



City of Woodland

**REPORT TO MAYOR AND CITY COUNCIL**

AGENDA ITEM

TO: THE HONORABLE MAYOR  
AND CITY COUNCIL

DATE: Sept. 16, 2008

SUBJECT: ORDINANCE TO AMEND CHAPTER 20  
OF THE CITY MUNICIPAL CODE  
REGARDING STREETS AND SIDEWALKS

**Report in Brief**

Chapter 20 of the City of Woodland Municipal Code governs the streets, sidewalks, and public rights of way within the City. Included in this chapter are sections regarding encroachment permits for working or placing obstructions within the public right of way.

Staff recommends that the City Council adopt an Ordinance to amend Chapter 20 of the City of Woodland Municipal Code regarding Streets and Sidewalks.

**Background**

This proposed Ordinance was introduced and significant detail provided to Council at their September 2, 2008 meeting with no comments heard.

**Discussion**

The Ordinance will modify two sections of municipal code. First to exempt A-frame signs, under Section 20-1-3 of the Municipal Code, from requiring an encroachment permit. Second, modify Section 20-1-5 to require that utility connections to the City utilities outside of a street right-of-way be completed under a City Encroachment Permit.

Detailed study has been undertaken and information provided to Council regarding the proposed amendments to the language in the Municipal Code

**Fiscal Impact**

It is estimated that encroachment permit revenues to recover costs for inspecting connections outside of City rights-of-way will increase slightly while revenues formerly generated by A-frame sign encroachment permits will cause an offsetting decrease. Therefore, there will be no net impact on the General Fund.

**Public Contact**

Posting of the City Council agenda and introduction of the Ordinance at the September 2<sup>nd</sup> meeting.

**Recommendation for Action**

Staff recommends that the City Council adopt an Ordinance to amend Chapter 20 of the City of Woodland Municipal Code regarding Streets and Sidewalks.

Prepared by: Sue Vannucci, Director of  
Administrative Services

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Mark G. Deven  
City Manager

Attachment: Ordinance Amending Article 1 of Chapter 20 of the Woodland Municipal Code

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODLAND  
AMENDING ARTICLE I OF CHAPTER 20 OF THE WOODLAND MUNICIPAL CODE  
RELATING TO STREETS AND SIDEWALKS**

The City Council of the City of Woodland, California, does hereby ordain as follows:

- 1. Purpose.** The purpose of this Ordinance is to amend Article I of Chapter 20, Sections 20-1-3 and 20-1-5 of the Woodland Municipal Code, to exempt certain permissible signs and displays from the requirement to obtain an encroachment permit, and to provide that an encroachment permit may be required for connection to City water, sewer, or storm drain systems under certain circumstances.
- 2. Authority.** The City Council enacts this Ordinance under the authority granted to cities by Article XI, Section 7 of the California Constitution.
- 3. Amendment.** Article I of Chapter 20, Sections 20-1-3 and 20-1-5 of the Woodland Municipal Code are hereby amended to read in full as follows:

**Section 20-1-3. Exemptions from applicability of chapter.**

This chapter shall not apply to officers or employees of the city lawfully discharging their official duties, and the following:

(a) Any resident or commercial customer who places a garbage, recycling, or yard waste container, provided by the city or the city's contract agent, in the roadway in front of the property in which the service is being provided the evening before a regularly scheduled collection day in a manner that does not restrict reasonable gutter drainage or obstruct traffic, and removes such container as soon as possible but no later than twenty-four hours after the garbage, recycling, or yard waste container collection.

(b) Any resident or commercial customer who places yard waste in the street in accordance with Section 23C-4-16, in a manner that does not restrict reasonable gutter drainage or obstruct traffic. (Ord. No. 1201, § 2 (part); Ord. No. 1488, § 3.)

(c) The placement of portable signs, advertisements, or displays that are not within the vehicular street cross-section, and do not obstruct an accessible path for pedestrian traffic, and comply with all other City Codes and Ordinances.

**Section 20-1-5. Same—When required.**

No person shall encroach or cause to be made any encroachment of any nature whatever within, upon, over or under the limits of any right-of-way or watercourse; or make or cause to be made any alteration of any nature within, upon, over or under such right-of-way or watercourse; or construct, put upon, maintain or leave thereon, or cause to be constructed, put upon, maintained or left thereon, any obstruction or impediment of any nature whatever; or remove, cut

or trim trees thereon, or set a fire line, conduit or other fixtures; or move over or cause to be moved over the surface of any right-of-way or over any bridge, viaduct or other structure maintained by the city, any vehicle or combination of vehicles or other object of dimension or weight prohibited by law or having other characteristics capable of damaging the right-of-way; or place any structure, wall, culvert or similar encroachment, or make any excavation or embankment in such a way as to endanger the normal usage of the right-of-way or watercourse without having first obtained a permit as required by this chapter. An encroachment permit will normally be used only for a single parcel development. An encroachment permit may also be required by the City Engineer for connection to the City water, sewer or storm drain systems when the connection is outside of the street right-of-way. (Ord. No. 1201, § 2 (part).)

**4. Effective Date and Notice.** This ordinance shall take effect thirty (30) days after its adoption and, within fifteen (15) days after its passage, shall be published at least once in a newspaper of general circulation published and circulated within the City of Woodland.

PASSED AND ADOPTED by the City Council of the City of Woodland this \_\_\_\_ day of \_\_\_\_\_, 2008, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Marlin H. "Skip" Davies, Mayor

ATTEST:

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Susan L. Vannucci, City Clerk

APPROVED AS TO FORM:

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Andrew Morris, City Attorney