

# **EXHIBIT “E”**

## **Title 13**

### **STREETS, SIDEWALKS, TRAILS AND TREES**

#### **Chapters:**

<b>13.02</b>	<b>DATUM PLANES</b>
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#### **Chapter 13.04**

##### **Section 13.04.040 Dragging articles on streets.**

It is unlawful for any person to allow a truck, automobile, trailer, wagon or other vehicle to drag over or along any street, any block or other article usually used as a braking block for the rear wheels of trailers, wagons, or to drag any pipe, lumber, trees or other articles across, over or along such street; but nothing in this section or in Section 13.04.030 shall be construed to prohibit the City from using any vehicle, machine, implement or drag in the improvement or repair of any street.

##### **Section 13.04.060 Burning material in streets and certain parking spaces.**

It is unlawful for any person to light a fire, or to burn or authorize or permit to be burned any paper, wood or other material, or to set fire to or burn any rubbish, brush or other material over or upon any street, right of way, sidewalk, parking space, parking lot, parking garage, oiled asphalt, or cement sidewalk or over or upon any curb, improved gutter, improved street, or upon any parking space which is planted to street trees, ornamental shrubs or lawn.

#### **Chapter 13.06**

##### **Section 13.06.070 Sight obstructions, obstructing or dangerous trees or shrubs on streets.**

A. The Public Works Director may inspect any and all trees, shrubs and hedges which are in any street or which, standing on any private property, overhang or project into any such street, to determine whether any of the same, or any part thereof, appears to be dead, liable to fall,

dangerous or an obstruction to public pedestrian, equestrian, bicycle or vehicular travel on any such street or cause such inspection to be performed.

B. In case any tree, shrub or hedge in any street, or any tree, hedge or shrub on any private property overhanging or projecting into any such street appears to be dead, liable to fall, dangerous, or an obstruction to such public pedestrian, equestrian, bicycle or vehicular travel on any such street, the Public Works Director may cut down or cause the same or such parts thereof as are dead, liable to fall, dangerous or an obstruction to such public pedestrian, equestrian, bicycle or vehicular travel, to be cut down, and if in any such street, to remove or cause the same or such parts thereof to be removed therefrom.

#### **Section 13.06.127 Exemption.**

Nothing in Chapter 13.06 shall require the adjacent property owner or person in possession, except for watering, to maintain City-owned and maintained street trees that are located in the street right-of-way or easement.

### **Chapter 13.08**

#### **Sections:**

- 13.08.010 Duty of Public Works Director relative to issuance of permits and collection of fees.**
- 13.08.015 Encroachment permit--Fee.**
- 13.08.020 Inspection of work under a permit.**
- 13.08.025 Pay telephones in the public right-of-way or upon City-owned easement prohibited.**
- 13.08.030 Suspension and cancellation of permits.**

#### **Section 13.08.010 Duty of Public Works Director relative to issuance of permits and collection of fees.**

It is the duty of the Public Works Director to receive applications for permits, and to collect and account for the fees fixed by law for the issuance of permits, and to issue permits for the work of grading and paving streets, sidewalks and alleys, and of constructing and installing curbs, gutters, culverts, drains, drainage systems, sanitary sewers and appurtenant work. Permits shall be issued to public agencies and public schools free of charge by the Director of Public Works upon receipt of a proper application.

#### **Section 13.08.020 Inspection of work under a permit.**

It shall be the duty of the Public Works Director to inspect the work of grading and paving streets, sidewalks and alleys, and of constructing curbs, gutters, culverts, drains, drainage systems, sanitary sewers, utilities and appurtenant work, which is being done under such permit, either by a contractor pursuant to contract with the City, or any board or department thereof, or by any contractor pursuant to contract with any person acting in a private capacity, or which is being done by any person acting in a private capacity without contract. He/She shall make such inspections from time to time as he/she may consider necessary, and shall make and keep a record of the manner in which the work is being performed. The inspection of utility construction by the Public

Works Director shall be limited to location, pavement removal and replacement, backfill and traffic safety. Inspection of the utility structure shall be the responsibility of the utility owner.

**Section 13.08.025 Pay telephones in the public right-of-way or upon City-owned easement prohibited.**

All pay telephones are strictly prohibited on any street right-of-way or upon any City-owned easement.

