

**RESOLUTION NO. 2020 -28**

**A RESOLUTION OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF INYO, STATE OF CALIFORNIA,  
ADOPTING THE INYO COUNTY COST SHARING POLICY FOR THE  
MAINTENANCE OF THE STREETSIDE APRON**

**WHEREAS**, the Inyo County Board of Supervisors recently added Chapter 12.20 to the Inyo County Code to clarify issues surrounding the proper maintenance of trees on County roads, the streetside apron, and private property; and

**WHEREAS**, in an effort to encourage property owners to comply with the responsibilities and requirements set out in Chapter 12.20, the Inyo County Board of Supervisors wishes to provide some assistance to property owners when it comes to tasks related to the maintenance of the streetside apron; and

**WHEREAS**, the attached Inyo County Cost Sharing Policy for the Maintenance of the Streetside Apron sets out various methods by which the County will provide assistance to property owners for tasks related to the maintenance of the streetside apron; and


**WHEREAS**, the Board therefore wishes to adopt the attached Inyo County Cost Sharing Policy for the Maintenance of the Streetside Apron as the official policy of the County.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of the County of Inyo that


1. The Inyo County Cost Sharing Policy for the Maintenance of the Streetside Apron is hereby adopted as the official policy of Inyo County.
2. The Director of Public Works, or his or her designee, shall have the authority to manage all aspects of the implementation of this policy.
3. The Director of Public Works, or his or her designee, shall have the authority to discontinue, either temporarily or permanently, the assistance offered in this policy should he or she deem it unfeasible to continue to provide such assistance.

**PASSED AND ADOPTED** this 16th day of June, 2020, by the following vote:

AYES: -5- Supervisors Griffiths, Kingsley, Pucci, Tillemans, Totheroh  
NOES: -0-  
ABSTAIN: -0-  
ABSENT: -0-

  
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MATT KINGSLEY, Chairperson  
Inyo County Board of Supervisors

ATTEST: Clint Quilter  
Clerk of the Board

By:   
Darcy Ellis, Assistant  
Assistant Clerk of the Board

# Exhibit A

## **Inyo County Cost Sharing Policy for the Maintenance of the Streetside Apron<sup>1</sup>**

**Adopted on June 16, 2020 by Board Resolution No. 20-XXX**

Pursuant to Inyo County Code Chapter 12.20 and California state law, a property owner is responsible for the maintenance of any streetside apron area that abuts his or her property. This maintenance responsibility extends to both paved and unpaved streetside aprons. While such maintenance can be classified as one of the many costs of homeownership, Inyo County recognizes that these maintenance costs are often quite high. Inyo County also recognizes that sidewalks provide a benefit to the public as a whole. Therefore, via this policy, Inyo County seeks to provide assistance with various aspects of streetside apron maintenance.

### **Tree Maintenance**

To defray the cost of tree maintenance and to promote public safety and the aesthetic value of well-trimmed trees, Inyo County seeks to work collaboratively with property owners to encourage them to keep their trees trimmed. Inyo County will therefore assist property owners by providing haul away services for tree branches or trunks that property owners have removed in the course of trimming trees located on their property.

This service shall be provided under the following terms and conditions:

1. Inyo County shall charge property owners a flat-rate fee of \$25 per removal, should the property owner choose to utilize this service. This fee will cover the pick-up of tree pieces from an easily accessible place on the property, the transportation of the tree pieces to a disposal site, and any fees charged by the disposal site.
2. Tree limbs, branches, or trunks must be stacked neatly for pick up in an area immediately adjacent to a road or driveway that is accessible to a large truck. Tree limbs may not be stacked in a back yard unless the back yard has road access.
3. Any pieces of trees (i.e. limbs, branches, or trunks) must be less than 6 feet long and less than 6 inches in diameter. Any limbs longer or thicker than these dimensions must be broken down by the property owner before Inyo County will haul them away.
4. Inyo County will haul away a maximum of 5 cubic yards of tree pieces.
5. Inyo County will provide this service once every five years to each residentially zoned property in the unincorporated areas of Inyo County. Additional service may be provided at the sole discretion of the Inyo County Public Works Director.

Property owners must contact the Inyo County Public Works Department before they begin trimming a tree in order to determine when Public Works will be able to pick up the branches. Due to Public Works' numerous other responsibilities, this service is not available "on demand," and a pick-up generally must be scheduled at least 2 weeks in advance.

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<sup>1</sup> Any terms used in this policy should be interpreted as defined in Inyo County Code § 12.20.010.

Inyo County would like to remind property owners to never work in close proximity to high voltage power lines when trimming a tree. Often, if a tree is growing close to a power line, it is the responsibility of your electrical utility provider to trim the tree. Please contact your electrical utility provider if you notice trees adjacent to or on your property that are growing near power lines.

The County shall have the sole discretion to discontinue or place reasonable limitations on this service should staffing, funding, or other operational issues render it unduly burdensome to continue to provide such a service.

### **Paved Sidewalk Repairs and Replacement**

Paved sidewalks provide a tangible benefit to both the owner of the property that they abut and the public at large. Property owners who have paved sidewalks in front of their homes enjoy increased property values and a safe and easy way to move about their community. Similarly, because sidewalks are open to the public at large, any member of the public may enjoy paved sidewalks as a place to exercise and means to move about their community.

Per California state law and Chapter 12.20 of the Inyo County Code, the maintenance of paved sidewalks is the responsibility of the adjacent property owner. This maintenance responsibility includes ensuring that paved sidewalks are maintained in a manner that permits the safe and unobstructed passage of pedestrian traffic. Specifically, this responsibility includes, but is not limited to:

- Ensuring that the sidewalk has a level surface
- Ensuring that the sidewalk is not excessively cracked
- Ensuring that the sidewalk is not lifting due to tree roots or other underground obstructions
- Ensuring that the sidewalk does not pose an unreasonable trip hazard
- Ensuring that the sidewalk is not obstructed by any manmade (e.g. junk, refuse, cars) or natural (e.g. overgrown shrubs, excessive weeds) blockages
- Ensuring that the sidewalk meets all structural and accessibility requirements set out in the Americans with Disabilities Act and the California Building Code

If the sidewalk adjacent to your property does not permit the safe and unobstructed passage of pedestrian traffic, Inyo County requires you to repair or replace it, after obtaining all necessary permits. In recognition of the fact that paved sidewalks provide both a public and private benefit and the fact that sidewalk repairs can be costly, it is the policy of Inyo County to assist property owners with the repair or replacement of paved sidewalks.

Specifically, if a property owner has determined that the sidewalk adjacent to his or her property needs to be repaired or replaced, Inyo County offers property owners the option of having the County remove the old sidewalk and haul away the concrete at the County's expense. However, before the County will perform any demolition services for the adjacent property owner, the adjacent property owner must demonstrate compliance with the following conditions:

- Obtaining all necessary permits from any County departments that are required to approve concrete work in the sidewalk area. Generally, this will include the Building and Safety Department, the Road Department, and occasionally the Environmental Health Department.
- Obtaining any permission necessary from a homeowner's association, if the property is under the jurisdiction of a homeowner's association.
- Providing documentation from a licensed concrete contractor in which the contractor commits, to the best of his or her ability, to begin work to replace the sidewalk no later than 7 days after the County removes the old sidewalk.

Please note that all permitting requirements exist regardless of whether or not the adjacent property owner chooses to use the County's demolition and haul away services. The County shall have the sole discretion to discontinue or place reasonable limitations on this service should staffing, funding, or other operational issues render it unduly burdensome to continue to provide such a service.