

## **Title 13**

### **STREETS AND SIDEWALKS**

#### **Chapters:**

**13.04 Construction and Repair of Sidewalks**

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**Chapter 13.04****CONSTRUCTION AND  
REPAIR OF SIDEWALKS<sup>1</sup>**

## Sections:

- 13.04.010 Purpose.
- 13.04.020 Definitions.
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- 13.04.220 Treatment of concrete after placement in subgrade.
- 13.04.230 Hot weather.
- 13.04.240 Temperature below 40 degrees Fahrenheit.

**13.04.010 Purpose.**

The ordinance codified in PMC 13.04.010 through 13.04.040 is enacted in order to enable the city to exercise the powers and authority granted by Chapter 35.69 RCW, and to provide for the application and enforcement of said statute in the city. (Ord. 303 § 4, 1959).

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1. For statutory provisions authorizing third-class cities to construct and maintain sidewalks, see RCW 35.24.290; for provisions regarding liability of abutting property owners, see RCW 35.69.020; for authority to set specifications, see Chapter 35.70 RCW.

**13.04.020 Definitions.**

The following definitions shall apply in this chapter:

A. “Street” includes any boulevard, avenue, alleyway, lane, square or place.

B. “Sidewalk” includes any and all structures or forms of street improvement included in the space between the street margin and the roadway.

C. “Property directly abutting” and/or “abutting property” means all property having a frontage upon the sides or margins of any portion. (Ord. 303 § 1, 1959).

**13.04.030 Unfit or unsafe – Repair.**

Whenever a portion, not longer than one block in length, of any street or sidewalk thereof has become unfit or unsafe for purposes of public travel, and such street adjacent to both ends of that portion is in good repair, and the city council shall by resolution find that the improvement of such a portion by the reconstruction of a sidewalk thereon is necessary for the public safety and convenience, the duty, burden and expense of reconstructing such sidewalk shall devolve upon the property directly abutting upon such portion; provided, that such abutting property shall not be charged with any costs of reconstruction in excess of 50 percent of the valuation of such abutting property, exclusive of improvements thereon, according to the valuation last placed upon it for purposes of general taxation. (Ord. 303 § 2, 1959).

**13.04.040 Repair – Notice – Assessment roll.**

Whenever the city council has adopted the resolution referred to in PMC 13.04.030, the street superintendent shall cause to be served on the owner of the abutting property a notice instructing the owner to reconstruct a sidewalk on such property in accordance with plans and specifications which shall be attached to such notice. Such notice shall be served by delivering in person to the owner or leaving at his home with a person of suitable age and discretion then resident therein, or with an agent of such owner authorized to collect rentals on such property, or, if such owner is a nonresi-

### 13.04.050

dent of the state, by mailing a copy to his last home address, or if such owner is unknown or if his address is unknown, then by posting a copy in a conspicuous place on such portion of the street where such improvement is to be made. Such notice shall specify a reasonable time within which such reconstruction shall be made, and shall state that in case the owner fails to make the same within such time, the city will proceed to make the same through the street superintendent, and at a subsequent date, to be definitely stated in the notice, the street superintendent will report to the city council an assessment roll showing the lot or parcel of land directly abutting on such portion of such street so improved, the cost of such improvement, the name of the owner, if known, and that the city council, at the time stated in the notice, or at the time or times to which the same may be adjourned, will hear any and all protests against the proposed assessment. Upon expiration of the time fixed within which the owner is required to reconstruct such sidewalk, if the owner has failed to perform such work, the street department shall proceed to perform such work and shall, within the time filed in the notice, report to the city council an assessment roll showing the lot or parcel of land directly abutting on such portion of such street so improved, the cost of such work, and the name of the owner, if known. The city council shall, at the time in such notices designated, or at an adjourned time or times, assess the cost of such improvement against the abutting property and shall fix the time and manner for payment thereof, which assessment shall become a lien upon the property and shall be collected in the manner provided by law for special assessments by Chapter 35.68 RCW. (Ord. 303 § 3, 1959).

### 13.04.050 Materials.

All sidewalks hereafter constructed in the city shall be of cement concrete construction, according to plans and specifications as provided in PMC 13.04.060 through 13.04.240, except as otherwise provided. (Ord. 80 § 1, 1930).

### 13.04.060 Plans and specifications.

The plans and specifications for the construction of cement concrete sidewalks shall be as set forth in PMC 13.04.070 through 13.04.240. (Ord. 80 § 2, 1930).