**Section 13.08.030 Suspension and cancellation of permits.**

The Public Works Director is authorized and empowered to suspend, cancel or withdraw the permit issued by him/her for the performance of any work which is not being done in accordance with the plans and specifications, the most recent OSHA standards or to the reasonable satisfaction of the Public Works Director.

**Chapter 13.10**

**MAINTENANCE AND REPAIR OF SIDEWALKS AND TRAILS**

**Sections:**

- 13.10.010 Maintenance and repair of sidewalks and trails.**
- 13.10.030 Liability for injuries to public.**
- 13.10.050 Notice to repair.**
- 13.10.070 Service of notice to repair.**
- 13.10.090 Contents of notice to repair.**
- 13.10.101 Work performance.**
- 13.10.103 Notice of cost to repair and time for repayment.**
- 13.10.105 Notice of cost and hearing by Council.**
- 13.10.107 Report of repairs and costs.**
- 13.10.109 Hearing by City Council.**
- 13.10.111 Assessment.**
- 13.10.113 Notice of Lien.**
- 13.10.115 Lien - recordation and collection.**
- 13.10.117 No interference with enforcement of this chapter.**
- 13.10.119 Exemption.**

**Section 13.10.010 Maintenance and repair of sidewalks and trails.**

A. Anything in this chapter to the contrary notwithstanding, the maintenance and repair of sidewalk and trail areas and the making, confirming and collecting of assessments for the cost and expenses of said maintenance and repair may be done and the proceedings therefor may be had and taken in accordance with this Chapter and the procedure therefor provided in Chapter 22 of Division 7, Part 3, 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 Streets and Highways Code of the State and this chapter, the provisions of this chapter shall control.

B. The owners of lots or portions of lots adjacent to or fronting on any portion of a sidewalk area between the property line of the lots and the street line, including parking strips, sidewalks, curbs and gutters, 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 therefor, including a charge for the City's costs of inspection and administration whenever the City awards a contract for such maintenance and repair and including the costs of collection of assessment for the costs of maintenance and repair or handling of any lien placed on the property due to failure of the property owner to promptly pay such assessments.

C. For the purposes of this part, maintenance and repair of sidewalk and trail areas shall include, but not be limited to, maintenance and repair of surfaces including grinding, removal and replacement of sidewalks, repair and maintenance of curb and gutters, removal and filling or replacement of parking strips, removal of weeds and/or debris, tree root pruning and installing root barriers, trimming of shrubs and/or ground cover and trimming shrubs within (1) the area between the property line of the adjacent property and the street pavement line, including parking strips and curbs, so that the sidewalk area will remain in a condition that is not dangerous to property or to persons using the sidewalk in a reasonable manner and will be in a condition which will not interfere with the public convenience in the use of said sidewalk area.

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

#### **Section 13.10.030      Liability for injuries to public.**

The property owner or person in possession required by Section 13.10.010 to maintain and repair the sidewalk and/or trail areas shall owe a duty to members of the public to keep and maintain the sidewalk and/or trail areas in a safe and nondangerous condition. If, as a result of the failure of any property owner to maintain the sidewalk and/or trail areas in a nondangerous condition as required by Section 13.10.010, any person suffers injury or damage to person or property, the property owner shall be liable to such person for the resulting damages or injury. )

#### **Section 13.10.050      Notice to repair.**

When any portion of the sidewalk and/or trail area is out of repair or pending reconstruction and in condition to endanger persons or property or in condition to interfere with the public convenience in the use of such sidewalk and/or trail area, the Public Works Director for the sidewalk and the Parks, Recreation and Community Services Director for the trail, or their designee, may notify the owner or person in possession of the property fronting on that portion of such sidewalk area so out of repair, to repair the sidewalk and/or trail area.

#### **Section 13.10.070      Service of notice to repair.**

Notice to repair may be given by delivering written notice personally to the owner or to the person in possession of the property facing upon the sidewalk and/or trail area so out of repair, or by mailing a postal card, postage prepaid, to the person in possession of such property, or to the owner thereof at his or her last known address as the same appears on the last equalized assessment rolls of the county.

