



● **McQUISTON ASSOCIATES**

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CF13-0941

ITEM #, B&F 2/10/14

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E. Pulst

**STATEMENT of J.H. McQUISTON on
NO-FEE PERMIT for SIDEWALK CORRECTIONS**

Honorable Chairman and Members of the Committee:

I support the CAO Report which proposes no-fee permit for sidewalk corrections.

City only has easement over property, to allow non-property personnel to cross the property. **Property extends to center of street, not to edge of sidewalk. All improvements attached permanently to property becomes property owner's.**

State Streets & Highways Code requires property owner to correct improper sidewalk condition. If property owner takes the initiative, it would be well to waive fee.

However, City must issue notice to correct improper sidewalk condition, to property-owner which does not take initiative. Code allows City to impose reasonable permit-fee.

Because current fees imposed by City for work on easement-parts are **excessive and not per Article 13, State Constitution,** It is better not to impose fees.

The loss of fees would not be significant to budget.

Respectfully submitted,

J. H. McQuiston

c: Interested parties