TOWN OF FAIRFAX

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Mayor
Pam Hartwell-Herrero

Vice Mayor
John Reed

Town Council
Larry Bragman
Ryan O'Neil
David Weinsoff

Town Manager
Michael Rock

July 19, 2012

Assembly Member Jared Huffman
State Capitol
P O Box 942849, Room 3120
Sacramento, CA 94249-0006
FAX (916) 319-2106

RE: Opposition to AB 2231 (Fuentes)

Dear Assembly Member Huffman,

On behalf of the Town of Fairfax, I am writing in opposition to AB 2231, which would require any city or county that has an ordinance assigning liability for sidewalk maintenance to secure voter approval before repealing that ordinance. The bill also prohibits a city with such an ordinance from imposing any related fee, charge, or assessment without voter approval.

Current State law provides that property owners are responsible for repairs on sidewalks adjacent to their property. Our local ordinance also assigns responsibility to the adjacent property owner. However, while our Town has no plans to change our ordinance, we are concerned that AB 2231 ties our hands if our situation should change in the future.

In addition, the prohibition on any fee, charge or assessment is very broad. This language would make our Town responsible for damage regardless of the cause. For instance, if a sidewalk was damaged in the course of private construction on a property, the city would be responsible for the cost of the repair.

For these reasons, the Town of Fairfax opposes AB 2231. If you have any questions about our position, please contact Judy Anderson, Interim Town Manager, 415-458-2343.

Sincerely,

John Reed
Vice Mayor

JR:ja

AGENDA ITEM # 2

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