**Section 13.10.090      Contents of notice to repair.**

The notice shall particularly specify what work is required to be done, and how it is to be done, and what materials shall be used in the repair and shall further specify that if the repair is not commenced within thirty days after notice is given and diligently and without interruption prosecuted to completion, the Public Works Director for sidewalks and the Parks, Recreation and Community Services Director for trails, or their designee, shall make such repair, and the costs of the same shall be a lien on the property.

**Chapter 13.12****Section 13.12.010      Guards and lighting.**

Any person holding a permit for the excavation of any street or alley shall place and maintain on all excavations all such necessary barriers, guards, lights, signs, flagmen and watchmen advising the public of detours and construction hazards as deemed to be necessary by the Public Works Director.

**Section 13.12.020      Depth and location of pipes and conduits.**

Whenever any pipe for conducting water, gas or sewage or conduits for conducting electric or telephone lines along any street are laid by any person, such pipe or conduit shall be laid as set forth in Sections 13.12.030 through 13.12.060, unless special permission to the contrary has been given by the Public Works Director or the Public Utilities General Manager where applicable.

**Section 13.12.050      Electric, telephone and communication.**

A. All underground electrical conduits for residential service and telephone conduits, including communication facilities, shall be laid at such depth that the top of such conduits shall not be less than forty-five inches and thirty inches, respectively, below the established grade of the parkway; provided, however, that in cases where the grades may not have been established, these depths shall be below the existing surface of the parkway. Major underground electrical conduits may be laid in the street and shall be not less than thirty inches below the existing surface or established grade of the street.

B. The underground electrical conduits for residential service and telephone conduits, including communication facilities, shall generally be laid a maximum of one foot from the edge of sidewalk and major electrical conduits in the street shall be laid at a location to be determined by the Public Utilities General Manager.

**Section 13.12.060      Miscellaneous underground facilities.**

All other miscellaneous underground facilities shall be laid at such location and depth as determined by the Public Works Director.

**Section 13.12.070      Permit required.**

It is unlawful for any person to tear up, excavate, open or remove any part of a street, alley, public parking space or public roadway easement in the City without first having obtained from the Public Works Director a written permit. Permits issued by the Public Works Director are not

transferable under any circumstances and shall expire one year from the date of issuance, after which time a new permit shall be required.

**Section 13.12.090 Duties of inspectors--Payment for services.**

The Public Works Director is authorized, empowered and directed to employ competent inspectors who shall be qualified by experience in their particular line of work. They shall be placed as inspectors under the charge of the Public Works Director on all work done under this chapter, in order to inspect for the proper performance of the work, use of adequate materials, and proper proportion thereof, and generally to inspect upon the ground the actual work under construction. To pay the expense and wage of such inspectors, the Public Works Director is empowered and directed to estimate the cost of such employment and to collect the same from any person or contractor doing such work.

If any work requires inspection by City inspectors other than during regular City hours, the person or contractor shall pay an amount for such overtime work that is equal to two times the amount paid for inspection during regular City hours.

**Section 13.12.100 Construction and reconstruction requirements.**

The applicant shall backfill and pave or resurface trenches cut in the street. The work shall be done to the satisfaction of the Public Works Director and to the specifications of the Public Works Department. The applicant may request of the Public Works Director to resurface trenches. The Public Works Director shall determine if adequate City forces are available to perform trench resurfacing. If adequate City forces are not available, the applicant shall resurface the trenches. To pay the expense of resurfacing, the Public Works Director is empowered and directed to estimate the cost of any such work performed and to collect the same from the applicant.

**Section 13.12.120 Discretion and conditions in granting request to open street.**

The Public Works Director, on the receipt of a written request to open any street according to the terms of this chapter, may or may not grant the request for a particular place asked for, and, if any good reason exists why another place should be or could better be opened, or only a portion of the street opened at a time, he shall designate such place or route, even if it is longer. All work shall comply with MS4 NPDES requirements.

**Section 13.12.130 Notification upon completion of work.**

Any person excavating or tearing up the roadbed of any street shall cause all reconstruction of the roadbed to be inspected by the Public Works Department and shall notify the Public Works Department, engineering division, twenty-four hours before time set for inspection, exclusive of Saturday, Sunday and holidays.