### 13.04.070 Notice to city before beginning work.

The property owner shall notify the city engineer or utility clerk at least 10 days before work on any sidewalk is started, in order that grades, etc., may be estimated, and the deposit of the amount of money required to cover the cost of engineering and inspection may be collected. Construction of all walks in city streets shall be done under direct supervision of the city engineer. (Ord. 1180 § 1, 1992; Ord. 80 § 2, 1930).

### 13.04.080 Notice of completion of subgrade.

The contractor shall notify the city when the subgrade is completed, and no cement concrete shall be placed until after the subgrade has been inspected and accepted. (Ord. 80 § 2, 1930).

### 13.04.090 Notice of pouring.

The contractor shall notify the city beforehand, when he is to pour cement concrete, so that provision may be made for inspection, and any sidewalk placed without such notice shall be condemned, and the contractor cannot hold the property owner responsible for payment for such condemned work. (Ord. 80 § 2, 1930).

### 13.04.100 Barriers.

Proper barriers shall be provided by the contractor to keep all traffic off the sidewalk, and he shall be responsible for any damage done to the greenwalk. (Ord. 80 § 2, 1930).

### 13.04.110 Materials for sidewalk and street crossings.

All sidewalk and street crossings shall be made of cement concrete; provided, however, that on crossings not to be paved, or when deemed advisable by the city, planks, gravel or other suitable materials may be used; provided further, that on hillsides or places where a suit-

able foundation cannot be made, the city may give special permission to build a standard wooden sidewalk to be constructed according to plans and specifications heretofore adopted for wooden sidewalks; but said permission shall only be in extreme cases. (Ord. 80 § 2, 1930).

#### **13.04.120 Subgrade.**

The subgrade shall be excavated to a depth of about four inches below the finished grade, and thoroughly settled and compressed by wetting and tamping. All fills under the sidewalk shall be made of suitable material spread in layers not to exceed one foot in thickness, each layer shall be thoroughly flushed with water and tamped and rolled, until a hard unyielding surface is obtained. In fills, the subgrade shall extend at least nine inches past the due edge of the sidewalk, and shall have a natural slope of one and one-half to one foot, unless the fill is against some permanent structure. No board retaining walls shall be used. (Ord. 80 § 2, 1930).

#### **13.04.130 Forms.**

Forms shall be of straight, sound timber, four inches in depth, surfaced on the side next to the concrete, and set firmly staked to true line and grade. After the forms are set the foundation shall be checked with a template measuring four inches in depth, below the top of the forms, and the subgrade shall be smoothed down, and, with the forms, shall be well wetted just before placing cement concrete. (Ord. 80 § 2, 1930).

#### **13.04.140 Concrete mixture.**

The standard walk shall be one course cement concrete, 1:2-1/2:4 mix, four inches thick, and six feet in width, unless otherwise permitted, having a slope toward the street of one and one-half inches in six feet. The top shall be well struck down so no stone shall be within one-half inch of the surface. (Ord. 80 § 2, 1930).

#### **13.04.150 Surface.**

The surface shall first be rolled with an approved wire mesh roller, then floated with

an approved board float, the width of the walk, in order to remove all irregularities, and then troweled smooth in a satisfactory manner. Brushing shall be permitted only on approval of the city engineer. All walks shall be marked with a V-shaped groove one-quarter inch in depth, dividing the walk into blocks two feet square. On grades of four percent or over, the surface shall be roughened by brushing. On grades of eight percent or over, the surface shall be roughened by corrugations. On grades of 16 percent or over, the surface shall be marked with a template, and shall have a raised portion every 22 inches, measuring one-half-inch raise and four-inch run. (Ord. 80 § 2, 1930).

#### **13.04.160 Expansion joints.**

An expansion joint of one-quarter-inch thickness shall extend entirely through the cement concrete walk, for the full width, approximately every 30 feet. This joint may be elastic or poured with hot expansion joint material. There shall also be an extension joint of one-half inch in width at all places at street intersections where a cement concrete sidewalk joins a concrete or granite curb. (Ord. 80 § 2, 1930).

#### **13.04.170 Cement.**

The cement shall be a true Portland cement of the best quality, dry and free from all lumps and foreign material, and shall meet all requirements for Portland cement adopted by the American Society for Testing Materials. (Ord. 80 § 2, 1930).

