



Public Works Department
100 South Main Street Banks, OR 97106
(503) 324-5112 Fax: (503) 324-6674

RE: Warning about Broken Sidewalks and Tree Limbs.

Homeowners

- In the past, a citizen fell because an uneven sidewalk. Recovering from surgery, our neighbor had to see the doctor and lost a day of work. Recently another citizen fell on a sidewalk causing arm and elbow injury.
- Is your sidewalk uneven or needing repair? The Banks Public Works Department recommends that you make improvements as soon as possible, whether or not the walk has been marked as a hazard.
- While the City owns a right of way allowing for street expansion, utilities and pedestrian use, **homeowners maintain the sidewalks** on their property, and are responsible for "due diligence" to insure the safety of pedestrians. (Banks Municipal Code, CHAPTER 90: NUISANCES § 90.10 DEFECTIVE SIDEWALKS; SNOW AND ICE (B) and (C).)
- Also, **tree limbs** should be trimmed for at least eight feet of clearance for pedestrians. (Banks Municipal Code, CHAPTER 90: NUISANCES § 90.07 TREES (A).)

"Banks Municipal Code, CHAPTER 90: NUISANCES § 90.10 DEFECTIVE SIDEWALKS; SNOW AND ICE. (B) No owner of property, improved or unimproved, abutting on a public sidewalk, shall permit the sidewalk to deteriorate to such a condition that, because of cracks, chipping, weeds, settling, covering by dirt, or other similar occurrences, the sidewalk becomes a hazard to persons using it. (C) The City shall not be liable to any person for loss or injury to a person or property suffered or sustained by reason of any accident on sidewalks caused by ice, snow, encumbrances, obstructions, cracks, chipping, weeds, settling, holes covered by dirt or other similar conditions. Abutting property owners shall maintain sidewalks."

"Banks Municipal Code, CHAPTER 90: NUISANCES § 90.07 TREES. (A) No owner or person in charge of property that abuts on a street or public sidewalk shall permit trees and bushes on the property to interfere with street or sidewalk traffic. An owner or person in charge of property that abuts on a street or public sidewalk shall keep all trees and bushes trimmed on the premises, including the adjoining parking strip, trimmed so that any overhanging portions are at least eight feet above the sidewalk and at least twelve feet above the roadway."

If you have any questions please call the City of Banks at (503) 324 -5112 or check our website at www.cityofbanks.org .

Thank you,


Jim Hough
Public Works Director