**Section 13.12.150 Failure to comply with chapter.**

The Public Works Director may refuse to issue future permits for work performed under this chapter to any person who has failed to comply with the provisions of this chapter until such person has corrected any deficiencies to the satisfaction of the Public Works Director.

## **Chapter 13.16**

### **Sections:**

- 13.16.010 Permit required.**
- 13.16.020 Application contents.**
- 13.16.030 Fees.**
- 13.16.040 Regulations generally.**
- 13.16.050 Effect of chapter upon other permits and fees.**
- 13.16.060 Obligations of contractor for curbs, gutters, sidewalks and trails when constructing buildings.**
- 13.16.070 Conduit stub down or pull box may be required.**
- 13.16.071 Street lighting charge.**
- 13.16.080 Appeal to Board of Public Utilities.**
- 13.16.090 Modification of requirements.**
- 13.16.100 Final approval and acceptance not to be granted prior to construction guarantee.**
- 13.16.110 Submission and preparation of plans.**
- 13.16.120 Plans to be checked and approved by City Engineer.**
- 13.16.130 Plan check fees.**
- 13.16.140 Fees not required for altered or resubmitted plans.**
- 13.16.150 Collection and disposition of fees.**

### **Section 13.16.020 Application contents.**

Any person desiring a permit required by Section 13.16.010 shall present a written application therefor to the Public Works Director, setting forth the name and address of the applicant, details concerning the location, nature and extent of construction intended to be made, and the purpose for which such construction is to be made and used.

### **Section 13.16.030 Fees.**

The fees for permits for the construction, repair or alteration of sidewalks, curbs, gutters, driveways, subgrades, pavement, sewers, manholes, catch basins and other structures, and for excavating, laying and backfilling sewer and drain pipelines, for which work specifications, grades and lines have been approved by the Public Works Director, shall be computed and determined by the Public Works Director in accordance with the schedule of fees as may be established by the City Council by resolution.

### **Section 13.16.040 Regulations generally.**

A. Permits to perform work pursuant to this Chapter will be issued only to state licensed contractors meeting the requirements concerning city business tax regulations. Prior to the issuance of any permit, the applicant shall file and maintain with the Public Works Department a valid and current policy or policies or sufficient certificate or certificates evidencing the policy or policies of liability insurance, covering all operations of the applicant and/or his contractor, agents or employees and subcontractors, whether liability is attributable to the contractor or the City. The policy or policies shall contain an endorsement naming the City of Riverside as an additional

insured, shall provide that the City will be given 30-days written notice prior to cancellation or material change, and shall be in such minimum limits as set by resolution of the City Council. The applicant shall also agree to indemnify, defend and hold harmless the City of Riverside, its officers, agents and employees, from and against all claims, damages, losses and expenses including attorney's fees arising out of the acts or omissions of the applicant, its servants, agents, contractors or subcontractor, during or as a result of the work performed in the City's public rights-of-way, except to the extent the damages claimed or caused by acts or omissions of the City.

B. No person performing work under this chapter shall fail, neglect or refuse to remove all used materials and debris within three days after completion of the work from any street, alley, way or easement which is, or is proposed to be, dedicated for public use. Such failure or neglect shall constitute authority of the Public Works Director to order necessary removal at the expense of the permittee. The Public Works Director may refuse issuance of construction permits to persons failing to reimburse the City for the expense so incurred.

C. The material used in the construction work may be stored on adjacent public property during the course of construction; provided the same are so placed and safeguarded by lights, warning signs and barricades as not to constitute a hazard to public peace and safety. If the Public Works Director finds that adequate safeguards have not been placed or maintained, he may order correction thereof at the permittee's expense. The Public Works Director may refuse issuance of permits to persons failing to reimburse the City for the expense so incurred.

D. No driveway approach shall cross over a lot line as extended into the street right-of-way without the consent of the Public Works Director.

E. Raw materials and workmanship for work provided under this chapter shall conform to applicable provisions as determined by the Public Works Director. All paving installed between the curb and the property line shall be portland cement concrete in accordance with the standard drawings and specifications of the Public Works Department.

