

STREET AND SIDEWALK IMPROVEMENTS

It shall be the policy of the City Council to initiate street and sidewalk improvements on streets that are more than fifty percent (50%) improved and to assign the cost of these improvements to the adjoining property owners. The methods used to finance the improvements are as follows:

- A. Voluntary payment of construction funds by benefited property owners.
- B. Advancement of construction funds by the City.
- C. Use of Chapter 27 provisions of the 1911 Act.

If the method whereby the benefited property owners advance the construction funds is used, the engineering, inspection, and incidental costs will be borne by the City. Projects financed in this manner shall be given a high priority.

If the method whereby the City advances the construction funds is used, the engineering, inspection, and incidental costs will be borne by the City. Under this method the City shall advance the funds only after an agreement between the property owners and City has been signed in which the owners agree to repay the construction costs over a three-year period at prevailing interest rates.

If the provisions of Chapter 27 are used, the cost of engineering and inspection and identifiable incidentals shall be borne by the adjoining property owners.

In cases where Chapter 27 of the 1911 Act is used to improve unpaved alleys, the staff may advance up to \$20,000 per year from the Street and Alley Maintenance Program for alley paving. All funds advanced for construction, engineering and inspection shall be collected from the benefited property owners using the legal provisions of Chapter 27.

On streets that are more than fifty percent (50%) improved, owners without curb, gutter, sidewalks and/or paveout shall be required to install the remaining improvements when obtaining building permits for remodeling, new construction or additions.

On those residential streets which have been designated "significant links" by resolution of the City Council, street and sidewalk construction shall be required in conjunction with any substantial construction on adjacent private property. The Building Department, Planning Department and Public Works Department shall coordinate this policy to assure compliance with Section 13.05.010 of the Newport Beach Municipal Code and cause the necessary sidewalk and street improvements to be constructed.

Adopted - October 24, 1966

Amended - May 22, 1972

Amended - October 12, 1982

Amended - November 28, 1988

Reaffirmed - January 24, 1994

Amended - February 26, 1996