#### **13.04.180 Sand.**

The sand shall be washed clear and free from all foreign matter. It shall consist of hard durable particles that will not disintegrate when exposed to the weather, and shall pass through a screen having square openings measuring one-fourth inch between wires. (Ord. 80 § 2, 1930).

#### **13.04.190 Gravel.**

“Gravel” is a uniformly hard durable material that will not disintegrate when exposed to weather. The maximum size of stone permitted

### **13.04.200**

in gravel is one and one-half inches measuring along the line of greatest dimension, and not to exceed five percent shall pass a screen, having square openings measuring one-fourth inch between wires. No natural mixed aggregate pit run or river gravel shall be used until the same has been screened, washed and mixed to agree with proportions specified. (Ord. 80 § 2, 1930).

#### **13.04.200 Proportions.**

The concrete shall be mixed in proportions of one sack of Portland cement to two and one-half cubic feet of sand and four cubic feet of gravel, a cubic yard of concrete in place shall contain not less than 5-1/3 sacks of cement, or less than 23-1/3 sacks of cement to 60 feet of the running surface of the sidewalk. (Ord. 80 § 2, 1930).

#### **13.04.210 Mixing.**

Concrete shall be mixed in a batch mixer of a type approved by the city, and which admits of the accurate measurements of the materials, the number of revolutions and amount of water to be determined by the city engineer. In lieu of machinery, the concrete may be mixed by hand as follows: A tight platform of evenly laid planks shall be provided; all materials for concrete mixture must be measured in properly sized boxes. Measuring with shovels or other approximation will not be permitted. A correct portion of gravel shall be spread on the platform not more than eight inches deep, and shall be thoroughly wetted. In a separate box the correct portion of sand and cement is to be mixed dry until the whole shall have an even color. The mixture shall then be spread evenly over the wetted gravel and the whole shall be turned with shovels at least three times before adding water, and shall be thoroughly mixed after water is added, so that each stone and portion is well covered with mortar. (Ord. 80 § 2, 1930).

#### **13.04.220 Treatment of concrete after placement in subgrade.**

The cement concrete shall be immediately placed on the prepared subgrade, and shall at once be struck out and rammed and spread

next to the forms, and the top shall be rolled and floated, except as hereinbefore stated on slopes. (Ord. 80 § 2, 1930).

#### **13.04.230 Hot weather.**

In hot weather the cement concrete shall be covered with earth in some approved way and kept moist for at least five days, when the covering shall be removed and air drying permitted. (Ord. 80 § 2, 1930).

#### **13.04.240 Temperature below 40 degrees Fahrenheit.**

Cement concrete shall not be mixed or deposited when the temperature is below 40 degrees Fahrenheit unless special precautions are taken, and work protected by canvas or some manner satisfactory to the city engineer. (Ord. 80 § 2, 1930).

## Chapter 13.08

TILING<sup>1</sup>

## Sections:

- 13.08.010 Application.
- 13.08.020 Type of material.
- 13.08.030 Cost of installation.
- 13.08.040 Driveway size – Property line.

**13.08.010 Application.**

Property owners desiring to tile a driveway or any portion of their front footage shall apply to the City Hall for permission to do so. The permit shall be free of charge. (Ord. 295 § 1, 1959).

**13.08.020 Type of material.**

The street superintendent shall determine the size (diameter) and style of tile. (Ord. 702 § 1, 1978; Ord. 295 § 2, 1959).

**13.08.030 Cost of installation.**

The property owner shall pay all costs of both tile and installation, however, the city crew may or may not do the work for the property owner for actual cost of men and equipment. (Ord. 295 § 3, 1959).

**13.08.040 Driveway size – Property line.**

Each driveway shall be a minimum of 21 feet wide. Maximum width is optional to the property owner. Tile shall be laid on the property line, however, the city shall not be responsible for determining the location of the property line. (Ord. 295 § 4, 1959).

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1. For statutory authorization of cities to construct, reconstruct and repair driveways across sidewalks, see RCW 36.68.030.

## Chapter 13.12

RIGHT-OF-WAY PERMITS<sup>2</sup>

## Sections:

- 13.12.010 Permit – Required.
- 13.12.020 Permit – Issuance – Fee.
- 13.12.025 *Repealed.*
- 13.12.030 Permit – Validity.
- 13.12.040 Statement of terms.
- 13.12.050 *Repealed.*

**13.12.010 Permit – Required.**

No person or persons, including corporations, firms, companies, individuals, government agencies or officials, or any organization of any kind, may work in any city street or alley right-of-way without having first obtained a right-of-way permit from the director. (Ord. 1505 § 3, 2001; Ord. 317 § 1, 1960).