F. Any person doing work under this chapter shall cause all such work to be inspected by the Public Works Department and shall notify the Public Works Department, engineering division, twenty-four hours before time set for inspection, exclusive of Saturday, Sunday and holidays. If any work, including that for public agencies, requires inspection other than during regular City hours, the contractor shall pay the expense and wage of the inspectors at the rate determined by the Public Works Director. Work completed without such notice or request for inspection will not be accepted by the City. All work to be performed under this chapter shall be to the satisfaction of the City and in accordance with City standards and under the supervision of the Public Works Director or his/her authorized inspectors.

#### **Section 13.16.060      Obligations of contractor for curbs, gutters, sidewalks and trails when constructing buildings.**

Any person obtaining a permit to erect, construct, place or replace or relocate a building, structure or dwelling or, with the exception of single family dwellings, to enlarge or make additions thereto in excess of six hundred fifty square feet shall, at his expense, provide for the plans and construction of curbs, gutters, sidewalks, trails, street lights, street trees, driveway approaches, base, paving, barricades, catch basins and drain pipe along all street and alley frontages in accordance with the standard drawings and standard specifications of the Public Works Department, and of the Public Utilities Department in the case of street lights.



Any combination of permits issued within a twelve month period which provide or result in enlargements or additions of six hundred fifty square feet, or more, to existing buildings shall be considered as a single permit for the purpose of applying the requirements of this chapter.

Where existing driveway depressions or approaches are abandoned or not required for access to the property, they shall be removed and replaced with curb and gutter and sidewalk, as necessary.

In addition to the above, the applicant shall do all grading necessary to install the above improvements and shall, at his expense, relocate or remove all structures, utilities, trees and irrigation lines within the right-of-way which interfere with the installation of the above improvements.

Where additional street or alley right-of-way is required in order to properly align the required curb, gutters, street lights, sidewalks or paving with existing or planned improvements on the same block frontage, or in accordance with the planned street lines established in Chapter 19.72 in conformance with the circulation element of the City master plan of land use, streets and highways, or in accordance with existing or planned dedicated alley right-of-way, or to provide corner cut-offs, the applicant shall be required to dedicate the necessary property and install improvements.

The building official shall not issue a permit requiring improvements pursuant to this section until the applicant has:

A. Guaranteed construction by a cash deposit or suitable bond, letter of credit or deposit agreement approved as to amount by the Public Works Director and approved as to form by the City Attorney; and

B. Dedicated the required right-of-way.

#### **Section 13.16.070 Conduit stub down or pull box may be required.**

In order to decrease the obstruction of streets and ways and to increase the safety and convenience of the public in their use and because of the additional economic burden which otherwise would be imposed upon persons required to convert utility lines from overhead to underground in existing buildings, structures or dwellings which are not being erected, constructed, replaced, relocated or enlarged, the provisions in this section are declared to be for the welfare and safety of the inhabitants of the City.

Any person obtaining a permit to erect, construct, place or replace or relocate a building, structure or dwelling or to enlarge or make additions thereto in excess of six hundred fifty square feet may be required to provide, in addition to the usual overhead utility lines and structures, a conduit stub down or pull boxes or both in compliance with the existing regulations and directions of the Public Utilities Department in any area designated by that department as an area scheduled for future conversion from overhead utility lines to underground utility lines.

#### **Section 13.16.071 Street lighting charge.**

To provide for installation of street lights and to avoid a possible unreasonable burden on the applicant, a street lighting charge is established which charge shall be paid by the applicant in those cases where their approved plans indicate that less than five street lights are required. Said charge shall also be paid by the applicant where after the effective date of the ordinance codified herein, the City, at City expense, has installed street lights in the street abutting the applicant's development and the property on which the building is to be constructed is benefited by said rights

and has not been assessed for street lights. Said charge shall be computed by the Public Utilities General Manager in accordance with the units of benefit to the land as distinguished from front-footage assessments. In determining the unit of benefit, the Public Utilities General Manager shall follow the generally accepted methods for making and spreading assessments based upon the benefits to the land as distinguished from front-foot assessments. Such unit of benefit charge shall be established and approved as an electric rule and regulation.

