

**CHAPTER 34, ARTICLE IV  
SIDEWALK CONSTRUCTION AND IMPROVEMENT**

**Sec. 31-54. Duties of abutting property owners.**

It shall be the duty of the owner or the lessee of any lot or parcel abutting upon any sidewalk now or hereafter constructed in the City to keep and maintain such sidewalk in repair.

**Sec. 31-55. Liability of abutting property owners for defective sidewalk.**

Any owner of any lot or parcel of land abutting on any sidewalk of the City who fails to keep the same in repair, shall be liable for any damage on account of any injury that may be occasioned by reason of the defective condition or want of repair of any sidewalk within the City.

**Sec. 31-56. Procedure for repairing sidewalks generally.**

Whenever any sidewalk in the City shall become defective, the Street Transportation Director shall notify the owner of the abutting property of such defective condition and shall notify the owner to immediately repair such sidewalk and unless immediate steps are taken by the owner to repair the sidewalk, the City shall proceed to repair the sidewalk and tax the cost of such repair to the abutting property owner and make such cost a lien upon the property abutting on the sidewalk so repaired. Any such owner shall be liable for and pay the cost and expenses incurred by the City for repairing such sidewalk and the property abutting on such sidewalk so repaired shall be subject to a lien for the cost and expenses incurred by the City in repairing such sidewalk.

**Sec. 31-57. Repair of sidewalks by City upon failure of abutting property owners.**

(a) Whenever any owner shall have notified to repair any sidewalk, as provided in the preceding section, and shall fail to repair such sidewalk as required by the notice and ordinances of the City, the Street Transportation Director may within three days after such notice to such owner, proceed to repair such sidewalk and when so repaired by the City, the cost of such repair shall be paid by the owner of such abutting property and be collected as provided in this division.

(b) The City Controller shall notify the owner of such abutting property of the amount due for repairing such sidewalk and the owner shall thereafter pay to the City Treasurer the amount of the cost of such repair. Upon the failure on the part of the owner to pay such cost within forty-five days after notice, the City Controller shall certify to the Tax Assessor of Maricopa County the amount due from such owner for the repair of such sidewalk, together with the property on which the costs for repair is a lien, which amount from the date of certification shall be extended by the County Assessor on the tax rolls of the County as a lien against such abutting property so repaired and, when so extended, it shall be collected and paid in the manner that other taxes of the City are paid.

**Sec. 31-59. Resolution of City Council to construct.**

(a) The City Council, whenever it is to the best interests of the public, may pass a resolution providing for the construction of sidewalks, in which resolution the sidewalks to be constructed shall be briefly described. The resolution shall set forth the width of the sidewalk to be constructed and the location of such sidewalk. The resolution may order and direct that the construction of such sidewalk shall be made by the owners of the abutting property and also that in the event of the failure of the abutting property owners to construct such sidewalks, the City shall do the work and the expense shall be charged to the abutting property owners.

(b) Such resolution shall be published one time, either in a daily or weekly newspaper of general circulation, published in the City and the Street Transportation Director shall cause to be posted along the line of the proposed improvement and upon the lots in front of which the sidewalks are to be constructed, a copy of the resolution.