**13.12.020 Permit – Issuance – Fee.**

A. The director shall provide a form for right-of-way use permit applications and charge a fee as established by city resolution.

B. In addition to the above fee, there shall be a required deposit for a right-of-way use permit as established by city resolution to make any type of opening in a city street; provided, that this deposit shall be returned to the applicant upon approval of complete repair of the excavation to the satisfaction of the director. If in the event the repair is not made as required within 10 days from the date of the excavation, the director shall then supervise the repair and the amount of the deposit shall be retained by the city to defray the cost of the repair.

C. The fee for the permit shall be collected at the time the permit is issued. Upon approval of the application by the director, a permit is to be filled out and issued to the person paying for the permit.

D. This section does not apply to side sewer contractors who have a valid side sewer permit

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2. For statutory provisions authorizing third-class cities to regulate sidewalks and streets, see RCW 35.24.290(3).

## 13.12.025

in their possession. Side sewer contractors shall not unduly block any street or alley as determined by the director. (Ord. 1505 § 3, 2001; Ord. 1375 § 18, 1998; Ord. 1173 § 1, 1992; Ord. 665 § 1, 1978; Ord. 317 § 2, 1960).

### 13.12.025 Consultant services – Fee and deposit.

*Repealed by Ord. 1505.* (Ord. 1375 § 19, 1998; Ord. 1173 § 2, 1992).

### 13.12.030 Permit – Validity.

The right-of-way permit shall be valid only for the time designated on the permit. The director shall designate the length of time that the permit shall be valid at the time the permit is issued. The director shall exercise his/her discretion and shall have the sole power to decide whether or not a permit shall be issued at that time, providing that the decision of the director may be appealed to the city council upon the application of any person being denied such a permit. (Ord. 1505 § 3, 2001; Ord. 317 § 3, 1960).

### 13.12.040 Statement of terms.

The terms under which the excavation and the repair thereof are to be made by the person securing the permit shall be stated and printed on the permit, and the director shall inspect the site of the excavation before and after the excavation, to ascertain and make certain that the person making the excavation has completely repaired the area to the satisfaction of the director. Any person or persons who do not make the excavation and repair thereof in accordance with the requirements of the director shall not be granted any further permits requested in future applications until such time as the cost of the proper repair to the excavation has been fully paid for by the person. (Ord. 1505 § 3, 2001; Ord. 317 § 4, 1960).

### 13.12.050 Liability.

*Repealed by Ord. 1505.* (Ord. 317 § 5, 1960).

## Chapter 13.16

### STREET AND ALLEY VACATIONS

#### Sections:

13.16.010 Street and alley vacations – Fee.

13.16.015 Consultant services – Fee and deposit.

13.16.020 Utility easement.

#### 13.16.010 Street and alley vacations – Fee.

There shall be a fee as established by city resolution for any city street or alley vacation. In addition thereto, said person shall pay the sewer assessment area charge which would have been assessed to said street or alley had it not been city property. (Ord. 1375 § 20, 1998; Ord. 1173 § 3, 1992; Ord. 658 § 1, 1977).

#### 13.16.015 Consultant services – Fee and deposit.

In addition to the fee required under PMC 13.16.010, the applicant shall reimburse the city for the costs of any professional consultants hired by the city to process, review or inspect any applications for a street or alley vacation. These professional services may include, but shall not be limited to, engineering, legal, financial and accounting services. The applicant shall submit along with the application a nonrefundable base deposit as established by city resolution to cover anticipated costs of retaining professional consultants. Additional amounts shall be deposited at the request of the city. (Ord. 1375 § 21, 1998; Ord. 1173 § 4, 1992).

#### 13.16.020 Utility easement.

The city shall reserve from each and every street and/or alley vacation an easement for public utilities. (Ord. 658 § 2, 1977).



**Chapter 13.20**

**PRIVATE ACCESS**

Sections:

13.20.010 Street name sign – Cost liability.

**13.20.010 Street name sign – Cost liability.**

When a private access is needed for more than one dwelling, the need shall be determined by the address committee of the city; then the city will purchase and maintain the street name sign, and the costs will be billed to the owners of those dwellings which are accessible only by the particular private access road. (Ord. 772 § 1, 1980).

