



Legislation Text

File #: 20-171, **Version:** 1

TO: Mayor and Town Council

FROM: Jill Keimach, Town Manager
Andrew Miller, Town Attorney
Paul Mood, Town Engineer
Hugo Vasquez, Hillside Development Administrator

DATE: April 9, 2020

DEPARTMENT: Town Attorney

AGENDA TITLE:

Discussion of Ordinance Number 2020-05, Amending Chapter 5, Section 5-10-9, adding the full text of the Hillside Safety Improvement Measures and Process and deleting references to the "Hillside Safety Improvement Measures and Process Manual"

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.

The Council has 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.

Additionally, as staff was reformatting the Manual so as to be placed in the Code some additional items were addressed:

- 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.
- Demolition - insurance should also be required for demolitions of hillside homes and structures

(not just new construction) as a demolition activities can also result in dislodging of boulders, loose soils, blockage of drainageways, or other activities that damage adjoining or nearby properties.

The Town Council should review the attached draft ordinance and provide direction on any changes needed; and if none, set Ordinance Number 2020-XX for adoption.

RECOMMENDATION:

Provide comments on draft Ordinance Number 2020-05 and advise whether the ordinance should be scheduled for Council adoption at a future meeting.

BUDGETARY IMPACT:

None.

ATTACHMENT(S):

Draft Ordinance 2020-05

Comparison Draft of Changes to Safety Provisions