#### **Section 13.16.080      Appeal to Board of Public Utilities.**

The order of the Public Utilities Department requiring the provision of a conduit stub down or pull boxes or both may be appealed to the Board of Public Utilities by filing a written notice of appeal within fifteen days after the date of making the order, exclusive of holidays, on a form provided by the Board, by describing in the notice the order appealed from and by stating in the notice wherein such order is erroneous or invalid. Upon such appeal, the Board of Public Utilities shall determine by the affirmative vote of three or more of its members and in the manner prescribed by Section 2.40.050, so far as that Section is consistent with the provisions of this Section, whether such order is reasonably necessary for the welfare and safety of the inhabitants of the City. The decision of the Board of Public Utilities shall be final.

The operation of the order appealed from is suspended by the filing of the notice of appeal and until determination of the appeal or termination of proceedings thereunder.

In case of denial of waiver by the Public Utilities General Manager, the requirement for street lights may be appealed in the same manner as the provision for conduits, stub down or pull boxes. This requirement may be waived when it appears that such lights are not necessary for the welfare and safety of the applicant and the inhabitants of the City; that there is no reasonable likelihood that lights will be installed within a reasonable period of time; or that such a requirement places an unreasonable burden on the applicant in relation to the anticipated economic return from his proposed building.

#### **Section 13.16.090      Modification of requirements.**

A. Installation of all or part of the improvements required by Section 13.16.060 may be waived by the Public Works Director in accordance with the following:

1. Where adequate improvements of the nature and type required already exist, or where security adequate to guarantee the construction of such improvements has been provided;

2. In residential zones, curb and gutter may be waived if sixty percent of the property frontage within the same block, has been developed without curb and gutter. For computing the sixty percent, "block" is defined as the length of street: (a) between intersecting public streets which existed on July 1, 1964; (b) between an intersecting public street and a dead end as they existed on July 1, 1964; or (c) between an intersecting public street and a tee intersection with a public street, as they existed on July 1, 1964. In determining the percentage of developed property frontage, allowance shall be made for future property divisions in accordance with existing zoning. If the installation of curb and gutter is waived hereunder, a minimum of twenty-four feet of paving, adequate provisions for drainage, and a six-foot graded shoulder for pedestrian and equestrian traffic shall be provided in accordance with the specifications of the Public Works Department; provided, however, the Public Works Director may waive the requirement for twenty-four feet of paving when he determines that such additional paving does not appreciably benefit the motorists utilizing such streets;

3. Sidewalks may be waived where no sidewalks exist within the distance of one hundred sixty-five feet from any point of intersection of any boundary line of the lot and side line of any street upon which such lot abuts at the front, side or rear; provided, however, that if the area of such lot is one-half acre or more, such distance shall be measured from the points of intersection of the projected lines of the required side and rear yards of the lots with such side street line;

4. Sidewalks only shall be waived where the topography is such that the installation of sidewalks would be impractical;

5. Where the street or alley, for practical reasons, has not been or cannot be readily graded to the established grade;

6. Where installation of sidewalks would be hazardous to pedestrians because of grade;

7. Where parcels in residential zones are divided into one-half acre or larger lots, the curb, gutter and paving or curb, gutter, sidewalk and paving need not extend a greater distance than the side yards or side and rear yards in the case of corner lots defined in Title 19;

8. Where the City Council has, within two years prior to the date of application and in accordance with established subdivision, record of survey or other procedure, waived or modified the requirement of curbs, gutters, sidewalks, street lights, paving or dedication, or any combination thereof, the Director of Public Works shall accordingly waive or modify the requirements of this chapter.

B. The street lighting charge may be waived by the Public Utilities General Manager when it appears that there is no reasonable likelihood that such lights will be installed within a reasonable period of time; or when the land in question has been previously assessed for street lights; or when the application is for an addition to an existing building or a small accessory building and such a charge would place an unreasonable economic burden on the applicant in relation to the size and cost of his structure.

#### **Section 13.16.100 Final approval and acceptance not to be granted prior to construction guarantee.**

The Building Inspector shall deny final approval and acceptance on public utility connections to any building or dwelling until portland cement concrete curbs and gutters or portland cement concrete curbs, gutters and sidewalks exist or are constructed or their construction is guaranteed by cash deposited with the City in a sum determined by the Public Works Director or suitable bond, letter of credit or deposit agreement approved as to amount by the Public Works Director and approved as to form by the City Attorney, based upon the number of lineal feet of portland cement concrete curb, gutter and sidewalks to be installed, except as set forth in Section 13.16.090.

