

## **Sidewalks and state law**

*By Virginia Bruce*

Early during the summer of 2013, a heat wave caused a segment of the sidewalk on Saltzman Road to buckle (see photo). It was a safety hazard to pedestrians, causing them to walk in the dirt or in the road to pass it.

And there it sat, for months on end, because, as we found out eventually, Oregon state law requires that the “owner of the abutting real property” is responsible for repairing sidewalks in unincorporated county areas. Washington County Maintenance had been trying to get the adjacent homeowner to pay for the repairs, even though they had no more access to that particular chunk of sidewalk than any of their neighbors.

Eventually Dave Schamp, head of Washington County road maintenance, determined that faulty installation was the problem, and required the original contractor to repair the sidewalk. But the same problem will undoubtedly affect pedestrians and homeowners in similar situations around the state.

I approached our State Representative, Mitch Greenlick, and he agreed to prepare legislation to address the problem. HB 3195 will be taken up sometime during the current session. It has been sent to the Business and Labor House Committee. You can follow it here: <https://olis.leg.state.or.us/liz/2015R1/Measures/Overview/HB3195>

Opposition may come from the Association of Oregon Counties, since they will have to find alternate ways to pay for that particular set of sidewalk repairs. But how is it fair for a homeowner, one out of many in a neighborhood, to pay for something they didn't request and can't use? I don't know who that homeowner was, and I don't live near a sidewalk. And I do think it's important that pleasant pedestrian improvements are available everywhere. Hopefully this bill will pass and make them easier to live with.