Pursuant to the Improvement Act and Streets & Highways Code (SHC) section 5610, the responsibility for maintenance and repair of sidewalks rests with the adjoining property owner.

NOTICE IS FURTHER GIVEN that if the work of repair is not **commenced within two (2) weeks after the date first notice was given on [INSERT DATE]** (SHC §5613) and diligently and without interruption prosecuted to completion, the undersigned shall cause the work to be done, and the cost of same shall be borne by the property owner.

NOTICE IS FURTHER GIVEN that If the County hires a contractor to perform the repair, the estimated cost to you will be \$_____, plus current overhead charges, and any other County department administration fees and recording fees, for an **approximate** total cost of \$_____. The owner of record may submit written request to the Department for any additional sidewalk repair fronting this property, the cost of which will be added to the above estimated amount. After the repair is completed, the actual expense will be computed and provided to you. If this is not paid, it may be added to your property assessment.

PERMIT: The no-cost permit required for such repair must be obtained from the Department of Public Works Land Use Division, prior to performing repairs, by contacting (707) 445-7205 or publicworkspermits@co.humboldt.ca.us.

Please call me if you have any questions.

Respectfully,

Robert W. Bronkall, PE, LS

Deputy Director

Land Use Division

C: Division Manager, Road Crew Supervisor



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To: Board of Supervisors

From: Public Works

Agenda Section: Public Hearing

SUBJECT:

Report Pursuant to Streets & Highways Code (SHC) section 5617 on Sidewalk Repairs Made by the County in the Stead of Property Owners

RECOMMENDATION(S):

That the Board of Supervisors:

1. Receive and consider the staff report;
2. Open the public hearing to hear objections or protests from subject property owners, and accept public comment (SHC §5618);
3. Close the public hearing;
4. Revise, correct, or modify the report as deemed just (SHC §5618);
5. Pursuant to SHC §5625, confirm the report, thereby allowing subject property owners five (5) days to pay the assessed amount, and if unpaid;
6. Order the Notice of Lien (Attachments __ - __), pursuant to SHC §5628, to be turned over to the assessor and the tax collector, whereupon it shall be the duty of those officers to add the amount of the assessment to the next regular bill for taxes levied against the lot or parcel of land.

SOURCE OF FUNDING:

Road Fund (1200)

DISCUSSION:

The Department of Public Works received [a] complaint(s) of damaged or defective sidewalk located adjacent to the property(ies) listed below. Staff verified the complaint(s). Pursuant to the Improvement Act of 1911 and California Streets and Highways Code (SHC) sections 5611-5614, the Department of Public Works served notice on [month day, 20__] of the need to repair a damaged or defective sidewalk fronting their property to the following property owners of record:

1. [name, address]
- 2.
- 3.

The required Second Notice was made on [month day, 20__]. No property owners repaired the sidewalk or communicated with the Department their intention to repair the sidewalk.

Pursuant to SHC §5615, the Department undertook the necessary repairs. The required Notice of Cost was made to each property owner of record on [month day, 20__]. The specific repairs made, the cost of the repairs, a description of the real property in front of which the repairs have been made, and the assessment against each parcel proposed to be levied to pay the cost thereof, is provided in Attachment 1.

FINANCIAL IMPACT:

There is no financial impact to the General Fund.

In order to encourage the repair of sidewalks, the Department has previously waived the fee for an Encroachment Permit to repair damaged sidewalk. As a result, the Road Fund will continue to absorb these costs. The annual cost is based upon the total number of no-cost Encroachment Permits issued each year.

Costs for non-voluntary repair of damaged sidewalk will be recovered from a special assessment against that parcel and shall be included on the property owner's next tax bill.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by enforcing laws and regulations to protect residents, and providing for and maintaining infrastructure.

OTHER AGENCY INVOLVEMENT:

None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Assessments may be recorded as liens against each property. The Department does not support this alternative as it significantly defers repayment to the Road Fund. The Road Fund cannot absorb the cumulative costs associated with deferment.

ATTACHMENTS:

1. Table of repairs made, cost, legal description of subject property, and proposed assessments.
2. *Potentially, legal descriptions and/or invoices*
3. Notice of Lien for [property 1]
4. Notice of Lien for [property 2]
5. Notice of Lien for [property 3]

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: N/A

File No.: N/A

Attachment 1 - Table of repairs made, cost, legal description of subject property, and proposed assessments

Repairs Made	Actual Cost	Description of Real Property	Amount to Assess
	\$___.__ (Invoice attached)	[see Exhibit A]	\$___.__



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Via US Mail, First Class & Certified
Article No.: #####

[Date]

Case No.:

[Owner of Record]

[Address]

[CSZ]

RE: NOTICE OF COST FOR REPAIR OF DAMAGED OR DEFECTIVE SIDEWALK (PURSUANT TO IMPROVEMENT ACT OF 1911) AT [ADDRESS], [CITY], CA, ASSESSOR PARCEL NO. _____

NOTICE IS HEREBY GIVEN, pursuant to Streets & Highways Code (SHC) section 5616, that the [sidewalk / driveway apron] or portion thereof in front of the above-described property on [STREET NAME] has been repaired.