#### **Section 13.16.110 Submission and preparation of plans.**

Any person desiring or required to construct or install any public works improvement, including curbs, gutters, sidewalks, trail, culverts, drains, driveway approaches, grading, paving, street lights, street trees, sewers or any appurtenant work thereto in a dedicated City right-of-way, shall submit engineering plans for such improvements. Such plans shall be prepared by a registered civil engineer of the state. Where such plans are prepared by the office of the City Engineer, a charge of seven percent of the estimated construction cost or seven hundred fifty dollars whichever is greater, shall be assessed for such work. Any person desiring or required to construct or install public landscape improvements, other than only street trees, in a dedicated City

right-of-way shall submit landscape plans for such improvements. Such plans shall be prepared by a registered landscape architect of the State or other licensed professional within the restrictions of such license.

#### **Chapter 13.24**

##### **Sections:**

##### **13.24.010 Prohibited.**

##### **Section 13.24.010 Prohibited.**

No person shall place, install, use or maintain any newsrack which rests in whole or in part upon, in, or on any portion of a public right-of-way, City easement, City owned property or which projects onto, into, or over any part of a public right-of-way, City easement or City owned property.

#### **CHAPTER 13.25**

#### **TREE AND SHRUB SUPERVISION**

##### **Sections:**

##### **13.25.010 Planting under direction of the Park, Recreation and Community Services Commission.**

##### **13.25.020 Removal, trimming, and trenching around.**

##### **13.25.030 General supervision--Selection of varieties.**

##### **13.25.040 Council power to remove street trees.**

##### **Section 13.25.010 Planting under direction of the Park, Recreation and Community Services Commission.**

No trees or shrubs shall hereafter be planted in the public streets of the City except pursuant to the policies established by the Park, Recreation and Community Services Commission and approved by the City Council, or except at such place as shall be specifically set apart and authorized for such purpose.

##### **Section 13.25.020 Removal, trimming, and trenching around.**

No trees or shrubs planted or growing in the public streets of the City shall be removed except pursuant to the policy established by the Park, Recreation and Community Services Commission and no trees in the streets shall be cut, pruned or trimmed except pursuant to the policy established by the Commission and approved by the City Council; nor shall anyone not authorized by said policy trench around or alongside of any tree, plant or shrub with a view to cutting the roots of same.

**Section 13.25.030 General supervision--Selection of varieties.**

Subject to approval by the City Council the Park, Recreation and Community Services Commission shall establish policies for the general care and supervision of all trees in the streets of the City and shall select the varieties of trees to be planted.

**Section 13.25.040 Council power to remove street trees.**

Nothing in this chapter shall be, or shall be construed to be, any limitation on the powers lawfully vested in the City Council, to cause the removal of any shrubs or trees when, in the opinion of the City Council, it is necessary to remove the same for any purpose of improving any street or alley.

**CHAPTER 13.26**

**REWARD FOR DETECTION OF PERSONS BURNING  
CITY CONTROLLED VEGETATION**

**Sections:**

**13.26.010 Authorization.**

**13.26.020 Notice of reward.**

**13.26.030 Authority to set aside funds to pay.**

**Section 13.26.010 Authorization.**

The City Council is hereby authorized and empowered to offer rewards in any sums that may be reasonable or proper under the circumstances to be paid to any person who give or furnish information or evidence that will lead to the detection and conviction of any person setting fire to ornamental trees, shrubs, plants or grasses in a public park of the City, or on a public street, or other place or places under the control of the City.

**Section 13.26.020 Notice of reward.**

Notice of the rewards authorized by Section 13.26.010 shall be given by the City Council either by publication in a newspaper of general circulation in the City, or by posting in three or more public places in the City, or by both such publication and posting.

**Section 13.26.030 Authority to set aside funds to pay.**

The City Council is further empowered to set aside a sum of money for the purpose of paying the rewards authorized by Section 13.26.010.