



Legislation Details (With Text)

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**Type:** Ordinance      **Status:** Passed Finally

**File created:** 12/9/2014      **In control:** Committee on Public Works

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**Effective date:** 12/31/2014

**Title:** Ordinance amending the City Code at Title Four: - Public Places and Property, Article I: Streets and Sidewalks, Chapter 417: Pavement Protection by adding a new section at 417.02 (a), setting the rate of compensation and, periodic recalculation, for damage to sidewalks caused by city tree roots.

**Sponsors:** Darlene M. Harris, Theresa Kail-Smith

**Indexes:** PGH. CODE ORDINANCES TITLE 04 - PUBLIC PLACES

**Code sections:**

**Attachments:** 1. 2014-1128.doc, 2. 2014-1128 VERSION 2.doc

Date	Ver.	Action By	Action	Result
1/8/2015	2	Mayor	Signed by the Mayor	
1/7/2015	2	Mayor	Signed by the Mayor	
12/22/2014	2	City Council	Passed Finally	Pass
12/15/2014	2	Standing Committee		
12/15/2014	2	Standing Committee		
12/9/2014	1	City Council	Read and referred	

Ordinance amending the City Code at Title Four: - Public Places and Property, Article I: Streets and Sidewalks, Chapter 417: Pavement Protection by adding a new section at 417.02 (a), setting the rate of compensation and, periodic recalculation, for damage to sidewalks caused by city tree roots.

**The Council of the City of Pittsburgh enacts as follows:**

**Section 1.** The City Code is hereby amended at Title Four: Public Places and Property, Article I: Streets and Sidewalks, Chapter 417: Pavement Protection by adding a new section at 417.02 (a), City Tree Root Sidewalk Damage Claims and Compensation.

**§ 417.02 SIDEWALK AND CURB MAINTENANCE.**

It shall be the duty of all owners of property abutting or adjoining streets to maintain all sidewalk pavements and curbing in proper and safe condition.

**417.02 (A) City Tree Root Sidewalk Damage Claims and Compensation**

- 1) In the event that a tree that has been installed by the city and/or the installation has been otherwise been sanctioned by the city, **and** should **cause** ~~causes~~ damage to the side walk and/or curb, the abutting property owner may file a claim for damages with the city's Department of Law.
  
- 2) Upon verification of the claim, the City Solicitor shall provide compensation to the abutting property owner(s) not to exceed Eight Dollars (\$8.00) per sq. foot.
  
- 3) Every four (4) years, beginning on January 1, 2015, the City Solicitor shall, ~~every four years~~, adjust the amount of compensation provided for sidewalk damage claims based upon the United States Department of Labor's, Bureau of Labor Statistics, Consumer Price Index ("**CPI**") for Pittsburgh. The percentage of increase/decrease in the Pittsburgh CPI shall be the percent of the increase/decrease in compensation provided.
  
- 4) The City Solicitor shall provide notice to the Council of any adjustment made to the amount provided for side walk damage claims.