The total cost was: [\$_____]

Please pay this amount to the Department of Public Works for **Case No.:** _____.

Remit to: Dept. of Public Works
1106 2nd St.
Eureka, CA 95501

Pursuant to SHC §5617, a report from the Department of Public Works regarding this repair has been filed with the Board of Supervisors. Pursuant to SHC §5618, said report will be heard by the Board of Supervisors on [date on agenda] at the regularly scheduled meeting beginning at 9:00 a.m. in [Supervisors Chambers, located at 825 5th Street, Eureka – or – via the internet at: <https://humboldtgov.org/167/Board-of-Supervisors>]. Objections or protest may be raised by the property owner of record at this time.

Pursuant to SHC §5628, the Board of Supervisors may order the cost stated above to be added to the next regular bill for taxes levied against the subject parcel.

Respectfully,

Robert W. Bronkall, PE, LS

Deputy Director
Land Use Division

C: Division Manager, Road Crew Supervisor



Department of Public Works
Land Use Division
3015 H St, Rm 124
Eureka, CA 95501

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Address
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IMPORTANT NOTICE: REQUIRES IMMEDIATE ACTION

RECORDING REQUESTED BY
AND WHEN REORDED MAIL TO:

**HUMBOLDT COUNTY DEPARTMENT OF PUBLIC
WORKS – LAND USE DIVISION
1106 SECOND ST.
EUREKA, CA 95501**

Encroachment Permit Office
(707) 445-7205

SPACE ABOVE THIS LINE FOR RECORDERS USE

**NOTICE OF LIEN
COUNTY OF HUMBOLDT**

CASE NO. _____

Humboldt County Assessor's Parcel No. _____

Pursuant to the authority vested in me by the Improvement Act of 1911, I did, on the _____ day of _____, 20__, cause the sidewalk, curb, or park or parking strip, bulkheads, retaining walls, or other works (as the case may be) in front of the real property hereinafter described to be repaired and improved, and the legislative body of the County of Humboldt did, on the _____ day of _____, 20__, by confirmation assess the cost of such repair upon the real property hereinafter described, and the same has not been paid nor any part thereof, and the said County of Humboldt does hereby claim a lien on said real property in the sum of _____ dollars (\$_____), and the same shall be a lien upon said real property until the said sum, with interest at the rate of _____ percent (____%) per annum, from the said _____ day of _____, 20__, has been paid in full and discharged of record.

The real property hereinbefore mentioned and upon which a lien is claimed, is that certain piece or parcel of land lying and being in the unincorporated area of the County of Humboldt, State of California, and particularly described [as follows: -OR- in Exhibit A attached hereto.]

[Description of property]

Thomas K. Mattson, Director of Public Works

Dated _____

ACKNOWLEDGMENT

A notary public or other office completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Humboldt

On _____, 20__ before me, _____, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me the he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



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Via US Mail, First Class & Certified
Article No.: #####

[Date]

Case No.:

[Owner of Record]

[Address]

[CSZ]

**RE: NOTICE TO PAY COST FOR REPAIR OF DAMAGED OR DEFECTIVE SIDEWALK
(PURSUANT TO IMPROVEMENT ACT OF 1911) AT [ADDRESS],
[CITY], CA, ASSESSOR PARCEL NO. _____**

NOTICE IS HEREBY GIVEN, pursuant to Streets & Highways Code (SHC) section 5628, that the Humboldt County Board of Supervisors confirmed the cost of \$_____, payable to Humboldt County Department of Public Works, for repairs made to the [sidewalk / driveway] adjacent to your property.

Payment must be made by [5th business day, 20__] or the amount stated above will be added to the next regular bill for taxes levied against the subject parcel.

Remit to: Humboldt County Department of Public Works
Attn: Land Use Division
1106 2nd St
Eureka, CA 95501

If you have any questions, please call me at (707) 445-7205.

Respectfully,

Robert W. Bronkall, PE, LS
Deputy Director
Land Use Division

C: Division Manager, Road Crew Supervisor



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