

**CITY OF LIBERTY LAKE  
SPOKANE COUNTY, WASHINGTON  
ORDINANCE NO. 123**

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON RELATING  
TO THE DUTY TO MAINTAIN SIDEWALKS AND PROVIDING FOR OTHER  
MATTERS PROPERLY RELATED THERETO.**

WHEREAS, RCW 35.21.220 authorizes cities to regulate the use of sidewalks within their corporate boundaries; and

WHEREAS, the City Council of the City of Liberty Lake desire to impose the duty to maintain sidewalks upon the owners of property abutting the sidewalks and declare the failure to maintain the same subject to a civil penalty.

NOW THEREFORE, the City Council of the City of Liberty Lake, Washington do ordain as follows:

**Section 1.** Purpose. The City declares it is in the best interests of the citizens of the City of Liberty Lake to require the maintenance of sidewalks to keep the same free from any obstruction, impediment, or condition that impairs the safety or use of the sidewalk.

**Section 2.** Definitions. For the purposes of this Ordinance, the following definitions shall apply:

A. "Sidewalk" includes any and all pedestrian structures or forms of improvement for pedestrians included in the space within the street margin, as defined by a curb or the edge of the traveled road surface, and the line where the public right of way meets the abutting property.

B. "Streets" means a public or private roadway which provides the primary means of access to property.

C. "Abutting property" means all property having frontage upon the sides or margins of any street.

**Section 3.** Abutting Property Owners Duty to Maintain. When any street is improved with a sidewalk along either or both sides thereof, the duty to clean and maintain the same shall be upon the abutting property owner. It shall be the responsibility of the owner of property abutting upon a public sidewalk to maintain the sidewalk at all times in a safe condition, by removing snow and ice, or any accumulation of debris, materials or objects where the same endangers or interferes with the public convenience in the use of such sidewalks. Maintenance shall include repair and restoration of the sidewalk according to City standard.

**Section 4.** Expense of Maintenance and Repair. The burden and expense of maintaining and repairing sidewalks along the side of any street shall be upon the abutting property owner.

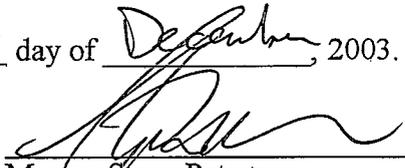
**Section 5.** Penalty of Noncompliance. In addition to any other legal remedy, the City may issue a Class I civil infraction pursuant to RCW 7.80 to a property owner for failure to comply with the provisions of this Ordinance.

**Section 6. Liability.** The express intent of the City of Liberty Lake is that the responsibility for compliance with the provisions of this Ordinance shall rest with the abutting property owner. This Ordinance and its provisions are adopted for the purpose of protecting the health, safety, and welfare of the general public and not any particular class of individuals or organizations.

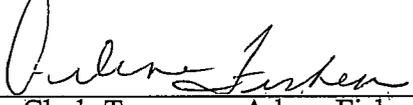
**Section 7. Severability.** If any section, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

**Section 8. Effective Date.** This Ordinance shall be in full force and effect five (5) days after publication of the Ordinance summary or a summary thereof in the official newspaper of the City as provided by law.

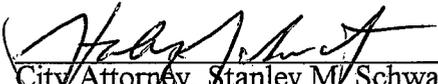
PASSED by the City Council this 2 day of December, 2003.

  
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Mayor, Steve Peterson

ATTEST:

  
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City Clerk-Treasurer, Arlene Fisher

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney, Stanley M. Schwartz  
Date of Publication: 12/16/03  
Effective Date: 12/31/03