

# **TOWN OF PARADISE VALLEY**

**Amendment to Chapter 5, Section 5-10-9**

**Hillside Safety Improvement Measures and Review Process**

**Town Council Meeting**

**April 9, 2020**



# KEY QUESTION

- Does the Council desire to change the Town Code such that the Hillside Safety Improvement Measures and Process Manual is converted into Town Code provisions and the Manual will no longer be needed?
- Does the Council desire to change the Hillside Safety provisions to grant more flexibility to the Town Engineer regarding the required level of insurance coverage?



# BACKGROUND

- The Town adopted changes to Article V of the Town Code on June 14, 2018 ( by Ordinance No. 2018-09) to implement a Hillside Safety Improvement Measures and Process by adding new regulations designed to ensure construction plans and construction activities on properties within the Hillside Development Area are conducted in a manner that improves safety
- The enhanced safety requirements were placed into a “Hillside Safety Improvement Measures and Process Manual” (the “Manual”) with the Manual having been adopted as if fully set forth in the Town Code



# BACKGROUND

- The Council asked that the actual language and requirements that were placed within the Manual now be added directly to the Town Code as an expanded Section 5-10-9
- The draft ordinance attached hereto takes the terms that were part of the Manual and places those term directly into the Town Code



# ADDITIONAL REQUESTED ITEMS

- Definitions – the definitions section was clarified so that the definitions are all placed into the Definitions section and placed in alphabetical order; and some of the definitions have now been relocated to the operative sections of the Code as were appropriate
- Insurance – due to some Hillside projects being of lesser complexity or impact and others having greater complexity or impact, the Town Engineer suggested that the Code provide for required insurance either higher or lower than the set amount of \$5 million based on the anticipated impacts



# ADDITIONAL REQUESTED ITEMS

- Demolition – insurance should also be required for demolitions of hillside homes and structures (not just new construction) as demolition activities can also result in dislodging of boulders, loose soils, blockage of drainageways, or other activities that damage adjoining or nearby properties



# COUNCIL DIRECTION

- Staff is now requesting Council direction on the two questions:
  1. Does the Council desire to change the Town Code such that the Hillside Safety Improvement Measures and Process Manual is converted into Town Code provisions and the Manual will no longer be needed?
  2. Does the Council desire to change the Hillside Safety provisions to grant more flexibility to the Town Engineer regarding the required level of insurance coverage?



QUESTIONS?

