

RESOLUTION NO. 241

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIDGECREST AUTHORIZING THE SECRETARY OF THE PLANNING COMMISSION TO APPROVE REQUESTS TO CONSTRUCT FENCES, WALLS, AND HEDGES BEHIND SIDEWALKS IN THE PUBLIC RIGHT-OF-WAY

WHEREAS, the City Council has approved construction of integrated curbs and sidewalks within the City of Ridgecrest; and

WHEREAS, such construction leaves portions of the public right-of-way between the sidewalk and the property lines; and

WHEREAS, the erection of fences, walls, and hedges behind property lines in such situations would leave portions of the public right-of-way which the City does not desire to maintain; and

WHEREAS, the City Council wishes to provide that property owners may use such portions of the public right-of-way located between sidewalks and property lines as if such portions of the right-of-way were part of the property on which the sidewalk fronts; and

WHEREAS, the Planning Commission and City Council do not wish to review each and every application for the use of such public right-of-way at public meetings; and

WHEREAS, it is necessary that plans for the erection of fences, walls, and hedges be reviewed by the City to insure that utility lines and facilities are not obstructed or rendered useless by such erection;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIDGECREST RESOLVES:

1. That property owners desirous of constructing or erecting fences, walls, or hedges adjacent to sidewalks on public right-of-way shall submit a plot plan to the Secretary of the Planning Commission showing location of the proposed construction in relation to property lines and sidewalks and known utility lines and facilities in the vicinity of the proposed erection.

2. That the Secretary of the Planning Commission, after coordinating with the utility districts or firms involved, may approve the plan and authorize the erection of fences, walls, or hedges in the public right-of-way between sidewalks and property lines if:

a. Protection for fire hydrants, street lamp poles, utility lines, and other public utility facilities is shown on the plan as adequate.

b. The location of the fence, wall, or hedge is adjacent to the rear of the sidewalk and does not obstruct normal traffic in the public right-of-way.

3. That the Secretary of the Planning Commission shall refer to the Planning Commission any plan which the applicant does not wish to alter to comply with conditions 2.a. and 2.b. above.

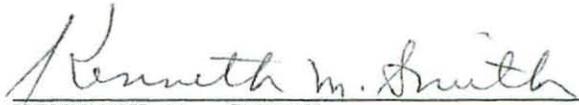
4. Approval of fences, walls, hedges, etc., in City right-of-way should be given on condition: (1) such improvements shall at all times be maintained by property owner; (2) such improvements shall be permitted as license only, not easement; and (3) property owner shall be responsible for removing same at any time upon request of City.

APPROVED AND ADOPTED this 21st day of March, 1968, by the following roll call vote:

AYES: Mayor Smith, Councilmen Jules, Kessler, & Shacklett

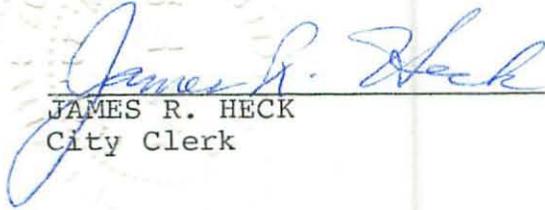
NOES: None

ABSENT: Councilman Fox



KENNETH M. SMITH
Mayor

ATTEST:



JAMES R. HECK
City Clerk